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August 8, 2017

BY EMAIL AND HAND DELIVERY

The Honorable Planning and Land Use Committee
of the City of Los Angeles
200 North Spring Street, Room 350
Los Angeles, CA 90012-2601

Re: 5570 Melrose Avenue, Council File No. 17-0649; CPC-2016-4316-DB-1A; ENV-2015-4317-CE: Response to August 7, 2017 Letter

Dear Committee Members:

As you know, we represent Crescent Capital Partners, LLC, the applicant in the above matter. Our client is seeking to develop the above-referenced property (the “Property”) with mixed-use building consisting of 52 residential dwelling units, including five units for very-low income households, and 5,500 square feet of commercial uses (the “Project”). We are writing to respond to the last-minute letter from Beth S. Dorris on behalf of Mr. Dan Wells & Pharlap Enterprises LLC, 5546 Melrose LLC & Woodrow Jackson, and Tracey Clarke (collectively, “Appellants”).

Although the letter plus attachments is 373 pages, the 371 pages of attachment consist of the chapters of an EIR for another project (the Paramount Picture Project), and a 2001 survey for a possible Larchmont Heights Historic Preservation Overlay Zone. These are simply not relevant to the Project and can be disregarded. The only Project-specific arguments are contained in Ms. Dorris’s two-page cover letter, which is mostly a rehash of arguments made in the appeal. As set forth in our appeal response letter dated July 31, 2017, the appeal is without merit and should be rejected. Nonetheless, we are providing a point-by-point response the August 2, 2017 letter to provide the Committee with the most complete record.

A. The CPC Correctly Calculated the Required Number of Affordable Units.

Appellants continue to question the calculation of 5 units for very-low income tenants.

The math is clear:

| | |
|---|-------------------------------------|
| <i>Lot Size:</i> | <i>18,723 sf</i> |
| <i>Density Allowed by Zone:</i> | <i>40 DU (total)</i> |
| - <i>400 sf/land (C2 Zone)</i> | <i>31 DU</i> |
| - <i>800 sf/land (R3 Zone)</i> | <i>9 DU</i> |
| <i>Maximum Allowable Density Bonus (35%):</i> | <i>54 DU</i> |
| <i>Units Provided</i> | <i>52 DU</i> |
| <i>11% Very Low Income</i> | <i>.11*40=4.4, round up to 5 DU</i> |

The CPC made no error in approving the Project with five very-low income housing units. Moreover, Appellants are wrong that rounding up is not permitted by law – this is precisely what is required by SB 1818. In addition, contrary to Appellants’ assertion, the CPC did not consider the Project’s proximity to transit in calculating the amount of the required affordable units or the amount of the density bonus. In any event, LAMC Section 12.22-A.25(b) defines a Transit Stop to include: “A Metro Rapid Bus stop located along a Metro Rapid Bus route; or, for a Housing Development Project consisting entirely of Restricted Affordable Units, any bus stop located along a Metro Rapid Bus route.”

B. No Pro Forma or Other Financial Information is Required.

Appellants assert that the City should have required a pro forma or other Project-specific financial information in considering the subject density bonus incentives and waiver. In fact, recent amendments to State density bonus law (AB 2501) expressly prohibit the City from requiring such information.

C. The Project will not Result in any Significant Cumulative Impacts.

Appellants wrongly assert that because there will be certain significant unavoidable impact from the Paramount project, there must be from this Project as well. Appellants misunderstand how cumulative impacts are determined. The question is not whether the Paramount Project has significant impacts, but whether the Project’s contribution to these impacts would be cumulatively considerable. The Paramount Project was expressly included in the traffic analysis as a related project (#75). The traffic analysis was reviewed and approved by LADOT.

Further, under SCAQMD’s longstanding methodology, a project’s emissions are not added to those of the related projects’ to determine cumulative impacts. Air quality impacts are

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basin-wide, and air quality is affected by all pollutant sources in the basin. Therefore, the ambient air quality measurements provide a summary of basin-wide cumulative air quality impacts. As the individual project thresholds are designed to help achieve attainment with cumulative basin-wide standards, they are also appropriate for assessing the Project's contribution to cumulative impacts. Appellants provide no substantial evidence of a Project significant impact; rather only speculation.

D. The Project is Consistent with the Community Plan.

Appellants also assert that the Project is not consistent with the Community Plan. Yet, as shown in the CPC's findings, the Project is consistent with the Community Plan, including the goals and policies Appellants note. Appellants seek to cherry pick policies regarding major development projects; however, at 52 units the Project is not a major development. Furthermore, the July 7, 2017 Overland Traffic Consultants, Inc. Response Memorandum (Attachment B to the July 31, 2017 Letter) demonstrated that there is no possibility of significant neighborhood cut through traffic/spill over traffic issues.

E. The Project will not Result in a Significant Impact to Historic Resources.

Appellants are wrong regarding the possibility of historic impacts. As demonstrated in the July 24, 2017 Historic Evaluation by Sapphos Environmental, Inc (Attachment F to the July 31, 2017 Letter), (1) existing site buildings are not historic, (2) the Project is not within any historic district and is a sufficient distance away from nearby historic districts so as to not create any compatibility issues, and (3) the Project design has been tailored at the request of the local community to be compatible with fabric of the greater Larchmont Village neighborhood, which, contrary to the 2001 Survey attached to the August 7, 2017 letter, is not an HPOZ but a Neighborhood Conservation Area.

F. The Project will not Result in Parking Impacts.

Appellants are incorrect about potential parking impacts. Because the Project is located within a Transit Priority Area, there can be no significant parking impact as a matter of law. Furthermore, the Project is required to provide only 26 residential parking spaces in accordance with parking requirements for a Transit Priority Project, but is providing 52 designated residential parking spaces, double the required amount of on-site parking spaces. The Applicant also added seven additional spaces in response to community concerns. (April 20, 2017, City Planning Recommendation Report, page A-5 (originally proposed 69 spaces; increased to 76 spaces).)

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G. Conclusion

Appellants' last minute submission does nothing to further the merits of their appeal – it is still meritless. We respectfully request that the Planning and Land Use Committee deny the Appeal and sustain the City Planning Commission's decision to approve CPC-2016-4316-DB-1A.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Dale J. Goldsmith", is written over a light blue rectangular background.

Dale J. Goldsmith

cc: Councilmember David Ryu's Office
Planning Department