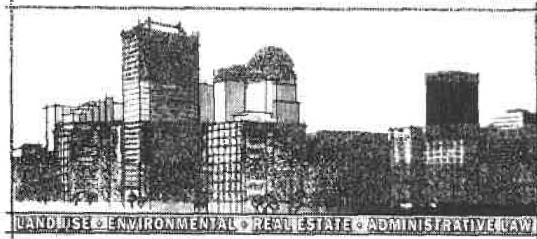


EXHIBIT D

May 3, 2019 Letter



TIMOTHY D. MARTIN, ESQ.
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May 3, 2019

Via Email (cpc@lacity.org; apcwestla@lacity.org)

City Planning Commission
200 N. Spring St., Room 272
Los Angeles, CA 90012

Re: DIR-2017-81-TOC-SPR/ENV-2017-82-CE
10400-10422 West Santa Monica Boulevard

My office represents Century Glen Homeowners Association (“Century Glen”), the appellant in the above-referenced case. I understand that the City Planning Commission will be adjudicating Century Glen’s appeal of the January 17, 2019 Director’s Determination approving a 120-unit housing development project at 10400-10422 West Santa Monica Boulevard (the “Project”) at the Commission’s May 9, 2019 public hearing. This letter is intended to supplement Century Glen’s previously submitted appeal documents, including a letter dated April 29, 2019, submitted on behalf of Century Glen by the law firm of Luna & Glushon (collectively, the “Appeals Package”).

I have reviewed the Appeals Package, and find the legal and factual arguments contained within to be compelling. In particular, the Appeals Package clearly explains that the City’s designation of the Project as being categorically exempt from environmental review under the California Environmental Quality Act (“CEQA”) is erroneous, as the Project does not qualify for a Class 32 Exemption given that it is not in substantial conformance with the purposes, intent and provisions of the City’s General Plan or the West Los Angeles Community Plan. Further, CEQA prohibits use of a (i.e., any) categorical exemption when “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” (CEQA Guidelines §15300.2(c)). Here, since the Project is not in substantial conformance with the General Plan and the West LA Community Plan, the Project will have a significant land use/planning environmental effect and, accordingly, a categorical exemption is not appropriate.¹

Additionally, the City’s use of a CEQA categorical exemption is inappropriate because the

¹ Also, since the Project is located within a Preliminary Fault Rupture Study Area a reasonable possibility of a significant geological/soils effect clearly exists. Accordingly, a categorical exemption is not appropriate given the existence of this “unusual circumstance.”

Project's cumulative impacts must be assessed, given that it constitutes one of a succession of planned large, multi-unit housing developments in the same neighborhood over the next couple of years. (see CEQA Guidelines §15300.2(b)). Century Glen is currently aware of at least two other large multi-unit housing developments in the same neighborhood that are seeking entitlements from the City. (See enclosed map depicting the locations of these project – Exhibit “A”):

- 10306-10330 W. Santa Monica Boulevard (DIR 20185480 – TOC): Proposed 7 story, 116-unit housing development over 100,000 sq. feet, with limited parking and more than 3x Code allowed density.
- 1814-1820 S. Fox Hills Drive: Details of this multi-unit housing project are not known at this time. The current structures are vacant, fenced and slated for demolition. The size of the parcel suggests that this project will be in the 40-60 unit range, depending on number of stories, size of units and other factors.

Individually and cumulatively, these three large, multi-housing projects will be built in succession and will operate in close proximity to each other over a limited period of time – totaling close to 300 new units - will foreseeably have significant environmental impacts. Such impacts include:

- Incompatibility with the West Los Angeles Community Plan due to the height, scale and massing of the proposed structures. These oversized structures will not be compatible with the existing neighborhood and will overwhelm neighboring properties;
- Increased traffic burden to both main thoroughfares (Santa Monica Blvd., Beverly Glen Blvd.) as well as to neighborhood side streets. Even under current conditions, vehicles are continually seen by Century Glen members performing illegal maneuvers to circumvent traffic restrictions in the neighborhood (e.g., running stop signs, illegal U-turns, illegal lefts, illegal merges onto Santa Monica Blvd.). As the traffic flow increases, and streets are blocked due to construction, etc., these problems will only increase;
- Increase traffic/pedestrian safety risks due to increase in traffic, and particularly due to highly questionable placement of the Project's vehicular ingress/egress directly on Beverly Glen immediately south of the busy intersection with Santa Monica Blvd.
- Increased burden on already limited opportunities for street parking, due to unrealistically low onsite vehicular parking requirements;
- Several years of continuous construction activities in the same neighborhood – starting at or before 8am and going until 6pm, six days per week - leading to significant increases in noise, vibration, fugitive dust and other foreseeable negative effects from large-scale construction work;
- Several years of markedly increased truck traffic going to/from construction sites. Given what is already a complicated/difficult traffic environment at and around the Santa Monica/Beverly Glen intersection, the additional truck traffic combined with full or partial street closures and other dislocations will significantly exacerbate an already extremely difficult and dangerous situation;

The above list of foreseeable environmental impacts is not intended to be comprehensive, but rather is intended to illustrate that the multiple projects will foreseeably create significant environmental impact. Accordingly, there is more than a fair argument that the City's decision to exempt the Project from CEQA constitutes prejudicial abuse of discretion, as it directly violates CEQA's mandate to assess cumulative impacts of multiple, successive projects of a similar type in the same area, so as to give City decision makers and general public an opportunity to evaluate the full impacts of these projects on the environment. As a matter of law, the City must require the Project applicant, as well as the applicants of these other projects, to perform a thorough environmental review of the project's impacts, both individually and cumulatively, prior to granting the requested entitlements allowing the Project to proceed.

Thank you for your careful attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim D. Martin". The signature is fluid and cursive, with a large initial "T" and "M".

TIMOTHY D. MARTIN, ESQ. for
LAW OFFICES OF TIMOTHY D. MARTIN

TDM:bl

Attachment

cc: Stacy Antler, Century Glen, HOA (via email)
Lilian Rubio, Planning Dept. (via email)
Hagu Solomon-Cary (via email)

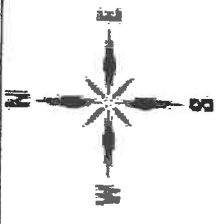
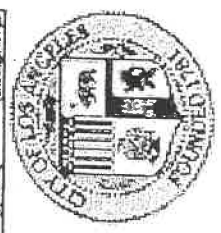
LA 11611 71

ZIMAS PUBLIC

Generalized Zoning

05/01/2019

City of Los Angeles
Department of City Planning



1814-1820
S. Fox Hills Dr.

10306-10330
W. Santa Monica

The Project
10400-10422 W. Santa Monica