

**QES**  
I N C O R P O R A T E D

January 21, 2019

Planning and Land Use Management Committee  
Los Angeles City Council  
200 N. Spring Street  
Los Angeles, CA 90012

Subject: Council File No. 18-1242  
Comments to Appeal of CPC-2017-712-GPA-VZC-HD-VCU-SPR

On September 13, 2018, The City Planning Commission found, pursuant to CEQA Guidelines Section 15074(b), that with the mitigation measures imposed the project will not have a significant effect on the environment. The City Planning Commission approved the MND and recommended the adoption of a General Plan Amendment, including "add areas", changing the land use designation from Highway Oriented Commercial to Community Commercial and approved; recommended a Vesting Zone Change from R4-1 and C2-1 to (T)(Q)C2-2D to allow a Building Floor Area Ratio of 2.99 to 1; approved a Conditional Use to allow a hotel within 500 feet of residentially zoned property, approved a Site Plan Review; adopted the recommended conditions from City Planning Staff and adopted the Findings necessary to support the approvals.

The Appellant's comments regarding Housing, Land Use and Air Quality are addressed in the letter dated January 17, 2019 from Meridian Consultants and attached herewith. The Appellant states that the project as proposed cannot comply with the required findings regarding necessity, public interest or the general welfare, but fails to state how the project is not in compliance.

The City Planning Commission's action is supported by clear Legislative, General Plan and Charter Findings noted in the Letter of Determination Dated November 20, 2018.

**The Proposed Land Use Designation is Appropriate**

The site and "Add Area" are located within the Westlake Community Plan and are in an area that supports bus and rail transit and includes retail, office, clinics and cafés that serve the neighborhood and is convenient to pedestrian activity. The General Plan Amendment changing the Land Use Designation to Community Commercial is appropriate and necessary in order to accommodate the changing and evolving transit infrastructure.

**The Proposed Land Use Designation supports the Goals, Policies and Objectives of the City Wide General Plan Framework**

The Subject site and "Add Area" are located within walkable transit oriented commercial corridors providing neighborhood serving uses. The General Plan encourages uses such as the proposed hotel and will support transit use, reduce vehicle dependency and



improve air quality. Changing the land use designation to Community Commercial supports the objective of encouraging local job growth and development of cultural and entertainment facilities, hotels and professional offices.

**Public Necessity, Convenience and General Welfare demand Approval of the Zone Change**

Rezoning the site as proposed will increase construction and permanent job opportunities for the local population. The proposed hotel use will provide needed short stay accommodations for tourism and business traveler in a community where there is a shortage of Mid-Tier Pricing Hotels. Convenience is served by locating a hotel near transit thereby reducing reliance on cars. Increased pedestrian activity further stimulates the local economy and boosts business to local business. The general welfare of the community is served by meeting local job needs, creating amenities around transit and bringing private investment to the community.

**Bulk and Scale of the Development are Compatible with Existing Zoning and Future Development**

The proposed Height District will provide the Building Floor Area needed to ensure the construction of the hotel project is consistent with the public necessity, general welfare and good zoning practice. To keep the development at an appropriate scale, the FAR is limited to 3:1 thereby ensuring the bulk and scale is compatible with existing and future development in the surrounding area.

**The Proposed Project will Enhance the Built Environment and serve an Important Function**

The proposed project will replace an underutilized site being improved with an older commercial shopping center with a newly constructed 100-room hotel designed in compliance with the Citywide Design Guidelines. The hotel use is in high demand and will serve the shortage of moderately priced hotels in and around the area of the Convention Center.

**The Surrounding Neighborhood, Public Health, Welfare and Safety are Protected**

The current request for Height District Change will permit a 3:1 Building Floor Area Ratio consistent with the surrounding R3 and R5 zoned lots. The 9-foot setback along the northern boundary together with the "U" Shaped configuration of the building design reduces the massing and creates a buffer between the hotel and the existing apartment uses.



**The Project Conforms with the Purpose and Intent of the General Plan and Community Plan**

The proposed zone is consistent with the zones permitted in the Community Commercial land use designation. The demolition of the existing shopping center and construction of the hotel use will support the tourism industry and create local construction and permanent jobs. The hotel use is defined as a hybrid residential use and therefore creates a transitional use between commercial and residential. Code required parking is substantially located in basement garages ensuring that the ground floor is primarily used for pedestrian oriented activity.

The redevelopment of underutilized land is encouraged by the Westlake Recovery and Redevelopment Project Plan. By locating new development near public transit, it will help to revitalize the neighborhood, accommodate tourism and enhance business development.

**The Arrangement of the Proposed building will be Compatible with Existing and Future Development**

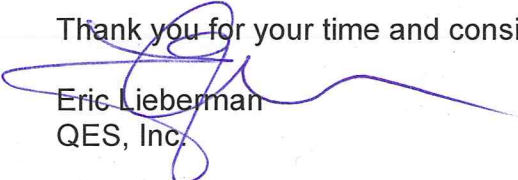
The project is located along a commercial corridor with the bulk of the building oriented to the street sides. The north side (rear) of the building is shaped like a "U" thereby reducing the building mass and opening the building elevation to make it more compatible with the multi-family uses to the north.

The height of the proposed building is compatible with the surrounding urban neighborhood by providing a transition from the two to four story multi family surrounding the site to the six story hotel along the commercial corridor. All required yard setbacks are met or exceeded with emphasis on the 9 foot ground floor setback on the northerly property line.

For the reasons outlined about, it is easily concluded that the proposed project and the requested General Plan Amendment, Zone and Height District Change, Site Plan Review, CUP and CEQA Compliance are consistent and compatible the intent and objectives of the General Plan.

We respectfully request that the Planning and Land Use Management Committee deny the appeal and sustain the recommendation and decision of the City Planning Commission.

Thank you for your time and consideration.



Eric Lieberman  
QES, Inc.



**Date:** January 17, 2019

**To:** Kevin Golden, Department of City Planning, City of Los Angeles

**Cc:** Infinitely Group Inc

**From:** Ned Baldwin, Senior Project Manager

**Subject:** Response to Appeal on the CPC Approval of ENV-2017-713-MND

This memo provides responses to comments contained in the December 10, 2018 appeal submitted by UniteHere! Local 11 on the approval action of the CPC regarding the proposed hotel at 2005 James M Wood Boulevard Project (ENV-2017-713-MND).

#### Comments on Housing

The UniteHere! Local 11 letter states that the MND ignores the need for housing at the site. The letter claims that a large portion of the site is zoned for residential use, though it is approximately 1/3 of the site, just 7,500 square feet, that is zoned residential. Though zoned residential, the area in question is currently used as surface parking and associated support functions of the commercial uses on the other portion of the site. This area of the site is not truly a part of the available housing stock for the City as the parcel is linked to the commercial parcels that make up the balance of the site and is currently utilized to support the existing commercial uses. As such, it is misleading of the letter to claim that the Project decreases the housing stock or would have any effect on market rent.

Furthermore, though the letter claims that an EIR should be prepared to address affordable housing, affordable housing is not an identified CEQA topic of evaluation. CEQA focuses on physical changes in the environment and "Economic or social effects of a project shall not be treated as significant effects on the environment." (CEQA Guidelines 15131 (a))

#### Comments on Land Use

The letter references Commercial Objective 2 and Policy 4 of the Westlake Community Plan. CEQA focuses on adverse physical changes to the environment and not on social or economic changes (See CEQA Guidelines 15064 (e)). Nonetheless, an examination of these Objectives and Policies shows the Project is not in substantial conflict.

Objective 2 states that the City shall provide a range of commercial facilities within the neighborhood that would provide shopping and employment opportunities. The Project would replace some existing commercial with a new commercial use. The surrounding area would still contain other commercial uses that meet the shopping needs of residents and the Project would increase employment opportunities within the community.



Policy 4 states that neighborhood-serving commercial uses be retained throughout the community. Though the Project would remove the commercial uses currently on the site, the general vicinity includes a range of neighborhood-serving commercial uses such that the Project would not result in a general loss of availability of such establishments within walking distance of residents.

The letter claims that the six-story proposed height would be out of scale with the surroundings. It is true that many of the surrounding properties are developed with one- and two-story structures. However, the site is within an area designated in the City's General Plan as a Regional Center, within which higher density uses are considered appropriate. The Project would also be within the existing permitted residential density, though it would exceed the existing permitted commercial density, and thus is seeking approval of a height change. No specific environmental effects have been identified in the MND or by the appellant due to the proposed height of the building.

#### Comments on Air Quality

The letter critiques the MND for only evaluating the potential impacts of the project on the closest sensitive receptor. The MND stated that potential impacts to the closest receptor would be less than significant. As a result, sensitive receptors located at a further distance were not evaluated since an increase in distance would decrease exposure to emissions. As such, there is no need to provide an inventory all sensitive receptors beyond that closest once it is determined that impacts to the closest would be less than significant.

The letter critiques the MND for failing to include a Health Risk Assessment (HRA). The City follows SCAQMD guidance for air quality analysis. SCAQMD's Health Risk Assessment (HRA) procedures call for evaluating risk from extended exposures as measured across several years and not for short term construction exposures. SCAQMD uses HRAs for compliance with AB2588, SCAQMD Rule 1401 and Rule 1402, which regulate stationary emission sources. SCAQMD has also adopted guidance on the use of Health Risk Assessments for analyzing mobile source emissions. However, this guidance refers to emissions associated with facilities such as truck stops and distribution centers that feature frequent, long-term presence of emission sources. Thus, the HRA methodology is not relevant for this Project.

In addition, the letter references SCAQMD Rule 1401.1. This rule refers to facilities that emit toxic air contaminants and are required to obtain permits to construct or permits to operate from SCAQMD. The Project is not a facility of this nature. Therefore, this point made in the appeal letter is irrelevant.