

Communication from Public

Name: Coalition for an Equitable Westlake Macarthur Park
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Council File No: 18-1242
Comments for Public Posting:

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Planning and Land Use Committee
200 N. Spring Street Room 340
Los Angeles, CA, 90012

June 10, 2019

Re: Case No. CPC-2017-712-GPA-VZC-HD-VCU-SPR-1A
Environmental No. ENV-2017-713-MND
Property Address: 2005 West James Wood Boulevard

Dear Land Use and Planning Committee,

Please find enclosed comments submitted on behalf of my client, the Coalition for an Equitable Westlake/MacArthur Park, which is comprised tenants residing in the Westlake/MacArthur Park community. The comments are submitted in support of the appeal filed by Unit Here local 11. The Project involves construction of a new hotel on an approximately 22,500 square foot Project Site at 2005 and 2009 James M. Wood Boulevard and 857 South Westlake Boulevard; a General Plan Amendment (GPA) to change land-use designations for the Project Site and an “Add Area” consisting of properties at 731–847 South Alvarado Street, 730–840 South Alvarado Street; 2019–2101 West 8th Street, 2030–2100 West 8th Street, and 2019 West James M. Wood Boulevard; a Vesting Zone Change and Height District Change; a Vesting Conditional Use Permit; and a Site Plan Review.

An MND was prepared in December 2017, which analyzes environmental impacts of the Project Site hotel development but does not analyze environmental impacts of the portion of the Project involving the Add Area.

No Analysis of GPA’s Effects on Affordable Housing, as Required by Measure JJJ

There is no indication in the Project documentation that the Department of City Planning did the analysis of the GPA required by LAMC 11.5.8 to make sure that the GPA won’t interfere with affordable housing, or that the Department has set up a program to create and monitor inventory of affordable housing units within the Community Plan area, as required by that LAMC section.

No Review by CRA/LA, as Required by Redevelopment Plan

The Redevelopment Plan for the Westlake Recovery Redevelopment Project, adopted on May 18, 1999, by Ordinance No. 172597, is still in effect. Section 521 of the Plan requires that projects be reviewed by CRA/LA, the City successor agency that now administers redevelopment plans, to

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ensure they are consistent with the Plan. But the record for the Project contains no indication that CRA/LA has approved the Project.

Incomplete Project Description

The MND's project description omits description of the portion of the project involving the Add Area. This violates the requirement that an Initial Study must contain a brief description of the project, including its location. (CEQA Guidelines, § 15063(d).)

No CEQA Analysis of Effects of General Plan Amendment

The GPA would change the land-use designation of the Project Site and the Add Area from Highway-Oriented Commercial to Community Commercial. The Westlake Community Plan designates large areas within its plan area as "Highway-Oriented Commercial." "Highway-Oriented Commercial" is not defined in the Framework Element of the Los Angeles General Plan. The General Plan is therefore not in conformance with Government Code § 65302(a), which requires the land-use element to include the uses of the land as well as standards of population density and building density for the territories covered by the general plan.

The lack of a definition of what uses and densities are allowed on lands designated as "Highway-Oriented Commercial" makes it impossible to perform an adequate CEQA analysis of the environmental impacts of changing the land-use designation for the Project Site and the Add Area from "Highway-Oriented Commercial" to "Community Commercial."

No CEQA Analysis of Effects of Redesignating Add Area

Footnotes to the Westlake Community Plan land-use map show that Highway-Oriented Commercial land is in Height District 1, with a maximum floor-area ratio (FAR) of 1.5, and Community-Commercial land is in Height District 2, with a maximum FAR of 6.0. (LAMC 12.21.1.) The re-designation of the Add Area from Highway-Oriented Commercial to Community Commercial thus quadruples the allowable FAR, potentially quadrupling the density allowed in the Add Area. This huge increase in allowable density has potentially significant environmental impacts in the area of noise, traffic, GHG emissions, public services, land use, population and housing, and air quality, which are not analyzed in the MND, a violation of CEQA.

Inadequate Air Quality Analysis

The MND's analysis of whether the Project would expose sensitive receptors to substantial pollutant concentrations is inadequate and fails to establish that the Project will result in no significant impacts. The MND's analysis is based only on SCAQMD localized significance thresholds (LSTs), although those thresholds are only applicable to NO_x, CO, PM₁₀, and PM_{2.5}.

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The MND fails to evaluate whether there may be significant effects related to exposure of sensitive receptors to any other pollutants.

The MND presents inadequate analysis to show MM-AIR-1 will adequately mitigate potentially significant impact of project construction on exposure of sensitive receptors to diesel particulate. There is no explanation of why imposing emissions standards and requiring BACT only for diesel-fueled construction equipment that will be used onsite for five days or more will ensure that the potentially significant impacts from such equipment will be sufficiently mitigated.

Inadequate Analysis of Hazards and Hazardous Materials

The MND concludes that for significance threshold (c), whether the Project would “emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school,” impacts would be less than significant because no hazardous materials other than “modest amounts of typical cleaning supplies and solvents used for housekeeping and janitorial purposes would be present at the Project site.” (p. 4.0-32.) However, in a separate discussion, the MND states that Project construction would “involve the temporary use of potentially hazardous materials, including vehicle fuels, paints, oils, transmission fluids, solvents, and other acidic and alkaline solutions that would require special handling, transport, and disposal.” (p. 4.0-30.) The MND fails to analyze the potential significant impact of the Project’s use of those materials 0.1 mile from Hoover Street Elementary School. The MND thus fails to adequately evaluate the question of whether significant effects might result from the use of hazardous materials during Project construction.

Inadequate Mitigation of Noise Impacts

MM-NOI-1 is uncertain mitigation because there is no analysis or evidence showing that turning off equipment when not in use for more than 30 minutes will be effective to reduce potentially significant noise impacts.

MM-NOI-1 provides that several of its measures are to be implemented only if feasible or to the extent feasible. The measure does not provide any standards for determining feasibility or any analysis of the likelihood that it will be feasible to (1) place equipment and staging away from sensitive uses, (2) place stationary construction equipment far from noise-sensitive uses, (3) implement noise-attenuation measures, and (4) use plug-in electric or solar-powered on-site generators. If these measures are found infeasible and thus are not implemented, this mitigation measure will be ineffective to reduce noise impacts. Without more complete analysis, the MND fails to show the measure will be effective. For threshold of significance (a), noise levels in excess of standards, technical feasibility may be relevant to whether the threshold is exceeded, but no such limitations apply to thresholds of significance (b), exposure to ground-borne vibration and noise,

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and (d), temporary or periodic increase in noise levels above existing levels. MM-NOI-1 represents illusory mitigation of those potentially significant impacts.

Due to the above, and the concerns that have also been raised by Appellant UNITE-Here, the Coalition requests that further analyses be conducted for the project.

Best Regards,

A handwritten signature in black ink, appearing to be 'C. Medina', written in a cursive style.

Claudia Medina
Attorney

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