

Date 2/28/17  
Submitted in PLUM Committee  
Council File No 17-0025

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Via E-Mail and Hand Delivery  
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February 28, 2017

JoJo Pewsawang, City Planning Department  
Sharon Dickinson, City Clerk's Office  
Los Angeles City Planning and Land Use Management Committee  
200 N. Main St., Room 350  
Los Angeles, CA 90012

Re: 2136-2148 East Violet Street; CPC-2016-1706-VZC-HD-SPR & ENV-2016-177-MND; Council File # 17-005

Dear Mr. Pewsawang and Ms. Dickinson:

This Office respectfully writes on behalf of Unite HERE Local 11 and downtown Los Angeles resident Antonio Mendoza ("Commentors") with regard to the referenced Project in the City of Los Angeles ("City") for the Violent Street Project (CPC-2016-1706-VZC-HD-SPR, ENV-2016-177-MND) ("Project"), proposed by Lowe Enterprises/Violet Street Investor ("Applicant"). Our understanding is that the Project will be heard by the Planning and Land Use Management ("PLUM") Committee in the upcoming weeks.

Commentors will soon submit more detailed comments, but for now write to express concerns about the Project's inadequate Mitigated Negative Declaration/Initial Study ("MND") in areas including traffic, land use inconsistency, hazardous substances and greenhouse gas ("GHG") impacts.

Local 11 represents more than 20,000 workers employed in hotels, restaurants, airports, sports arenas, and convention centers throughout Southern California. Members of Local 11, including dozens who live and work in the City of Los Angeles, join together to fight for improved living standards and working conditions. Local 11 is a stakeholder in this Project, and worker and labor organizations have a long history of engaging in the California Environmental Quality Act ("CEQA") process to secure safe working conditions, reduce environmental impacts, and maximize community benefits. The courts have held that "unions have standing to litigate environmental claims." *Bakersfield Citizens v. Bakersfield* (2004) 124 Cal.App.4th 1184, 1198.


A MND has been prepared for this new, 9-story high rise Project, not a more comprehensive Environmental Impact Report ("EIR"), pursuant to CEQA law. This means that the less deferential "fair argument" standard applies. The "fair argument" standard creates a "low threshold" favoring

environmental review through an EIR rather than through issuance of a negative declaration, even if other substantial evidence supports the opposite conclusion. *Mejia v. Los Angeles* (2005) 130 Cal.App.4th 322; *Pocket Protectors v. Sacramento* (2005) 124 Cal.App.4th 903. An agency's decision not to require an EIR can be upheld only when there is no credible evidence to the contrary. *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th, 1307, 1318.

This Project is discretionary, not by right. Applicant seeks discretionary approvals under the City's Municipal Code including a Vesting Zone Change, Height District Change to 3.5:1 Floor Area Ratio ("*FAR*") instead of the permitted 1.5:1 FAR and Site Plan Review. As such, PLUM must make express findings under the Municipal Code and Central City North Community Plan ("*Community Plan*"). Of particular concern is that this Project seeks to re-zone the City's precious M3-zoned industrial land. The Project therefore conflicts with the City's General Plan Framework Goal 3J of "[i]ndustrial growth" and policy 3.14.6 that industrial-zoned land must not be reduced to "adversely impact the City's ability to accommodate sufficient industrial uses" (see General Plan Framework, Chapter 3).<sup>1</sup> The Project also conflicts with the Community Plan Goal 3 of providing "sufficient land for a variety of industrial uses" and Objectives 3-1 and 3-3 of "providing for existing and future industrial uses" and to "retain industrial plan designations" (see Community Plan, pp. III-8-9).<sup>2</sup>

*In sum, the City Council and PLUM have clear legal authority to disprove the Project if these required land use findings cannot be made. Kavanau v. Santa Monica Rent Control* (1997) 16 Cal.4<sup>th</sup> 761. Commentors have serious concerns, that we will explain in more detail in a forthcoming letter, that this Project's MND is flawed and that the Project cannot satisfy the City's required land use findings and General and Community Pan goals and policies.

Thank you for consideration of these comments. We ask that they be placed in the Administrative Record for the Project.

Sincerely,  
  
Gideon Kracov  
Lawyer for Unite HERE Local 11 and Antonio Mendoza

<sup>1</sup> Available at <http://planning.lacity.org/cwd/framwk/chapters/03/03209.htm>.

<sup>2</sup> Available at <https://planning.lacity.org/complan/pdf/concptxt.pdf>.





- Lowe Enterprises is seeking approval to build a 9 story building at 2130 S. Violet St. An environmental review revealed the site had elevated levels of chromium and lead as well as levels of perchlorethyene above laboratory reporting limits. Perchloroethylene is a chemical characterized by the EPA as a "likely human carcinogen" that can cause nerve and brain damage at sufficient levels of exposure. According to the Center for Disease Control, Chromium is a "well established carcinogen associated with lung, nasal and sinus cancer" at sufficient levels of exposure. Lead exposure even at low levels can cause neurological damage in children.

**Lowe has not submitted a plan to clean up the contamination.**

We, the undersigned, call on Councilmember Huizar to say NO to Lowe Enterprises' project until a full environmental review is conducted.

Name	Address	Phone	Email
BRIAN HARRIS	2135 BAY STREET 90021	(570) 944-265	BRIANBROADFORDHARRIS@GMAIL.COM
Manuel Gutierrez	2124 Violet St. 90021	(213) 623-9415	
Carlos Rangel	826 S. Santa Fe Ave 66 Anides CA 90021	213 624-7150	carlosrangel.cu@gmail.com
Cynthia Alanis	307 Withner St L.A. CA 90017	(213) 306-298-1191	(JSPU and)
Dimitrio Ruiz	Fresno St call TA	323 362-4880	
Alan Torres	726 S. Santa Fe Ave	734.717.6045	alan@alan-torres.com
Pablo Torres	"	734 618.6117	pablo@thefirelowers.com
Alex Contreras	724 S Santa Fe	619-985-3333	alexjones0@gmail.com
Michael Garcia	2121 E 7th Pl	323 317 6412	garciamichael08@gmail.com
PATRICK CAIXARANI	2121 E 7th Pl.	949 303 9103	PC@DUREXPSON.COM
Nancy Schweser	"	303 693 7091	wheelupgangsta
GEORGINNA ALLEN	2121 E 7th Pl	710-252-8470	@ymail.com

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Name	Address	Phone	Email
Scott Kim	2515 Ocean View Ave <sup>Apt 210</sup>	301-204-9708	ULTRAFLS15@gmail.com
ANDOM SAYRE	1427 E 4th St, LA 90033	330-620-6880	ANDOMSAAYRE@gmail.com
Kristen Cleary	2578 1/2 Lake View Ave. 90039	330-321-8509	kristencleary@gmail.com
Valerie Thomas	4153 Neosko Ave LA CA 90046	310-837-3058	valerie-thomas@mae.com
Michael Whalen	910 E 2nd Street	510-697-3605	mlw22@aol.com
Reni Kiss	10230 Mather Ave Sunland	818-859-2767	renikiss@yahoo.com
Aurelio Altamirano	3811 Foster Av, Baldwin Park		
Maggie Wolf	<del>415</del> 923 E 3rd #115		maggie@seedling.com
Jacque Lamkin	923 E 3rd St, #115, Los Angeles		jacque@seedling.com
Niki Weber	201 S. Santa Fe Ave 90012		niki@firecode12.com
ANISA COBALLOS	1155 N HOWARD ST. APT 204 90004		
Allyson Nelson	1439 Fremont St. 90033		missnikie@usa.com
PESI ANDERSON	1825 N CHEROKEE AVE <sup>APT 315</sup> LA 90028	323-422-6738	
Dave Muehlen	746 1/2 N. Hayworth Ave. 90204	323-775-6489	
Josh Libinsky	923 E. 3rd LA CA 90013	310-824-9077	

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Name Address Phone Email

Susan Akahoshi	2225 CENTRAL AVE. L.A.		
Diane Nakagawa	3716 Grand View Blvd L.A.		
Joey Lee	1177 57th Oakland, CA. 94612	510 233 0221	
John Kim	1431 Ricardo St.	811 941 4675	
Re. Su	676 Kings St	408 776 5746	SF
Jennifer Podlizer	1516 E Hanger Blvd St	760 979 3049	nennivuj@gmail.com
Kandi Ross	1516 E. Hanger Blvd St	323 747 0313	caimusic@gmail.com
Deana Leatherage	439 S Curson Ave	213 220 8530	deana.leatherage@gmail.com
Edwico Torres	1239 Wendy Dr.	(562) 860-6428	
Shad Lambert	2015 Santa Fe	323-333-9689	
Ryan Bell	20808 NW Parvada Lane		
Jessie Velle	127 S. Curson Ave	818 669 4277	
Dija Lee	14843 Central Ave Los Angeles	(310) 872 0988	
Paul Schneider	3205 Rowena Ave Los Angeles, CA	612-810-3868	
Andy Beenet	1754 Lincoln Blvd Santa Monica Ca 90404	310 633 0261	

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Name	Address	Phone	Email
Raul Bencomo	1850 Industrial St	(213) 463-6976	raulbencomo@gmail.com
JAMES S... JIMMY FLOYD	1855 E 7th Pl	213-223-6226	csjpr/mid
Ece Jalila	1141 W 37th St	502 601 6458	ece.jalila@gsu.edu
Anthony W... Csilla Fazekas	417 South St	817 362 6912	adwin@gsu.edu
Dylan Knight	1119 Kensington	859-383-9685	
Cleveland Donnelly	688 S. Santa Fe Ave	(310) 433-9397	
Anthony Esposito		973 888 3044	hallyes@carfilm@gmail.com
Elizabeth Malden	2534 4th Ave	978 761-5295	
Jay	1870 Industrial St.	323 261 1100	
Valley... J... IRANTEN LEWIS	1855 Industrial St LA CA 90021		
	1855 Industrial St LA 90021		
	10209 3rd St LA CA 90021		



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Name Address Phone Email

MARLA FISCHER	1325 Palm Ave		
MARNIE MALABUCCI	2354 BARTON LACA 90039		
BETH MORGANICH	312 N. AVE 57		
JESUS PRADO	432 W Hampton St. 91754		
Edie Korman	1325 Willow St		
Blake Zimale	911 3rd St. Redwood Branch CA		
KATE DEMOSS	320 Occidental 81550 8770		
MILAN TRAFLET	2727 PAVOS VEDERS CA 90000		
Sean Oh	1820 Industrial St LACA 90021		
HEIT CIFERRI			
Edith Samson	4505 Los Feliz Blvd. L.A. 90027		
Brad Ustin	4611 Vesper Ave. Sherman Oaks CA 91403		

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Name	Address	Phone	Email
Michael Anzies	601 IMPERIAL STR	626 394 1112	MICHAEL.ANAZIS @URBAN-RAPID.COM
Ross Patten	2121 E. 7th Pl 90021	917 704 9816	ross@killepatten.com
BRIAN JONES	WHA	323.969.9912	@small.com
NEIL SCHWARTZ	462 766 S. SANTA FE	146-734 4300	
Pete Helweg	726 S Santa Fe Ave	317-443-8838	pete@vud.com
Sacha Brummann	726 S Santa Fe #206	323 745 7074	sacha@brummann.com
near JOHN ANITA BROWN	726 S Santa Fe	562 316 7872	anna99@hotmail.com
Kyle Boers	726 S Santa Fe		Kyleboers@gmail.com
B. Montuori	726 S. Santa Fe	(213) 265 7080	bmontuori@mac.com
Roger	726 S. Santa Fe #105	601 628 4231	REDHEADQUELISE@gmail.com
Em Blum	NYC		blumeric@gmail.com
Sam George	825 E 4th St.	818-445-4737	mgeorge@design.com
Charles Davis	825 E 4th St.	213-703-4632	Charles@Newsdaymedia.com



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Dorion Songbird	1855 Industrial St.	(323) 828-4805	Songbird68@mac.com
Jenny Bee	" "	(818) 415-1192	jen@444@gmail.com
MART Monago	1340 E 6th		m@mamago.com
James Huizar		(606) 771-7819	
Ed Huizar	1855 Industrial St.		edhuizar@edhuizar.com
Lrany Beech	1855 Industrial St.		
MONIQUE PEREZ	550 N S LOUIS ST.		MONIQUE3.perez@outlook.com
Greg Anzures	2772 Walnut St	90255	DUSTMYBROOD@AOL.COM
David Hernandez	1855 Industrial St	718/702 2757	
CARLO LEON	300 S. SANTA FE	310 655 5288	carloleone@gmail.com
JOE LANZISE	1855 Industrial St.	323.717.7964	jlanzise@gmail.com
Brett McCabe	2221 Michigan Ave	617-981-2949	PresumedDead1986@gmail.com
Laure Muller			lauremuller@gmail.com
Mistake			mistake@gmail.com





213-473-7014



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DANIEL CAMPOS	662 IMPERIAL LA CA 90021	(213) 858-3122	DANIELCAMPOS213@GMAIL.COM
Connie Galvan	340 S Hubart Rm 310 LA 90005	773 860 0826	Conniegalvan@gmail.com
Armen Lulu		310 310 1111	armenlulu@gmail.com
Sean G. Lee	1850 Industrial St 7th	310 922 3114	maser@seanglee.com
Yunus Deyal	1850 Industrial #110	(714) 661-6623	YDeyal@gmail.com
DAVID FUMCHASE	1855 INDUSTRIAL	(310) 926 3866	dfumchase@futuresoy.com
John Reyes	1616 Westmoreland Dr.	(323) 477-5457	
ALEX ELIAS	1850 Industrial	323 535 6267	
ARUN PANNURAY	1855 INDUSTRIAL	332 533 8279	

Handwritten notes and signatures in the right margin, including "Connie Galvan" and "Armen Lulu".

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Iris Chen	1924 S. 8th Ave Arcadio, CA 91066	626 226 9756	ir150459@gmail.com
Maria Mendez	1100 S Arroyo Ave, CA 90027	323 385 6316	mdmendez@gmail.com
LIKE PIDGENT	1855 INDUSTRIAL ST	909 211 1590	likepidgent@gmail.com
Enick Esparza	1056 58th 90027	323 552 3500	enickesparza@gmail.com
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Jashod Dombela	209 S Kingshighway	213 388 9715	jashod@gmail.com
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IRFAN FLAK	3816 EDENHURST AVE	213 810 2162	irfanflak@gmail.com
Jacki BREGEL	846 S Broadway	213 955 5932	jackibregel@gmail.com
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Amanda Meraz	1855 Industrial St #418		amera001@ucf.edu



