

February 28, 2021

Planning and Land Use Management Committee
Los Angeles City Council City of Los Angeles
200 N. Spring Street, Room 340
Los Angeles, California 90012

RE: Appeal - Equitas 5-6 Elementary Schools Project - CPC-2020-4095-ZV-CU-SPR

Honorable Councilmembers,

This correspondence is in response to Equitas' letter dated 02/03/2021 and Department of City Planning Commission's letter dated 02/16/2021.

Traffic and Circulation Issues Remain

Appellants have stressed the need for uninterrupted access to alley for all their tenants and customer parking as well as for their trash, delivery and pickup services. The parking lots for 1600, 1602 and 1604 W. Pico Blvd, and 1318-1322 Constance Street are indispensable to the livelihood of these businesses, and absolutely essential for the tenants since there is little to no parking availability in this area. For example, the Doria Apartments leases additional parking spots at Lucy's Drive-Thru, restaurant across Union Avenue, due to insufficient spaces in their parking lot for their own tenants and clientele.

The fact is that Linscott, Law and Greenspan (LLG) are hired traffic consultants by Equitas, and therefore, are paid to produce a favorable outcome for their client. Their data allows for two-way traffic in the alley during the school's drop-offs and pickups. Appellants and community members know that the alley is too narrow to navigate two-way vehicle traffic and foot traffic safely. The driveway entrance to alley on Union Avenue is tight and will pose a problem for those entering or exiting the Doria Apartments' parking lot. Lots will be blocked from free passage, contrary to LLG data. See Exhibit 1.

In regards to traffic issues, it is a fact, witnessed by many local residents that Equitas 1's queues frequently, not seldom as stated by Equitas, stretch 3 blocks to Bonnie Brae and sometimes to Westlake Avenue. If this is happening with 70-75% of students walking to school per Equitas' data, we can also expect LLG'S traffic calculations to be inaccurate for Equitas 5 and 6.

Furthermore, the additional school traffic from Equitas 5 and 6 heading eastbound on Pico Blvd combined with Equitas 1 traffic will cause more congestion on Pico Blvd. School traffic from these 3 schools will meet and merge at Pico Blvd and Constance Street. This situation will leave only one lane on Pico Blvd for through traffic.

This increase in traffic and other deficiencies were addressed by LADOT Engineer Mr. Wes Pringle on a letter dated 10/20/2020. See CPC, page 345. Mr. Pringle stated that:

"In accordance with this Site Plan Review authority, the project completed a circulation analysis using a "level service" screening methodology that indicates that the trips generated by the proposed development may experience adverse circulation conditions at Pico Blvd and Constance Street."

In addition, using the DOT VMT calculator, Mr. Pringle determined that the Project **does** exceed the net 250 daily vehicle trips threshold. However, LLG prepared its own VMT analysis report, and managed to tweak the data to bypass this traffic setback by incorporating the TDM (Transportation Demand Management) strategies. There is no evidence that these strategies will work. In fact, these same TDM strategies were probably used to downplay the traffic issues with Equitas 1, and we see the outcome; long car lines.

Appellants have never said they expect 1000 cars during drop off and pickups, but they do expect added congestion which will mount year after year as the enrollment increases to the 1000 student body capacity at Equitas 5 and 6. A total of 1500 students plus staff between 3 schools located right next to each other in one of the City's most densely populated district and next to one of busiest and high injury intersection (see CPC, page 262), is an undesirable situation for all parties.

Conditions of Approval for Equitas 5 and 6 Failed to Include No School Traffic On Constance Street

Appellants are aware that similar conditions of approval with additional recommendations from City Council were incorporated for Equitas 5 and 6. However, Equitas 1's Conditional Use Permit does not allow school traffic southbound on Constance Street. This same stipulation must also apply to Equitas 5 and 6. There is no mention of this in the Letter of Determination even though there are over 120 Constance Street residents who signed a petition to have "No Equitas School Traffic on Constance Street" incorporated as part of the conditional use permit for Equitas 5 and 6.

Equitas Does Not Have An Effective Enforcement System

If they did, the residents would not be calling, emailing, taking pictures or going directly to Equitas 1 to complain about parents parking, double parking, parking in the red, and blocking driveways. Due to numerous complaints, Janet Kalestian, Equitas School Operations Manager, spent several days monitoring the corner of 14th Street and Constance Street. She found a lot of Equitas parents violating the CUP, but she only issued verbal warnings. Once Ms. Kalestian stopped monitoring, the parents returned to parking on our residential streets. Our City Council requested the addition of a Traffic Ambassador and 24-Hour Hotline to hopefully stop this from occurring at Equitas 5 and 6, but what about Equitas 1? The Letter of Determination is only for Equitas 5 and 6. See Exhibit 2.

Inadequate Community Outreach by Equitas

Equitas' letter claims that "Equitas Conducted Significant Community Outreach." The Department of City Planning letter contends the same fact based on Equitas' information. This statement is a misrepresentation.

Equitas did outreach, but it was concentrated outside the 500 foot-radius. For instance, the proactive communication with Council District 1, the presentations to the PLUM Committee, to our Pico-Union Neighborhood Council and to the Pico-Union Project, **did not** include residents living within the 500-foot radius. Furthermore, none of these committees or councils disseminated this information to the impacted residents and stakeholders.

With respect to Equitas' project presentation to the Board of the Byzantine Latino Quarter Pico Union Business Improvement District (the "BID"), this board unanimously supported the Project on behalf of all

the businesses **without** contacting the most impacted business on the Pico Boulevard corridor. Case in point, the owner of La 27TH Restaurant, Yolanda Gutierrez, who is an appellant, was never informed, and neither were the business owners of Imperial Liquor and La Pico Clinica Medica Latina.

According to Equitas' representative, 300 Community Forum flyers were distributed at Pico-Union Project's Vida Sana Farmers Market (2nd and 4th Thursdays 2:30-4:00PM). However, none of these flyers reached those people living within the 500-foot radius. Hence, Equitas Community Forum on October 8, 2020 was poorly attended by those within the 500-foot radius. We were notified about the forum via text by a neighbor who has contact with the Council office. After this meeting, we emailed our Council office about the lack of outreach and other issues with the forum. See Exhibit 3.

Additionally, Equitas' bilingual school website about the Project which provided an online platform for people to get project information and provided feedback, was only known to Equitas' staff, teachers, students and workers. This information was not disseminated to the people within the 500-foot radius. Access to this website is also the reason why Equitas was able to easily collect over 500 e-signatures from all of their 6 schools. The detail that was not disclosed by Equitas was that **only 19 people** within the 500-foot radius support the project as compared to the 157 in opposition through petitions. Consider the evidence. It is a telling fact that all those in opposition of the project live within the 500 ft-radius, and those in support live mostly live outside the impacted radius, and are in some way connected to the school. See Exhibit 4.

The meeting on October 26, 2020 was scheduled with Equitas hosted by our Council office specifically because of the lack of outreach to the residents living within the 500-foot radius. Our Council office asked that a limited number of residents participate as several attendees were representing petitioners and also in order to keep the meeting to a 2-hour limit. This is the **first, and only meeting** with Equitas to include only residents, homeowners and business owners from within the 500-ft radius. Then on November 19, 2021, less than a month, the project is approved.

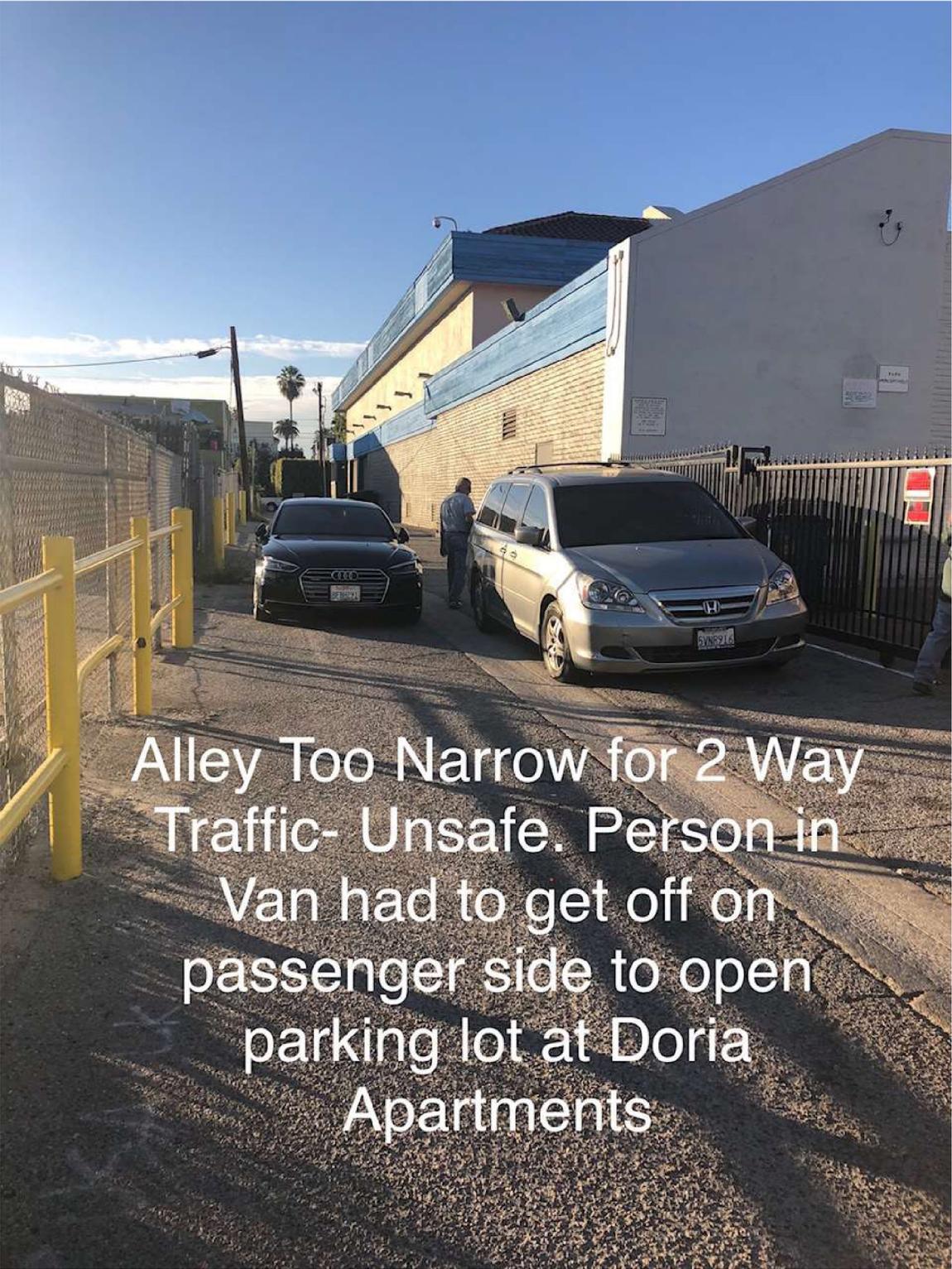
There was no significant Community Outreach by Equitas. They failed to inform the most impacted residents, tenants and business owners of their project, and there are still problems and issues that have not been resolved. Therefore, we ask that you not uphold the approval until Equitas can figure out a way to decrease the impact on those who reside closest to their site.

Respectfully,

Andrew and Yasmin Corona

EXHIBITS

Exhibit 1:



Alley Too Narrow for 2 Way Traffic- Unsafe. Person in Van had to get off on passenger side to open parking lot at Doria Apartments

Exhibit 2:

 3/21/2019 1:24 PM

To: Equitas Academy

[Save all attachments](#)



Hi Janet,

I appreciate you coming out to remind and enforce the no parking on our streets. However, yesterday there were two cars on Constance. See pictures: Black Pilot parked in the red with license plate 5MZF125. This was the only car I was able to see the license plate. Lady in bright pink with white car parked on 14th & Constance. The car behind this car was also loading Equitas students. The last two photos show a gray Nissan or Hyundai parked further down on Constance Street.

Please remind parents to abide by the conditional use permit.



Aurora Dolabjian <pinkiedee007@icloud.com>

12/3/2019 3:59 PM



To: jkalestian@equitasacademy.org

[Save all attachments](#)



Hello Jessica,

Thanks for monitoring our street. It seemed to work for while. However, recently I've notice several parents parking right in front of my house in the red zones. I also saw two cars double parked midway down the block loading children from your school. Ask one of your crosswalk personnel about this. I called it to her attention as I was making a right turn onto Pico. No photo available because I was driving.

Please admonish parents not to park or use our street for children pick up plus warn them about the dangers of loading children while double parking. The kids had to J-walk across Constance to reach the vehicles.

Appreciate your help.

Aurora Corona

Exhibit 3:

Gilbert A. Cedillo
Council Member, First District
City Hall 200
North Spring Street, Room 400
Los Angeles, CA 90012

October 12, 2020

Dear Councilman Gil Cedillo,

RE: Equitas Academy Charter Schools - CPC-2020-4095-ZV-CU-SPR

The Community Forum sponsored by Equitas Academy on 10/08/2020 did not provide an equal and fair atmosphere for the most impacted residents who live in the area adjacent to the proposed school location, namely Union Ave, Constance St, Burlington, Valencia, 12th Pl. and 14th St. In fact, it was bias, and preplanned to offer Equitas the upper hand. We propose that you table the project until a proper open community meeting is set up with adequate advance notice for the following reasons:

1. The two-minute limit to speak was unfair, and it was not disclosed on the Equitas' flyer.

- It is easy to share positive comments, but more time consuming to discuss concerns that require a detailed explanation. In addition, translating in both languages took time away from the speaker.
- We were expecting it to be an open forum where one could comment, ask questions and discuss concerns such as on traffics plans. And then, converse and get feedback about the matter with the appropriate individual in charge as to what actions or plans could be implemented or be considered to mitigate the issues or concerns. This is how it was done in the past when Equitas Academy Charter Schools approached the community for its location at 1700 W. Pico Blvd. The outcome after discussions with the community was a Conditional Use Permit to include among other stipulations, no parking or driving down Constance Street by Equitas' parents.

2. Equitas controlled the forum format and did not allow counter-comments, opinions or additional questions to be expressed after the participant's two-minute allowance. Our voices were silenced by the mute function.

- Zoom allows for questions and comments to be typed in while a meeting is in progress using Chat. This option was not made available to the community. The Chat function could have been monitored by another Equitas staff. This would have served as a communication tool and those

concerns and comments could have been addressed by the Equitas later, or if time permitting, during the meeting.

- The PowerPoint slide showing the map of the proposed drop off/and pick up plan was too small and hard to read. We needed more clarification on whether the green arrows flowing down Constance Street meant parents' vehicles could turn left onto Constance and travel southbound after dropping off and picking up students. This is not allowed due to the Conditional Use Permit. Or is the City and or Equitas planning on rescinding this without informing the community? Again, we could not ask.
 - As it is, Equitas Academy Charter School at 1700 W. Pico is not abiding 100% by the conditional use permit. Parents continue to park, double park, and park in the red zones in and around our neighboring streets. Therefore, adding another 1000 student-enrollment will make matters worse.
 - We also wanted to mention that the Dash bus stops very close to the corner of Pico and Union and to the alley entrance which would complicate traffic matters even more so since Union Ave is one lane street in each direction; this could cause severe traffic backup into the intersection. Again, we could not ask or comment.
 - We wanted to express concern about drop off and pick up vehicles producing 30 minutes, multiplied by at least of 180 school days which equals 90 hours of concentrated levels of toxic exhaust and its effects on the residents living adjacent to the alley on Constance and along the perimeter of Equitas' parking lot bordering Constance and Union Ave. Again, we could not comment.
- We were told that most parents and children walk to school because they live in the area, and that some staff takes public transportation. This is contrary to what we see happening at 1700 W. Pico Blvd.
- We were told that 54 parking spaces were more than adequate for Equitas staff. The City's compliance had been set at 49. According to Equitas' website, they currently employ 52 teachers and administrative staff. We wanted to ask how many additional volunteers, janitorial workers, meal servers, etc., are also employed. Again, we could not ask.
- We wanted to comment that there are already **4 charters schools within a .2-mile radius and 1 LAUSD elementary school**. Clearly, there is an oversaturation of schools in our area. Therefore, adding another Equitas Academy Charter School with a 1000 student enrollment would only worsen the traffic congestion. But again, we could not comment.
 1. Equitas Academy, 1700 W. Pico Blvd.
 2. University Prep Value High School 1929 W. Pico Blvd.
 3. TEC Saito High School, 1403 S. Union Ave
 4. Equitas Academy, #3 1050 Beacon Street
 5. Tenth Street Elementary, 1000 Grattan Street

3. Equitas did not take into account the limited access to the internet that the impacted residents have available and those residents who were working and could not attend.

- Many impacted residents do not have access to the internet and/or do not know how to use Zoom. Others were working, and given the lack of advance notice, could not participate. Furthermore, phone call-ins could not see PowerPoint presentation.

4. Equitas did not distribute their flyer to all impacted residents within the 500 feet, and residents were not given enough advance notice. In addition, the required 500 perimeter range for notification is inappropriate because the impact of 1000 new students with parents and staff will be felt well beyond 500 feet.

- Most residents were not notified. We received no physical flyer. We found out about this forum a week before through a neighbor via text.
- On the contrary, Equitas stacked their support deck well in advance with parents whose children attend their schools, students, teachers, and alumni by using their website which also offered a preprinted letter addressed to the City Council District 1:

www.equitasacademy.org/apps/pages/index.jsp?uREC_ID=170888&type=d&pREC_ID=2081177

Therefore, the majority of the attendees (approximately 55) who supported the school were parents of students, students, teachers, and alumni. The minority, namely the five who complained about the traffic congestion, drugs, drunkards, sex offenders, violence, crimes, gang activity and a liquor store adjacent to the proposed school were no doubt residents from the impacted streets listed above who know the area well.

5. Equitas' choice of words on their flyer were carefully and cleverly crafted to create a sense of *fait accompli*. Using "permanent homes for Equitas #5 and Equitas #6" and the forum was to "share information, answer questions and hear comments" It also stated that the forum was "Proudly in cooperation with the Office of City Council member, Gil Cedillo, District 1." As already mentioned to you in a previous e-mail this statement makes it sound as if these schools have already been approved and are being endorsed by the City Council.

- No mention was made that this is a proposal and an opportunity for the community to voice their opinions and discuss what impact, positive or negative, their proposed school expansion plan might have on the neighboring residents.

We would like to add one more remark about Equitas Academy Charter Schools unrelated to the community forum but pertinent to school's expansion proposal. When Equitas Academy Charter Schools purchased the building at 1612 W. Pico Blvd, they informed your office that this location would serve only as an administrative office, and that they had no intention to convert it into a school. In fact, over year ago while Equitas was in the process of moving into 1612 W. Pico Blvd, one of Equitas' staff told a community resident that there was a loop-hole in the charter policy that allowed an administrative building to be converted into a school after a two-year residency at the location. What happened to Charter transparency which Equitas claims to believe in? Therefore, why is our City Council District 1 allowing Equitas Academy Charter Schools to move along with their proposal? It seems as if your office is rushing to push this project through even after Equitas was untruthful to you about their intentions.

Sadly, Pico-Union continues to be a dumping ground for Drug Rehabilitation Centers, Alcohol Anonymous Centers, sex offenders, numerous troublesome liquor stores because it is well-known fact that its residents do not speak up either because of limited financial resources, language barriers, fear of

the law, distrust of government, immigration status, etc. Whatever the case maybe, it allows corporations, companies and businesses with money to do whatever they want in our neighborhood without any input or regard to its residents' welfare and quality of life.

Let it be known that the names below are only a few Pico-Union constituents. However, they represent others who voice the same opinion and who were unable to attend the meeting. We ask that you stand up for your constituents and allow all the voices willing to speak up and be heard fairly and equally in an open community forum.

Thank you for your time.

Andrew, Yasmin and Aurora Corona

Maggie, Mike, Javier, Anthony and John Rieger

Brenda Kozak

Michael Rivera

Nery Larios

Exhibit 4:

Equitas' map of E-signatures collected through their school website.

Note: Only 19 signatures in support of Equitas' expansion are within the 500-ft radius.

