

March 6, 2019

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VIA HAND-DELIVERY ONLY

Los Angeles City Council
200 N. Spring Street
Los Angeles, California 90012

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Re: Response to Letter from Coalition for Responsible Equitable Economic Development (Council File Nos. 18-1235; 18-1235-S1)

Dear Honorable City Councilmembers:

This firm represents 1600 Hudson, LLC ("Applicant") in connection with the proposed Schrader Hotel Project (the "Project"). The Applicant is in receipt of the following letter filed by appellant Coalition for Responsible Equitable Economic Development ("CREED LA") responding to the Department of City Planning Appeal Response prepared for the February 12, 2019 Planning and Land Use Management ("PLUM") Committee meeting regarding the Project:

1. Letter filed by Adams Broadwell Joseph & Cardozo, Nirit Lotan, on behalf of CREED LA, dated February 26, 2019.

The purpose of this letter is to respond to any new information raised in the appellant's letter. The majority of the comments raised, however, have previously been presented in correspondence by CREED LA to the City during the administrative process and as such the City as well as the Applicant have responded to these comments. We reference prior responses wherever appropriate and focus this letter on the new assertions and information presented in the letter. We respectfully request that this letter be included in the administrative record for Council File cases 18-1235 and 18-1235-S1.

I. The City Prepared a Comprehensive and Adequate IS/MND

CREED LA raises its same concerns regarding the adequacy of the IS/MND's analysis of Project impacts on public health from toxic air contaminants ("TAC") and operational noise. As previously addressed in the Applicant's prior responses to CREED LA dated August 31, 2018 and February 7, 2019 and Parker Environmental Consultants' responses submitted to the City dated July 12, 2018, August 2, 2018, October 17, 2018, and February 7, 2019, the IS/MND adequately analyzed public health and operational noise impacts and determined that the Project would not result in significant impacts.

With respect to CREED LA's claim that the MND failed to perform a detailed Health Risk Assessment for construction activities, their February 26 letter cites a relatively new CEQA case

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(*Sierra Club v. County of Fresno* (S219783)) ("Friar Ranch case") where the court set aside an EIR for failing to disclose the nature and magnitude of significant air quality impacts by failing to correlate the increase in project emissions with the adverse impacts on human health. The Project is distinguishable from the Friar Ranch case because the MND properly analyzed the Project's construction air quality impacts in accordance with the SCAQMD's adopted thresholds of significance for construction emissions and concluded that the Project's impacts would be less than significant. Thus, no further analysis or disclosure regarding human health impacts is required. The project cited in the Friar Ranch case concluded that the project would result in significant regional and localized construction air quality emissions that exceeded the AQMD's thresholds. As such there are no similarities between the Friar Ranch case and the proposed Project. Therefore, the *Sierra Club v. County of Fresno* case does not present any substantial evidence that the MND was deficient.

CREED LA fails to present a fair argument supported by substantial evidence that the Project would result in a significant impact from operational noise and TAC emissions.

In addition, CREED LA reasserts that the MND fails to properly evaluate and mitigate potentially significant noise impacts. These comments were previously addressed in Parker Environmental's response to comment letters dated February 7, 2019, October 17, 2018, August 24, 2018.

II. The City Planning Commission Properly Considered and Made the Requisite Findings to Support Its Approval of the Conditional Use Permit for Alcohol, Zoning Administrator's Adjustment, and Site Plan Review

CREED LA again argues that the City cannot make the required findings for the quasi-judicial approvals – Master Conditional Use Permit to allow the sale and dispensing of alcohol ("CUB"), the Zoning Administrator's Adjustment, and Site Plan Review – because the City has no evidence to support the required findings. This claim is meritless and unsubstantiated as previously responded to in the Applicant's response dated February 7, 2019.

Based on the substantial evidence provided herein, we respectfully request that the City Council approve the PLUM Committee's recommendations and deny the appeal and approve the Project.

Very truly yours,



Alfred Fraijo Jr.
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP