

>>> <Loisbencangey@cs.com> 1/24/2010 8:59 PM >>>
January 20, 2010

Patrice Lattimore
Legislative Assistant to PLUM Committee

Dear Mr. Lattimore,

Please add these comments to the communications from the public regarding Council file 10-0017.

To Whom It May Concern:

Please reconsider the adverse impact the development of 146 units of new multiresidential property at 11933 Magnolia Blvd project will have on the neighborhood of Valley Village, and specifically on the residents who live nearby, especially those of us who live in the Radford Condominiums at 5257 Radford Avenue where I live.

From a human point of view, we already have a traffic problem having to wait up to a minute at times just to exit right from our parking lots onto either Radford or Weddington, with waits up to 3 minutes to turn right and 6 minutes to turn left from either Radford or Ben onto Magnolia. Imagine if another 290 cars plus those of the guests of the new units' cars were added to the mix of those already needing to use the streets here daily. Additionally, the street parking is already practically impossible to find, often causing even our older residents and guests to walk blocks after parking in order to reach our building.

From a business viewpoint for those who have already invested in rental condos or small apartment buildings here, such as myself and my neighbors and former neighbors who had to move and are forced to rent out their units, the decreasing need for rental housing in the last year is apparent in this neighborhood and is being reflected in more vacancies than in decades and in decreases in rents in existing housing so that rents are lower than what is needed to service our mortgage payments. This has already and will continue to cause defaults, short sales, foreclosures and the attendant neighborhood blight this upheaval causes. The last thing needed for neighborhood stability now is another 146 rental units being built and dumped into this mix.

Please stop this overdevelopment until all aspects can be studied. At the least, we in this neighborhood deserve not to have it expedited in any way, nor deviations from the original approved project such as increased density to be allowed.

Lois Bencangey
Radford condominiums
5257 Radford Ave
Valley Village, CA 91607

>> Annette Mercer <mercero-wieland@mindspring.com> 1/24/2010 3:19 PM >>>
To the

Planning and Land Use Management Committee
Los Angeles City Hall
200 North Spring Street, Los Angeles, CA 90012

Members: Council Member Ed P. Reyes, Council Member Jose Huizar and
Council Member Paul Krekorian
Legislative Assistant: Patrice Lattimore

RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project,
Council File No. 10-0017,
DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Dear Councilmembers:

I support the SB1818 appeal by Valley Village, Worthington Plaza, and others in this case. I am troubled and outraged by the tactics of City Planning and the one-size-fits-all SB1818 promulgators, who are destroying the character of our neighborhoods and densifying the city without infrastructure to support it. I find it particularly egregious that the City is not following its own CEQA guidelines and continues to refuse to address significant unmitigatable cumulative impacts.

CUMULATIVE TRAFFIC IMPACTS -- the City was given a flawed and faulty Traffic Study from the Developer and reviewed wrongly by DOT which has been evaluated and rebutted by a community-commissioned Traffic Expert.

This project directly VIOLATES THE CITY OF LOS ANGELES CEQA THRESHOLDS GUIDE FOR SHADE AND SHADOW. The community presented their own expert study to refute the study paid for and provided by the Developer. The study clearly shows a significant cumulative impact on sensitive uses that has been ignored.

The Planning Department has also failed to follow its own protocol, and the law in effect at the time, when evaluating the materials presented by the developer. Additionally, they misled the community when verifying what law applied to this project. They made their Determination relying upon a Site Plan Review which was performed for the previously approved- with-conditions 78-unit condo project. The community maintains a new Site Plan Review must be performed again in light of this SB1818 project's tripling of existing density. This Site Plan Review required a public hearing which was denied to the community. And finally, City Planning and the City Attorney "narrowed the focus" of the City Planning Commission to NOT CONSIDER many of the items of the Appeal including ZONING, SITE PLAN while omitting others as if they didn't exist. They testified these were items that the CPC could NOT consider, and so the CPC didn't. The community deserves to be heard and the significant impacts of the project must be mitigated.

Thank you,

Annette Mercer
2647 Glendon Avenue
Los Angeles, CA 90064

>>> Gabriel Landau <glandau1@gmail.com> 1/24/2010 12:35 PM >>>
Issues in our Valley Village that I have a problem with:

- *1. *Erroneous Underlying Zoning*: The Zoning on this property is incorrect, and should have been downzoned as part of the AB 283 Zoning/Community Plan Consistency Program. This is important because it effects the BASE number of units the developer was entitled to "by right" and the mistakes spiral forth from there with the number of Density Bonus Units awarded, and the nature and size of the entitlements
- *2. *CEQA Issue - *CUMULATIVE TRAFFIC IMPACTS* -- the City was given a flawed and faulty Traffic Study from the Developer and reviewed wrongly by DOT which has been evaluated and rebutted by a community-commissioned Traffic Expert.
- *3. *CEQA Issue - This project directly *VIOLATES *THE CITY OF LOS ANGELES CEQA THRESHOLDS GUIDE FOR *SHADE AND SHADOW*, The community presented their own expert study to refute the study paid for and provided by the Developer.
- *4. *Economic Feasibility Issue*: The City did not seek input as to whether the incentive requested by the developer was necessary to provide financial justification for the request. The community has provided evidence with alternate pro-formas that found that the project economics were favorable without waiving the development standards. The city can make Findings that refute the assertion that the incentives requested were required to make the project economically feasible and failed to do so.
- *5. *Inconsistency of Protocol and Policy Implementation*: Planning failed to follow its own protocol, and the law in effect at the time, when evaluating the materials presented by the developer. Additionally, they misled the community when verifying what law applied to this project.
- *6. *The Planning Department made their Determination relying upon a * Site Plan Review which was performed for the previously approved- with-conditions 78-unit condo project. The community maintains a new Site Plan Review must be performed again in light of this SB1818 project's *tripling of existing density. *This Site Plan Review required a public hearing which was denied to the community.
- *7. *City Planning and the City Attorney "narrowed the focus" of the City Planning Commission to NOT CONSIDER many of the items of the Appeal*including ZONING, SITE PLAN while omitting others as if they didn't exist). They testified these were items that the CPC could NOT consider, and so the CPC didn't.

**Planning and Land Use Committee
Los Angeles City Hall
200 North Spring Street,
Los Angeles, CA 90012**

**Members: Council Member Ed. P. Reyes, Council Member Jose Huizar, and
Council Member Paul Krekorian**

**RE: Communication from the Public for the 11933 Magnolia Project,
Council File NO. 10-0017, DIR- 2008-1178-DB-SPP, ENV-2008-1179-MND**

Sarah Boulton
President,
Weddington Plaza Homeowners Association
11910 Weddington St.
Valley Village, CA. 91607

SHADE SHADOW STUDY REQUESTED BY NEIGHBORS

We, the residents of the Weddington Plaza Homeowners Association, will be grossly affected by shade-shadow from this HUGE building to be built behind us if this project is allowed to be built. The building will completely block the sun we get over our backyard, so that our pool and spa area will be in complete shadow all day. As it stands now, we only get sunlight in the summer, when the sun is in the western horizon from about 1:00 – 5:00 in the afternoon. If the project at 11933 Magnolia is built to our west and south, it will completely block the already limited afternoon sunlight we get, especially in the winter when the sun is in the southern sky. We ask for a SHADE/SHADOW study to be performed by an un-biased professional as part of a full EIR for this project. No mitigations exist utilizing the proposed 11933 projects design. We also ask that the rear setback for the project be increased from 16 feet to 30 feet.

The proposed project is planned to be a 4-story building and 48ft. tall, which exceeds the heights in our Valley Village Specific Plan. The project site is currently developed with 2-story buildings. The area directly to our west is a flat parking area, and does not block the sun from the west. The new proposed project will tower over our western fence and block all but one hour of sun at midday.

Thresholds of Significance

According to the L.A CEQA Thresholds Guide, a shadow impact is considered significant if shadow-sensitive uses would be shaded by project-related structures for more than three hours between the hours of 9:00 AM and 3:00PM Pacific Standard Time (between late October and early April), or for more than four hours

between the hours of 9:00 AM and 5:00 PM Pacific Daylight Time (between early April and Late October).

The issue of shade and shadow pertains to the blockage of direct sunlight by project buildings, which may affect adjacent properties. Shading is an important environmental issue because the users or occupants of certain land uses, such as residential, recreational/parks, churches, schools, outdoor restaurants, and pedestrian areas have some reasonable expectations for direct sunlight and warmth from the sun. These land uses are termed “shadow-sensitive”.

The area around the Proposed Project site (11933 Magnolia Blvd) needs to be surveyed for shadow sensitive effects. There are adjacent shadow-sensitive uses to the north and east of the Project site, which consist of multi-family residential properties.

We urge you to initiate this study as soon as possible.

Sincerely,
Sarah Boulton
Resident of abutting property, Weddington Plaza HOA