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May 4, 2021

VIA E-MAIL

Chair Harris-Dawson and Honorable Members of the
Planning and Land Use Management Committee
Los Angeles City Council
200 N Spring Street, Room 395
Los Angeles, CA 90012

clerk.plumcommittee@lacity.org

Re: Belmont Village Senior Living Westwood II Project
Council File No. 20-1624

Dear Chair Harris-Dawson and Honorable Committee Members:

This firm represents Belmont Village Senior Living in connection with the above-referenced project ("Project"), which proposes the development of a new eldercare facility offering 176 senior independent living, assisted living, and Alzheimer's/Dementia care units, as well as the construction of a replacement preschool and administrative building for the Westwood Presbyterian Church.

At today's meeting, the PLUM Committee will consider the adoption of the Project's Sustainable Communities Environmental Assessment ("SCEA"), which has been prepared by the City's Department of City Planning pursuant to the California Environmental Quality Act ("CEQA") and the CEQA streamlining provisions of Senate Bill 375 ("SB 375"). As set forth in detail in the Department of City Planning's February 19, 2021 staff report as well as the SCEA itself, the Project meets all of SB 375's criteria for a transit priority project ("TPP") and all Project-related environmental impacts will be less than significant. Accordingly, the Department of City Planning has recommended that the City Council adopt the SCEA.

On March 1, 2021, a letter was sent to the PLUM Committee by Corin Kahn ("Kahn Letter"), which contained numerous incorrect assertions regarding the Project and the SCEA. Both this firm and the Department of City Planning provided detailed responses to the Kahn Letter on March 2, 2021 and April 1, 2021, respectively, which demonstrated that the Kahn Letter provided no substantial evidence to question the adequacy of the SCEA.

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Today, Mr. Kahn sent a second letter to the PLUM Committee (“Second Kahn Letter”) that repeats the same objections,¹ including the recurring assertion that the City has failed to provide substantial evidence supporting the SCEA’s conclusions. However, as described in the responses to the initial Kahn Letter, the SCEA is replete with substantial evidence, including facts, reasonable assumptions predicated on facts, and expert opinion supported by facts, as required by CEQA. (Public Resources Code Section 20180(e).) The Department of City Planning has considered the totality of evidence in the record, has determined that the SCEA adequately assesses the Project’s potential impacts, and recommends that the City Council adopt the SCEA. To challenge this determination, Mr. Kahn bears the burden of providing sufficient substantial evidence. However, both the Kahn Letter and the Second Kahn Letter merely present argument, speculation, and unsubstantiated opinion, which CEQA makes clear is not to be considered substantial evidence. (Id.)

We concur with the Department of City Planning’s findings and recommended actions, and we respectfully request that the PLUM Committee approve the SCEA. Thank you very much.

Sincerely,



Todd Nelson

cc: Daniel Skolnick, Council District 5
Robert Keatinge, Department of City Planning

¹ The only new argument made in the Second Kahn Letter alleges that the Project violates the Lot Utilization development standard contained in the Westwood-Wilshire Scenic Corridor Specific Plan; however, Mr. Kahn misinterprets this development standard as restricting a building’s total amount of floor area above a specified height, instead of its proper application, which is to restrict a building’s horizontal lot coverage above a specified height. The Project complies with this standard as it is properly understood and applied by the City.