



910 Hampshire Road, Suite V, Westlake Village, California 91631 • 805-367-5720

March 1, 2018

Hon. Herb Wesson, President
Los Angeles City Council
City of Los Angeles
200 N. Spring Street, Room 395
Los Angeles, CA 90012

**Subject: CEQA Appeal – Lorena Plaza Mixed Use Project; Council File 16-0503
Case Number DIR-2015-1998-DB, ENV-2014-2392-MND-1A**

Honorable President Wesson and Members of the City Council:

Our firm, Meridian Consultants, prepared the technical analysis used by the Department of City Planning to prepare the Initial Study and Mitigated Negative Declaration(MND) for the Lorena Plaza Mixed Use Project.

At the August 15, 2017 PLUM Committee hearing on the appeal filed by El Mercado de Los Angeles (Appellant) on the Lorena Plaza Mixed Use Project (the Project), the Appellant’s attorney, The Silverstein Law Firm (SLF), submitted an additional comment letter on the City’s MND for this Project. Other than the issue discussed below, all of the comments in the August 15, 2017 letter were previously submitted in a May 16, 2017 letter from the SLF and responses to each of those comments was provided in a letter from our firm dated August 3, 2017.

The comments submitted on behalf of the Appellant in the August 15, 2017 letter from the SLF contained additional information on the number of calls for police service over a 7.5 year period (January 1, 2010 through July 6, 2017) at four existing affordable housing apartment complexes managed by A Community of Friends (ACOF), the applicant for the Lorena Plaza Project. The comments assert that the number of calls for police service are higher at these ACOF projects than for other apartment projects because the affordable housing projects developed and managed by ACOF provide housing for individuals with a history of substance abuse and/or mental health issues.

Based on the number of calls for service at these four addresses, the SLF letter states it is reasonable to infer that the Lorena Plaza Project may result in significant, unmitigable impacts resulting from an increase in demand for police services and other public services. This claim is based on a portion of the LA CEQA Threshold Guide, which states that one of the factors that should be considered by the City in determining the impact on police services is the demand for police services compared to the expected

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level of service available, taking into account the proportional contribution of a proposed project to the overall demand for police services.

Preparation of an EIR is required when a fair argument can be made, based on substantial evidence in the record, that a project may have a significant effect on the environment. Substantial evidence is defined in Section 15384 as “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Whether a fair argument can be made that the project may have a significant effect on the environment is to be determined by examining the whole record. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.” Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.

The information submitted on the number of calls for police services over 7.5 years at four affordable housing projects managed by the Applicant does not constitute substantial evidence supporting an inference for the following reasons.

1. The Impact of the Project is not Significant based on City’s CEQA Threshold for Police Services. The SLF comments only quote a portion of the LA CEQA Threshold Guide Section, K.1, on Police Protection. This section starts by providing the following question related to public services from the standard CEQA Initial Study Checklist:

“Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?”

As stated in this question, a significant impact on the environment may occur if substantial adverse physical impacts would result from the need to alter or build new governmental facilities in order to maintain acceptable performance objectives for police services. The SLF comments do not include any information or allegation that the Project would cause the need to alter or build new police facilities.

This section of the LA CEQA Threshold Guide contains the following screening criteria to be used to determine the need for analysis due to the potential for a project to result in significant impacts:

“Would the proposed project result in a net increase of 75 residential units, 100,000 square feet (sf) of commercial floor area, or 200,000 sf of industrial floor area?”

A "yes" response to the preceding question indicates further study in an expanded Initial Study, Negative Declaration, Mitigated Negative Declaration, or EIR may be required. Refer to the Significance Threshold for Police Protection,

and review the associated Methodology to Determine Significance, as appropriate.

A "no" response to the preceding question indicates that there would normally be no significant impact on Police Protection from the proposed project."

The Lorena Plaza Project contains 49 residential units, well under the 75-unit screening criteria. Based on the City's screening criteria this indicates the Project will not result in a significant impact on Police Protection.

2. The Data Provided by the SLF Letter Does Not Support a Conclusion that Police Services Would be Adversely Affected. The SLF comments state that it is a reasonable inference that a permanent supportive affordable housing project may result in significant impacts regarding increased demands on police services. This statement is not supported, however, by any information on how the information on the number of calls for service at the four affordable housing projects provided compares to the number of calls for service at other apartment complexes in the same neighborhoods. It should be noted that the Applicant owns and operates approximately 40 permanent supportive housing developments and SLF does not submit any evidence that substantiates that the 4 projects selected are properly representative of the Applicant's properties or permanent supportive housing.

The number of calls for service were provided for a 7.5-year period to generate what would appear to be a relatively high total number of calls. When the data provided is looked at on a monthly and weekly basis, the number for calls for service is clearly minor, averaging less than 1 call for service per week, as shown in the table below:

<u>Project</u>	<u>Address</u>	<u>Monthly Average</u>	<u>Weekly Average</u>
Amistad Apartments	2037 Lincoln Park	2.5	0.6
Brandon Apartments	735 Hartford	4.0	1.0
Las Palomas	2201 1st	5.2	1.3
Sonya Gardens	8621 Denver	0.5	0.1
Total		12.1	3.0
Average for Four Projects		3.0	0.8

The SLF letter includes no evidence that establishes the number of calls for police service that would be typically generated by a multifamily residential property or a permanent supportive housing development. In the absence of any evidence that establishes the typical demand for police services caused by these types of developments, it is impossible to draw an inference that the Project will have a significant impact on police services.

3. The SLF Letter Does Not Include Any Evidence Regarding Police Service Thresholds. The Lorena Plaza Project is proposed in an area served by the Los Angeles Police Department (LAPD) Hollenbeck Division. The City completed construction of a new replacement station for the Hollenbeck Division in January

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2009. This \$38 million 54,000 square foot station includes staff locker rooms, separate male and female cot rooms, break room, gun cleaning/ shoeshine room, uniform maintenance room, weight room and a community meeting room. It also includes a vehicle maintenance facility with a car wash and a secured parking structure for private and Department vehicles. The station features state-of-the-art security and access systems.¹ Based on this information regarding the status of police facilities in the Hollenbeck Division, the information in the SLF letter does not support an inference that the Project would require any physical alterations to the Hollenbeck Station to respond to 3 additional calls for service per month that would result in adverse physical impacts on the environment.

As noted above, the LA CEQA Threshold Guide states that one of the factors that should be considered by the City in determining the impact on police services is the demand for police services compared to the expected level of service available, taking into account the proportional contribution to the demand for police services. The SLF letter offers no evidence as to the expected level of police service in the Hollenbeck Division and what constitutes a threshold of significant impacts for police service. In the absence of this information, it is impossible to draw a reasonable inference that the Project will cause a significant impact on police service.

The LAPD uses a quantitative workload model, known as Basic Car Plan², to determine the deployment level at each station. This quantitative model allows the LAPD to adjust police officer and patrol car resources as needed to meet demand for services. There are 7 Basic Car Areas in the Hollenbeck Division. Each Basic Car Area has one patrol car permanently assigned to provide service in that neighborhood. The Sergeant responsible for the Basic Car Area is responsible for working with the Basic Car, community relations, crime prevention, traffic enforcement and other personnel to identify crime and quality of life problems within their Area. Additional patrol units may be assigned during periods of increased workload. Three teams of officers are assigned to patrol a neighborhood on a 24-hour basis. Each team works one of the three 8-hour shifts. These officers patrol a neighborhood preventing crime and answering radio calls for service.

Deployment of officers is coordinated by a computer program which mathematically formulates multiple data variables (factors) to provide patrol officer deployment recommendations for each LAPD Division to meet predetermined constraints (response time and available time). These factors include patrol speed, number of units fielded, forecast call rate, percent of calls with 1-6+ units dispatched, average service time, dispatching policy, percent of calls dispatched by priority, square miles of an area, average travel time, and street miles (length of streets, alleys and other routes in an area). Response time is directly related to the number of officers deployed. Calls for police assistance are prioritized based on the nature of the call.

1 Los Angeles Police Department, Facilities Management Division, *Update for the Quarter Ending 9/30/2007*. available at http://assets.lapdonline.org/assets/pdf/prop_q_update_07_09_30.pdf.

2 Los Angeles Police Department, Basic Car Plan. http://www.lapdonline.org/search_results/content_basic_view/6528

Based on the LAPD data submitted with the SLF comments, if the Lorena Plaza Project generated approximately 3 calls for service per month³, it is not reasonable to infer that this number of calls for service would require the LAPD to deploy additional officers in the Hollenbeck Division, or change the deployment of officers in a manner that would adversely affect police service or response in a manner that would require any physical alterations to the Hollenbeck Station that would result in adverse physical impacts on the environment. For this reason, the data provided on the number of calls for service at other Applicant managed affordable housing properties does not constitute substantial evidence of a potentially significant environmental impact that requires additional analysis in an EIR. Furthermore, the data submitted does not consider the ability of the LAPD to adjust police officer resources as needed to maintain police service standards.

4. The Project's MND Included an Analysis of Design Features to Reduce the Demand for Police Services. The LA CEQA Thresholds Guide also states that the determination of significance of a project on Police Protection services is to be made on a case by case basis considering several factors. In addition to the demand for services, as expressed by the number or calls for service, whether a project includes security or design features that would reduce the demand for police services is also a factor to be considered.

The City's MND requires the plans for the Project to incorporate design features to reduce the demand for police services as identified in the LAPD "Design Out Crime Guidelines: Crime Prevention Through Environmental Design", including, but not limited to, access control to the building, secured parking facilities, walls/fences with key systems, well-illuminated public and semi-public space designed with a minimum of dead space to eliminate areas of concealment, location of toilet facilities or building entrances in high-foot traffic areas, and provision of a security guard patrol throughout the Project Site if needed. These measures are required to be approved by the Police Department prior to the issuance of building permits for the Project.

5. The Information in the SLF Letter Is Contrary to Proper Studies of Demand for Police Services from Permanent Supportive Housing. Regarding the effect of the Project on the demand for police services in the Hollenbeck Division, it should be noted that studies show that over 80% of formerly chronically homeless residents remain stably housed after a year in supportive housing.⁴ In addition, permanent supportive housing reduces demand on public services. A 2009 study in Los Angeles by the Economic Roundtable shows that when people who are homeless are housed in permanent supportive housing, their use of public services decreases by 79%.⁵ Permanent supportive housing is linked to improved

³ This assumes, of course, that the 4 developments for which data was submitted are representative of all the Applicant's properties. The SLF letter includes no information or data that allows the conclusion that the 4 properties selected are representative of the Applicant's properties.

⁴ Dennis P. Culhane and Stephen Metraux, *Rearranging the Deck Chairs or Reallocating the Life Boats*, 74 J. OF AMERICAN PLANNING ASSOC. 111, 115 (2008).

⁵ *Where We Sleep: The Costs of Housing and Homelessness in Los Angeles*, 1 (2009). available at http://www.economicrt.org/summaries/Where_We_Sleep.html.

neighborhood property values⁶ and reductions in crime.⁷ These studies support a conclusion that a supportive housing project like the Lorena Plaza Project will reduce the overall demand for police services.

CONCLUSION

When all these factors are considered on a case-by-case basis for the Lorena Plaza Project, consistent with the LA CEQA Thresholds Guide, there is no evidence that the Lorena Plaza Project would result in an increase in the demand for police services compared to the expected level of service available that would require any alterations to the Hollenbeck Division station that could result in substantial physical adverse environmental impacts as defined by CEQA.

Sincerely,



Tony Locacciato, AICP
Partner

6 Furman Center for Real Estate & Urban Policy. "The Impact of Supportive Housing on Surrounding Neighborhoods: Evidence from New York City." *New York University School of Law*. 2009.

7 Justice Policy Institute. *Housing and Public Safety*. 2007