

Fwd: CEQA and Land Use Notice Request and Comment on DEIR for the Modera Argyle Project

1 message

Gloria Pinon <gloria.pinon@lacity.org>
To: Clerk - Public Use - Clerk Council and Public Services <Clerk.CPS@lacity.org>

Fri, Aug 2, 2019 at 12:13 PM

----- Forwarded message -----

From: **Stacey Osborne** <stacey@lozeaudrury.com>
Date: Fri, Aug 2, 2019 at 11:59 AM
Subject: CEQA and Land Use Notice Request and Comment on DEIR for the Modera Argyle Project
To: Kathleen King <kathleen.king@lacity.org>, <lisa.webber@lacity.org>, <cityclerk@lacity.org>
Cc: Komalpreet Toor <komal@lozeaudrury.com>

Dear All,

Please find attached a CEQA and Land Use Notice Request and Comment on DEIR for the Modera Argyle Project, submitted on behalf of Supporters Alliance for Environmental Responsibility ("SAFER"). Please note that a hardcopy will follow via U.S. mail. Should you have any questions, please feel free to contact our office.

Best Regards,

Stacey

Stacey Osborne

Paralegal

Lozeau | Drury LLP

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2019.08.01 DEIR Comment and CEQA & Land Use Notice Request - Modera Argyle.pdf
401K



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Via Email and U.S. Mail

August 2, 2019

Kathleen King
Department of City Planning
City of Los Angeles
221 N. Figueroa Street., Suite 1350
Los Angeles, CA 90012
kathleen.king@lacity.org

Lisa M. Webber, AICP Deputy Director
Department of City Planning
City of Los Angeles
200 N. Spring Street, Room 525
Los Angeles, CA 90012
lisa.webber@lacity.org

Holly L. Wolcott, City Clerk
City Clerk's Office
City of Los Angeles
200 North Spring Street, Room 360
Los Angeles, CA 90012
cityclerk@lacity.org

**Re: Comment on Draft Environmental Impact Report, Modera Argyle
Project aka ENV-2016-3743-EIR and SCH #2017081039**

Dear: Ms. King, Ms. Webber, and Ms. Wolcott

I am writing on behalf of Supporters Alliance For Environmental Responsibility ("SAFER"), regarding the Draft Environmental Impact Report; ("DEIR") prepared for the Project known as Modera Argyle Project aka ENV-2016-3743-EIR and SCH #2017081039, including all actions related or referring to the proposed development of a new 260,250 square feet, mixed use seven story building consisting of a ground level mezzanine and six residential floors, containing 276 units, above four subterranean parking levels located at 1546 North Argyle Avenue and 6224 West Selma Avenue in the City of Los Angeles ("Project").

After reviewing the DEIR, we conclude that the DEIR fails as an informational document and fails to impose all feasible mitigation measures to reduce the Project's impacts. SAFER requests that the Department of City Planning address these shortcomings in a revised draft environmental impact report ("RDEIR") and recirculate the RDEIR prior to considering approvals for the Project. We reserve the right to supplement these comments during review of the Final EIR for the Project and at public hearings concerning the Project.

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Galante Vineyards v. Monterey Peninsula Water Management Dist., 60 Cal. App. 4th 1109, 1121 (1997).

We hereby request that City of Los Angeles (“City”) send by electronic mail, if possible or U.S. Mail to our firm at the address below notice of any and all actions or hearings related to activities undertaken, authorized, approved, permitted, licensed, or certified by the City and any of its subdivisions, and/or supported, in whole or in part, through contracts, grants, subsidies, loans or other forms of assistance from the City, including, but not limited to the following:

- Notice of any public hearing in connection with the Project as required by California Planning and Zoning Law pursuant to Government Code Section 65091.
- Any and all notices prepared for the Project pursuant to the California Environmental Quality Act (“CEQA”), including, but not limited to:
 - Notices of any public hearing held pursuant to CEQA.
 - Notices of determination that an Environmental Impact Report (“EIR”) is required for a project, prepared pursuant to Public Resources Code Section 21080.4.
 - Notices of any scoping meeting held pursuant to Public Resources Code Section 21083.9.
 - Notices of preparation of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21092.
 - Notices of availability of an EIR or a negative declaration for a project, prepared pursuant to Public Resources Code Section 21152 and Section 15087 of Title 14 of the California Code of Regulations.
 - Notices of approval and/or determination to carry out a project, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of approval or certification of any EIR or negative declaration, prepared pursuant to Public Resources Code Section 21152 or any other provision of law.
 - Notices of determination that a project is exempt from CEQA, prepared pursuant to Public Resources Code section 21152 or any other provision of law.
 - Notice of any Final EIR prepared pursuant to CEQA.
 - Notice of determination, prepared pursuant to Public Resources Code Section 21108 or Section 21152.

Please note that we are requesting notices of CEQA actions and notices of any public hearings to be held under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law. **This request is filed pursuant to Public Resources Code Sections 21092.2 and 21167(f), and Government Code Section 65092,**

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which requires agencies to mail such notices to any person who has filed a written request for them with the clerk of the agency's governing body.

Please send notice by electronic mail, if possible or U.S. Mail to:

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Komalpreet Toor
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komal@lozeaudrury.com

Please call if you have any questions. Thank you for your attention to this matter.

Sincerely,



Richard Drury
Lozeau Drury LLP