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August 8, 2013

Councilman Jose Huizar, Chairman
Planning and Land Use Management Committee, Los Angeles City Council
City Hall, Room 395
200 N. Spring Street
Los Angeles, CA 90012

**Re: Council File Nos.: 13-0876 & 13-0876-S1
Appeals filed by Friends of Highland Park regarding:
(1) CPC-2013-226-SPE-CU-ZAA-CCMP-SPP, and
(2) VTT-72147-CN, and
(3) ENV-2013-223-MND for AA-2013-222-PMLA-1A and AA-2013-223-PMLA-1A**

**Highland Park Transit Village Project – 119 N. Avenue 56 (Site 1), 123 & 125 N.
Avenue 57 and 5706, 5708 & 5712 E. Marmion Way (Site 2), and 124, 128, & 132 N.
Avenue 59 (Site 3)**

Dear Chairman Huizar and Honorable Committee Members:

I am writing on behalf of the Applicant in response to the arguments raised by the Appellant in its letter dated July 3, 2013 which appeals the actions of the City Planning Commission on June 13, 2013 in the three above-referenced matters relating to the Highland Park Transit Village Project. The Appellant's appeal includes an appeal to the City Council of the Mitigated Negative Declaration ENV-2013-223-MND, under Public Resources Code Section 21151(c), that was approved by the City Planning Commission in connection with its action on the two parcel map matters listed above that are not further appealable on non-CEQA grounds. The following responses address the arguments in the order they are listed in the Appellant's July 3, 2013 letter.

Project Compatibility with the Area's Cultural Heritage

The Appellant claims that the Project would not be compatible with the cultural heritage of the area because some of the Project buildings located behind other buildings that front on Figueroa Street would be visible from Figueroa. A similar concern was raised by the Highland Park-Garvanza Historic Preservation Overlay Zone Board (the "**HPOZ Board**") regarding how the buildings would relate to the various neighborhood streets and the Project's architect prepared the attached renderings (see Exhibit 1) that show how much of the tallest Project building will be visible from Figueroa. These renderings show that the small portion of the building that will be visible will not significantly impact the adjoining streets or significantly change the view from Figueroa. The HPOZ Board agreed and following a series of meetings

and public hearings on the Project recommended its approval under the Highland Park-Garvanza Preservation Plan with several conditions.

Keeping Faith with the 1962 Surface Parking Lot Owners

Appellant argues that the surface public parking lots that have existed on the site for 60+ years should not be changed for various reasons, including the need to keep faith with the 1962 former owners of the site and the impact that moving the public parking spaces into parking structures would have on local businesses because it won't be "obvious" to visitors that parking is being provided or that it is "free." It has been pointed out previously that the public parking lot properties were condemned in 1962 for the use of the City of Los Angeles and for the use of the public for public off-street parking purposes. The City will own and have continuing involvement in the use and development of the property for off-street parking purposes and other public purposes. Regarding the impact on businesses, only some of the public parking spaces will be located in the Project's underground parking structures, and some of the public spaces on Sites 2 and 3 will be located on-grade adjacent to the alley. Appropriate signage and the surrounding businesses will alert customers that public parking is available, similar to the existing situation. The current parking combines metered and short-term free parking spaces. Parking users have access to 2-hour free limited parking and metered parking if they will be parking for longer periods of time. Similar access to short-term free parking and longer term pay parking conditions will continue to be the case when the 221 public parking spaces are provided as part of the Project.

Significant Effects on Cultural Resources and Aesthetics

Appellant cites the federal Route 66 Preservation Act as part of its argument that the Project will significantly affect cultural resources and aesthetics, but that Act is narrowly focused on the preservation or restoration of structures or other cultural resources within the immediate vicinity of the former Route 66 that existed within the route's period of historic significance and were still in existence in 1999. No such structures or resources exist on the Project site and the Project Site itself is a half block away from Figueroa. As noted above, the attached renderings demonstrate that the Project's tallest building will have an insignificant visual effect on the appearance of Figueroa Street and will not markedly change the view.

Appellant also argues that the height of the Project would block views of the neighborhood and nearby hills as seen from the Metro Rail, residences and other buildings. Such views, for the most part, are private and have not been recognized as providing a scenic vista. The existing street-level viewpoints in the Project area are limited by trees, signage and numerous low-rise structures, and those limitations would be generally maintained and not substantially altered as a result of the Project's buildings.

Appellant also appears to argue that the requirement for compliance with the Highland Park-Garvanza Preservation Plan (the “**Preservation Plan**”) would not address potential Project impacts to scenic resources or the existing visual character or quality in the area. However, the Preservation Plan was specifically adopted to preserve the historic character of the community. The Preservation Plan includes guidelines for new residential projects that cover setting, location and site design as well as massing and orientation. The HPOZ Board, after considering the Project over several formal consultation sessions and public hearings, recommended approval of the Project under the Preservation Plan and detailed findings have been made in support. The zoning and the Preservation Plan permit the Project’s buildings. The fact that an insignificant portion of the Project’s buildings can be seen from Figueroa does not negate the City’s determination that the Project complies with the Preservation Plan.

Greenhouse Gas Mitigation

Mitigation Measure VII-10 ensures that impacts with respect to Greenhouse Gas Emissions will be less than significant by restricting the use of VOC-containing paints, sealants, adhesives and solvents in the Project. Appellant has not stated what other potentially significant direct GHG effects an 80 unit residential infill project would have. It should be noted that through the required implementation of the LA Green Building Code, the Project would be consistent with local and statewide goals and policies aimed at reducing the generation of GHGs, including CARB’s AB 32 Scoping Plan aimed at achieving 1990 GHG emission levels by 2020. Appellant argues that other mitigation measures requiring energy efficiency and conservation, use of renewable energy, and water conservation should have been included. But the Planning Commission’s approval of the Project includes conditions requiring additional bicycle parking, permeable paved surfaces, controls to minimize exhaust emissions and equipment idling, water conservation measures, high-efficiency restroom equipment and facilities, water conserving showers and washing machines, high-efficiency dishwashers, solid waste recycling, requirements for solar access, and consideration of the use of natural gas and solar energy and consultation with the DWP and Gas Company regarding feasible energy conservation measures. There is no evidence that the Project’s generation of GHG emissions would be cumulatively considerable or that its impacts would be significant.

Hazardous Materials

Appellant argues that the proximity of the Project to the Metro Gold Line, which is located across Marmion Way, a distance of 70 and more feet away from any Project buildings, creates a strong possibility of soil contamination from toxic chemicals that may have leaked from freight trains over the years that the rail line was in operation. The only evidence of contamination cited are some research articles and papers that looked at contamination tests done on other rail lines in other parts of the country in preparation for the conversion of such rail lines to other uses. In the case of the Project, Phase I environmental assessments have been performed on

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the Project site, soil borings were made in the area across from the rail line as part of a Phase II subsurface assessment, and a detailed Geotechnical Soils Report was prepared and submitted to the City. These analyses did not report any evidence of toxic contamination from the rail line across the street. The Project will excavate the on-site soil and detailed construction mitigation measures have been imposed to mitigate fugitive dust.

Haul Route

It is not clear what point Appellant is arguing regarding the haul route. The Project's conditions of approval include detailed requirements to control hauling operations and minimize spillage, in addition to a requirement for Building and Safety approval of the haul route.

Land Use Issues

The Appellant does not raise any specific points or details in support of its claim that the Project is inconsistent with applicable land use regulations.

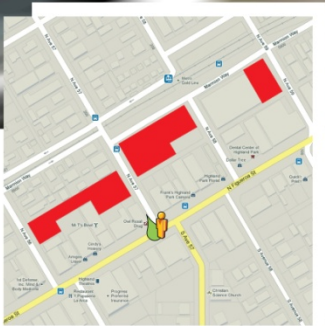
In conclusion, the 80-unit Project has been carefully analyzed by the City's Planning, Transportation, Engineering, and Building and Safety Departments, and numerous conditions of approval have been imposed to address operation, development and construction issues. The Appellant simply does not want the existing public parking lots to change. Appellant has not provided any evidence of an error or inconsistency in the planning and zoning approvals and has not submitted any evidence of an unmitigated significant adverse environmental impact that would result from the Project. All we have are Appellant's unsupported arguments and speculation. These unsupported claims should be disregarded, the three appeals should be denied, and all of the Planning Commission's approvals should be upheld.

Very truly yours,

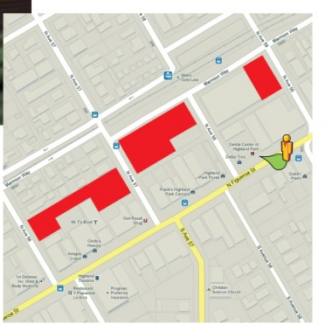

Michael S. Woodward

Attachments

cc HPTV Apartments, L.P.
Craig Lawson & Co., LLC
Parker Environmental Consultants



View from Figueroa Street at Avenue 57
CF No.: 13-0876 & 13-0876-S1



View from Figueroa Street at Avenue 58
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