

## United Service Workers West



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November 12, 2020

Planning and Land Use Management Committee Los Angeles City Council  
City of Los Angeles  
200 N. Spring St. Room 1070  
Los Angeles, CA 90012

Re: Central Plaza Project (3440 W. Wilshire Blvd.); VTT-74602,  
CPC-2016-3692-VZC-MCUP-SPR, ENV-2016-3693-MND

Dear Honorable City Council Members,

On behalf of over 45,000 janitors, security officers, airport service workers, and other property service workers represented by SEIU-USWW across California, we write to express our concern about the Central Plaza development project proposed by Jamison Properties and scheduled for review by the PLUM Committee on November 18, 2020. Specifically, we are concerned that the project's numerous potentially significant negative impacts on the environment and the Koreatown community. In addition to meaningful community opposition and significant evidence in the record pointing to the project's insufficient environmental analysis, we ask you to consider Jamison's track record of irresponsible practices at their other properties throughout Koreatown. As one of the largest private landlords in Los Angeles and as *the* major player in Koreatown's real estate market, Jamison should be held accountable for their impacts on this community and should not have their project rubber stamped despite insufficient environmental review.

In order to build this large development project, Jamison is requesting a number of significant land use approvals from the City of LA which are discretionary, not by right. As multiple appeals and comments in the record for this project have discussed, a Mitigated Negative Declaration ("MND) is not sufficient environmental review for a project of this size and scope and the City should require the completion of a full Environmental Impact Report ("EIR) for any of the reasons listed below.

1. Jamison has completed an MND instead of a more thorough EIR. The project is too massive, construction too long, and has too many nearby sensitive receptors to not require an EIR.
  - The project calls for two towers, more than 50 stories of development, 640 apartments, and more than 700,000-SF floor area.<sup>1</sup>
  - The Site is nearly half a city block, right next to multi-family residence (65-feet to the south and east of the Site), and the Robert Kennedy Community School is nearby.<sup>2</sup>
  - Construction is planned from January 2022 through January 2026.<sup>3</sup>
2. MNDs are easily defeated because they are subject to the fair argument standard, which is a low-threshold to beat when there is substantial evidence of potential environmental impacts—particularly when there is expert evidence.
  - Here, two appeals and more than four environmental experts say the project will have impacts (e.g., traffic, air quality, GHG, indoor air quality, etc.).<sup>4</sup>

### 3. Too little Affordable Units

- Out of the 640 apartments (441 studio and 199 two-bedroom), the project has merely 32 moderate-income units.<sup>5</sup> Jamison submitted its subdivision application just before Measure JJJ was approved in November 2016. Yet, its CEQA and entitlement application was not accepted for review until December 2019.<sup>6</sup>

### 4. The noise analysis is entirely incomplete, with fatal flaws on construction noise impacts.

- First, MND did not use the LA CEQA Thresholds Guide, which has an additional limit on construction noise for normal circumstances.<sup>7</sup> Failure to apply the LA CEQA Guide is a fatal flaw here, just as it was for a much smaller MND project in Hollywood.<sup>8</sup> Mere reliance on the City's Noise Regulation is inadequate (id.).
- Second, the construction sound levels referenced in the MND do not match the sound levels used in the referenced Federal Highway Administration ("FHWA") model.<sup>9</sup> The MND provides no details about what best practice will achieve these sound levels.
- Third, MND claims noise barriers, mufflers, and other best practices will be used but fails to give any details (e.g., where will they be employed, what effectiveness, etc.).<sup>10</sup> Nor does the Letter of Determination ("LOD") contain any Conditions of Approval requiring as much.<sup>11</sup>
- Fourth, MND used outdated noise modeling (i.e., FHWA RCNM 1.1)<sup>12</sup>, which has been updated with more accurate modeling in 2018 (i.e., FHWA RCNM 2.0).<sup>13</sup>
- Fifth, MND deviates from City practices, such as MND's claimed noise attenuation that doubles that recognized by the LA CEQA Thresholds Guide.<sup>14</sup> So too, the MND's short-term measurements are shorter than the 15-minute required by LAMC § 111.01(a).<sup>15</sup>

### 5. MND includes no VMT analysis that is critical for both traffic and GHG analysis.

- No Vehicle Miles Traveled ("VMT") analysis has been done, which is now the law of the land as of July 1, 2020.<sup>16</sup>
- MND relies on a 2+-year old Level of Service ("LOS") traffic study<sup>17</sup>, with only a minor revision done over a year ago.<sup>18</sup>
- Similarly, long-delayed projects with outdated LOS studies have gone back to do VMT analysis, such as the comparatively smaller 149-room Woodland Hills hotel project.<sup>19 20</sup>
- MND claims project would result in a 70 % reduction in VMTs<sup>21</sup>, but fails to show any details on how that number was achieved (in the MND or in the MND's appendices).
- The VMT analysis is critical not only to traffic impacts but so too for GHG analysis.

### 6. The project has massive GHG emissions that exceed thresholds used by the City numerous times for similar mixed-use projects. So too, MND's GHG Analysis is incomplete and avoids doing its fair share to reduce GHG emissions at a project-level.

- Admittedly, the project generates 8,698 MTCO<sub>2</sub>e/yr in GHG emissions or 4.8 MTCO<sub>2</sub>e/yr per employee/resident efficiency level.<sup>22</sup> This exceeds the 3,000 MTCO<sub>2</sub>e/yr bright-line threshold<sup>23</sup> and 3.0 efficiency threshold<sup>24</sup> used by the City numerous times for similar and much smaller mixed-use projects. The MND fails to provide any justification why this project is any different than those other projects.
- The MND claims the project is consistent with SCAG's 2016 RTP/SCS because it is infill development.<sup>25</sup> However, the MND provides no VMT analysis (as discussed above). Nor does the MND apply any performance-based criteria in SCAG's 2016<sup>26</sup> or 2020 RTP/SCS<sup>27</sup> (i.e., VMT per capita, GHG emissions per capita from light-duty truck/auto emissions).
- MND claims the project is 35% more efficient<sup>28</sup>, but relies solely on state measures that have nothing to do with project-level changes required at that local-level.<sup>29</sup>

As Jamison plans yet another significant development in the Koreatown community, it is imperative to consider this developer's practices at their existing properties—particularly as it relates to health and safety during this COVID-19 pandemic. As COVID-19 spreads through Los Angeles communities and businesses, we have heard from janitors servicing properties across Jamison's portfolio who have reported feeling scared to go to work because they fear catching or spreading COVID-19. Workers at Jamison-owned buildings have complained about the lack of access to hand sanitizer, disinfectants, gloves, or COVID-19 training. Deprived of these essential resources, some workers have resorted to buying their own facemasks. We have seen at least 35 workers across eight buildings get laid off. In some cases, staffing is being reduced while there are still plenty of tenants and work to be done in the buildings.

Jamison has not acted responsibly in the midst of this pandemic, and has failed to do everything in their power to prevent the spread of the virus. As Jamison proposes such a large project that will certainly have significant impacts on the Koreatown community for years to come, it is imperative to consider this developer's poor record of protecting workers, office tenants, and the Koreatown community during this pandemic.

Finally, recent news of the felony complaint against a janitorial contractor hired by Jamison to clean properties in Koreatown merits concern regarding Jamison's business practices and their role in this community. The owner of Pacific Commercial, a janitorial company that Jamison Properties contracted for cleaning at various buildings in their Mid-Wilshire area portfolio, now faces 26 felony counts of insurance fraud, tax avoidance and wage theft. Workers hired by Pacific Commercial to clean Jamison properties allegedly were: often not even paid minimum wage, paid by the square foot instead of by the hour, were paid with checks with no paystub, and asked to sign documents in a language they don't speak. Jamison's relationship to this irresponsible janitorial contractor further points to the need for additional scrutiny in determining their role in the future of Koreatown.<sup>30</sup>

In sum, the size and scope of this project and its potential impacts on the Koreatown community merit more thorough environmental review and mitigation in the form of an Environmental Impact Report. A rubber stamp approval of a project with such meaningful community opposition and such significant evidence in the record of potential significant impacts would be a boon to the developer. The City should be asking more from its business leaders, and should not be rewarding property owners who do business with irresponsible contractors and fail to meet basic health and safety standards in their existing properties.

Thank you,



David Huerta  
President, SEIU-USWW

## Endnotes

1. See [MND](#), PDF p. 1; [APP-A](#), PDF p. 34.
2. See [MND](#), PDF pp. 18, 217.
3. See [MND](#), PDF p. 28.
4. See [Appeal 1](#); [Appeal 2](#).
5. [MND](#), PDF p. 22
6. [Response](#), PDF p. 69
7. See [LA CEQA Guide](#), PDF pp. 13, 311.
8. See [Trial Ruling](#), PDF p. 5.
9. Compare [MND](#), PDF p. 218 with [FHWA](#), PDF p. 10,
10. See [MND](#), PDF p. 218.
11. See [LOD](#), PDF pp. 10-20.
12. See [MND](#), PDF p. 219.
13. See [FHWA](#); [Final Report](#), PDF p. 5.
14. Compare [MND](#), PDF p. 211 with [LA CEQA Guide](#), PDF p. 312.
15. See e.g., [APP-I](#), PDF pp. 6, 9 [12:03 mins].
16. See CEQA Guidelines §§ 15064.3, 15064.3.
17. See [APP-K](#), PDF p. 1.
18. See [APP-K3](#), PDF p. 3.
19. i.e., CPC-2016-4785; ENV-2016-4786.
20. See [Woodland Hills Hotel Project](#); [2016 LOS Study](#); [2020 VMT Study](#).
21. See [MND](#), PDF p. 161.
22. See [MND](#), PDF p. 147; [Response](#), PDF p. 70.
23. See e.g., DCP Case Nos.: [ENV-2015-897](#), PDF pp. 89-90; [ENV-2016-1604](#), PDF pp. 86-87; [ENV-2016-2384](#), PDF pp. 101-103; [ENV-2014-4288](#), PDF p. 31-32; [ENV-2017-628](#), PDF p. 72-73.
24. See e.g., DCP Case Nos.: [ENV-2016-4313](#), PDF pp. 102-104; [ENV-2015-2356](#); PDF pp. 23-24; [ENV-2016-4394](#), PDF pp. 164-165; [ENV-2008-1421](#), PDF pp. 28-31; [ENV-2008-1773](#), PDF p. 23-25.
25. See [MND](#), PDF p. 149, 153, 158; [Response](#), PDF p. 71.
26. [2016 RTP/SCS](#), PDF pp. 155; [2016 RTP/SCS Draft PEIR](#), PDF pp. 526-527.
27. [2020 RTP/SCS](#), PDF pp. 122; [2020 RTP/SCS Draft PEIR](#), PDF pp. 689-690.
28. See [MND](#), PDF pp. 147.
29. See [APP-C](#), PDF p. 96.
30. [MCTF Press Release, 10/22/2020](#)