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April 1, 2021

Los Angeles City Council  
c/o Office of the City Clerk  
City Hall, Room 395  
Los Angeles, California 90012

Attention: PLUM Committee

Dear Honorable Members:

**RESPONSE TO PUBLIC COMMENTS; CF 20-1624**

The Belmont Village Senior Living Westwood II Project (Project) would construct a new eldercare facility, childcare facility, and Fellowship Hall on an approximately 1.62-acre lot along Wilshire Boulevard at Malcom Avenue in the Westwood Community Plan Area. The existing church would remain and the existing preschool, Fellowship Hall, administrative offices, surface parking lot, and single-family residence would be demolished to allow for the development of the Project. On November 12, 2020, the Department of City Planning published a Sustainable Communities Environmental Assessment (SCEA) for the Project with a public comment period ending on December 14, 2020. Comments received during the SCEA public comment period have been addressed in the Response to Comments included as Exhibit A of the Staff Report, dated February 19, 2021, submitted to Council File 20-1624. Public comments received outside of the SCEA public comment period are addressed below.

The majority of public comments received outside of the SCEA public comment period primarily addressed environmental topics relating to aesthetics (light, views, shadow), air quality (construction emissions), land use (compatibility), noise (construction noise and vibration, operational noise from ambulances), and traffic (congestion, parking, access). Each of these topics were fully addressed and analyzed in the SCEA as well as in the Response to Comments and were found to have no significant impacts to the environment pursuant to the California Environmental Quality Act (CEQA).

Additionally, on March 1, 2020 the Department of City Planning received a letter from Corin Kahn (Kahn Letter), an attorney representing the homeowners of the residential neighborhood surrounding the Project Site, including a wider group of residents and homeowners of the single-family neighborhood south of Wilshire Boulevard and east of Westwood Boulevard. The Kahn

letter makes numerous assertions regarding the adequacy of the SCEA which are responded to below. The following is a summary of the points raised in the Kahn letter with responses to each of the issues.

**1) The Project contains less than 50 percent residential land use and therefore does not qualify for environmental analysis under a SCEA.**

The Kahn Letter states that the Project does not qualify for analysis under a SCEA because it does not meet the SCEA requirement of being a Transit Priority Project (TPP) containing at least 50 percent residential uses. The Kahn Letter attempts to support this statement by asserting that the Project's Assisted Living and Alzheimer's/Dementia Care units should not be counted as residential units due to the food and guest services received within those units and because the site users will not use transit. However pursuant Los Angeles Municipal Code (LAMC) Section 12.03, the City has clearly defined eldercare facilities and their associated housing types to be residential housing, including Assisted Living and Alzheimer's/Dementia Care. As demonstrated in the SCEA (page 3.0-17), the Project would construct two new buildings on the Project Site, which would contain a total floor area of 196,283 square feet (consisting of 19,703 square feet of non-residential uses within the proposed Education Center, and 176,580 square feet of residential uses within the proposed Eldercare Facility). Accordingly, the Project's residential floor area would comprise nearly 90 percent of the total floor area of the Project, therefore meeting the requirement of a TPP and analysis under a SCEA.

**2) The Project is not consistent with the general use designation, density, building intensity, and applicable policies for the project area in the applicable Sustainable Communities Strategy.**

The Kahn Letter states that the Project does not meet the requirements of a TPP because it is not consistent with the general use designation, density, building intensity, and applicable policies specified for the project area in the applicable Sustainable Communities Strategy, which for the City of Los Angeles is the Southern California Association of Governments' (SCAG) 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020 RTP/SCS). The SCEA includes an analysis of the Project's consistency with both the 2020 RTP/SCS and the 2016 RTP/SCS, which demonstrates the Project's consistency with the Urban and City Residential place types identified in the 2016 RTP/SCS and demonstrates that the Project is located within a Priority Growth Area, Transit Priority Area, High Quality Transit Area, and Livable Corridor as identified in the 2020 RTP/SCS. The Kahn Letter also objects to the Project's Childcare Facility in the R1 zone, and states that the use, density, and other characteristics are inconsistent with the single-family zone. However, the letter fails to mention that a childcare facility is a permitted use in the R1 zone, provided that a Conditional Use Permit is approved. The applicant has applied for such a permit, as is disclosed in the SCEA, and the Project's consistency or deviations from the City's zoning standards will be conducted as part of the Project's Conditional Use entitlement process by the Zoning Administrator.

**3) The Project will result in significant environmental impacts related to land use.**

The Kahn Letter states that the SCEA erroneously included a "consistency analysis" in order to analyze potential environmental impacts to land use, where a "conflict analysis" is appropriate. SB 375 clearly requires an analysis of project consistency with land use requirements (PRC Section 21155(a)) and it is unclear how a "conflict analysis" would be alternatively performed. In one example, the Kahn Letter states that the proposed height of the Project's proposed Eldercare Facility is in conflict with the Wilshire-Westwood Scenic Corridor Specific Plan. However, the SCEA describes how the Specific Plan may authorize increased building height as part of the

entitlement review process. The Kahn Letter also states that the childcare facility would be an incompatible land use to adjacent single-family uses and would result in aesthetic, land use, and traffic impacts. The SCEA's analysis of the information related to Project's potential environmental impacts to aesthetics, land use, and traffic were determined to be less than significant, and the Kahn Letter failed to demonstrate inadequacies in the analysis or provide substantial evidence to the contrary. In addition, as previously stated, childcare facilities are permitted uses within single-family zones through a Conditional Use entitlement process.

**4) The Project will result in significant environmental impacts related to Greenhouse Gas Emissions and Traffic.**

The Kahn Letter states that the Project would result in environmental impacts related to Greenhouse Gas Emissions because it fails to qualify as a TPP. However, as previously demonstrated, the Project as analyzed by the SCEA does in fact qualify as a TPP and the Kahn Letter provides no substantial evidence for a potential environmental impact related to Greenhouse Gas Emissions. The Kahn Letter also states that the Project will result in significant environmental impacts related to traffic and that the traffic analysis in the SCEA is deficient, and that the Project is inconsistent with the RTP/SCS because users of the site would not use transit. However no substantial evidence is provided as the basis for this statement and the SCEA adequately analyzed the Project for consistency with City and SCAG transit-oriented plans and policies. The letter failed to demonstrate how users of the site would significantly increase Vehicle Miles Travelled (VMT) above applicable thresholds or how the Project would result in significant transportation impacts.

**5) The Project has an incomplete and unstable project description.**

The Kahn Letter argues that the SCEA's project description is deficient and claims that the number of dwelling units, residents, and guests is misleading, the walkability of the area and childcare facility was omitted from the environmental setting, and that there is a lack of details regarding services of the site, such as number of employees and their work hours and wages. The SCEA clearly identifies the number of residents and employees of the site, as 252 residents and 172 daily employees, including a maximum of 55 employees per shift at the Eldercare Facility and eight-hour workdays (page 4.0-21 of the SCEA) and describes the existing pedestrian environmental setting (page 2.0-23 of the SCEA). The Kahn Letter fails to provide any substantial evidence to contradict this information or to demonstrate deficiencies in the SCEA analysis.

**Conclusion**

The Department of City Planning finds that the issues raised by public comment, including the March 1, 2021 letter from Corin Khan, provide no substantial evidence to question the adequacy in the SCEA's preparation, and recommends that the SCEA and Erratum be adopted for the Project.

Sincerely,

VINCENT P. BERTONI, AICP  
Director of Planning

Robert Keatinge  
Planning Assistant

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