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October 4, 2022

**VIA EMAIL**

Chair Harris-Dawson and  
Honorable Members of the PLUM Committee  
Los Angeles City Council  
200 N. Spring Street, Room 395  
Los Angeles, CA 90012

**Re: October 4, 2022 PLUM Committee Meeting, Agenda Item No. 4  
6435 W. Wilshire Boulevard SCPE; Council File 22-0893**

Dear Chair Harris-Dawson and Honorable Committee Members:

This firm represents BE BH ADJ, LLC (the "Applicant") in connection with its proposed redevelopment of the property at 6435 W. Wilshire Boulevard ("Project Site") with a new housing development project containing 61 market-rate units and seven units affordable to Extremely Low Income households ("Project"). Today, the PLUM Committee will be considering the Project's sustainable communities project exemption ("SCPE") prepared pursuant to Public Resources Code ("PRC") Sections 21155 and 21155.1, which demonstrates that due to the Project's proximity to transit, provision of affordable housing, and consistency with applicable land use and energy conservation criteria, the Project is to be considered exempt from the provisions of the California Environmental Quality Act ("CEQA").

Today, only several hours before the start of the PLUM Committee's meeting, the Southwest Regional Council of Carpenters ("SWRCC") submitted a 286-page letter objecting to the Project's SCPE ("SWRCC Letter"). We have reviewed this letter and have found that each of the objections lack merit. Detailed responses to each of the comments are provided below, which demonstrate that the SCPE complies with all requirements under the PRC and has been properly prepared by the City.

Comment 1:

*A local hire program should be required for the Project (SWRCC Letter pp. 2-5).*

Response to Comment 1:

This comment requests that the Project provide additional community benefits such as requiring local hire and use of a skilled and trained workforce. However, the provision of community benefits is not a CEQA requirement. The comment also implies that the provision of such community benefits would mitigate unspecified greenhouse gas, air quality, and transportation impacts. However, the

commenter does not provide evidence that the Project would result in any such impacts here or elsewhere in their letter. On the contrary, as demonstrated by the SCPE and its supporting technical analyses, the Project would not result in any such environmental impacts, and is statutorily exempt from CEQA. No further response to this comment is necessary.

Comment 2:

*The city should impose training requirements for the project's construction activities to prevent community spread of COVID-19 and other infectious diseases (SWRCC Letter pp. 5-8).*

Response to Comment 2:

This comment states that mitigation measures should be implemented to address public health concerns related to a potential risk of COVID-19 spread during construction of the Project. COVID-19 is an existing environmental condition that is causing substantial public health-related concerns throughout the world; however, there is no evidence in the record that the construction or operation of the Project would contribute to or exacerbate any existing condition pertaining to COVID-19. The commenter does not provide any evidence in support of these claims and no further response is necessary.

Comment 3:

*The Project is not within a Transit Priority Area or High Quality Transit Area (SWRCC Letter pp. 11-13).*

Response to Comment 3:

This comment erroneously claims that the Project Site is not within a Transit Priority Area or High-Quality Transit Area, allegedly because the distance between the Project Site and the future proposed Wilshire/Fairfax station location of Metro's Purple Line Extension ("PLE") subway line exceeds one-half mile. We disagree with the commentor's measurements and general contention that the Wilshire/Fairfax station exceeds the SCPE statute's one-half mile radius transit proximity requirement. Regardless, as the SCPE clearly states on page 10, the Project Site's required transit proximity is satisfied by multiple PLE station locations, ***including the PLE's Wilshire/La Cienega station***. Specifically, this station, to be constructed at the northeast corner of Wilshire Boulevard and La Cienega Boulevard,<sup>1</sup> is only approximately 2,000 linear feet, or approximately 0.4 mile, distant from the Project Site, as shown by Exhibit 1. As a result, the Project Site fully meets the one-half mile "major transit stop" proximity requirement to qualify as a Transit Priority Project under PRC Section 21155(b), and also meets the one-half mile rail station proximity requirement to utilize a SCPE under PRC Section 21155.1(b)(7).

Moreover, although not additionally required, the Project Site is also located less than one-quarter mile from a High-Quality Transit Corridor, or a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. This is due to the Project Site directly fronting Wilshire Boulevard, which is served by the Metro 720 bus line among multiple other bus lines. Using SCAG's methodology for determining peak commute hour service frequency (which the

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<sup>1</sup> <https://www.metro.net/projects/purple-section1/>.

commenter correctly cites but does not utilize), and as shown by the analysis in Exhibit 2, the Metro 720 line has peak commute hour headways of approximately 6 minutes at its McCarthy Vista/Crescent Heights Boulevard, which is less than one-quarter mile from the Project Site. These headways far exceed the applicable headway requirement of 15 minutes or less. Accordingly, under all relevant transit criteria, the Project Site fully meets the PRC requirements for utilization of a SCPE.

Comment 4:

*The SCPE fails to incorporate relevant SCAG mitigation measures (pp. 15-26).*

Response to Comment 4:

This comment cites PRC Section 21155.2 to claim that Transit Priority Projects must incorporate all feasible mitigation measures from prior applicable environmental impact reports, and then asserts that the Project's SCPE impermissibly rejects certain SCAG mitigation measures that the commenter believes would be feasible to implement. However, the standard cited by the commenter, which is set forth in PRC Section 21155.2, pertains only to the preparation of either a SCEA or a limited EIR, and not to the preparation of a SCPE. SCPEs are instead governed by PRC Section **21155.1**, which does not contain the language generally requiring incorporation of all feasible mitigation measures cited by the commenter. Instead, the SCPE statute (specifically PRC Section 21155.1(b)(5)) only requires incorporation of prior EIR mitigation measures that are actually "applicable" to the Project. As detailed in the SCPE and its Appendix J, and in compliance with the land use criteria established by PRC Section 21155.1(b)(5), the City has conducted a thorough review of prior SCAG mitigation measures, performance measures, and other criteria and has identified which of these are applicable to the Project, and which are not. The commenter's claims regarding the rejection of feasible SCAG measures (regardless of whether they are found to be applicable or not to the Project) are therefore irrelevant to the preparation of a SCPE, and no further response is required.

As shown by the above responses, the SWRCC Letter fails to provide any substantial evidence of any deficiency in the SCPE. Accordingly, we respectfully request that you recommend the City Council adopt the SCPE to allow for the development of the Project's much-needed housing units.

Thank you for your consideration.

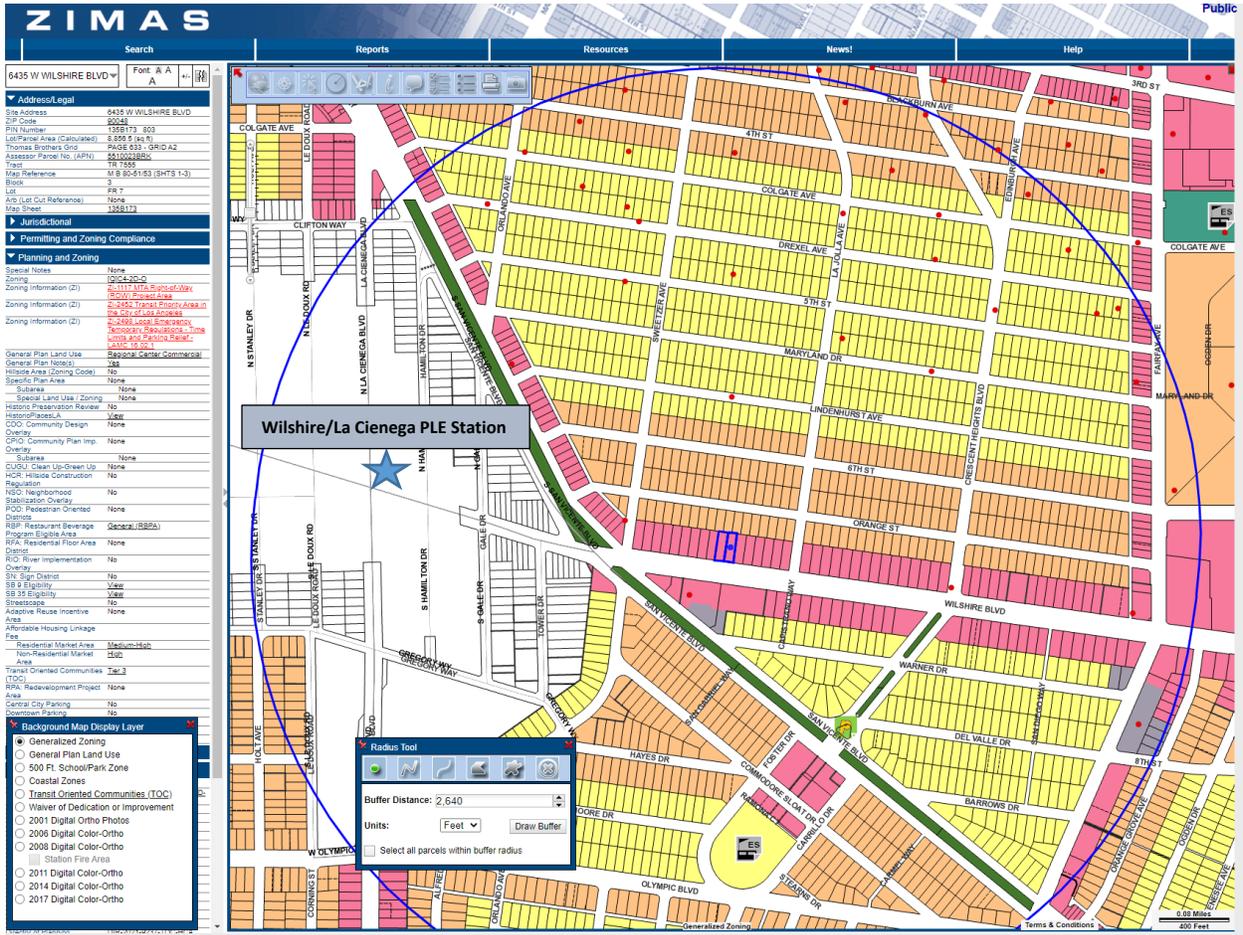
*Dave Rand*

Dave Rand  
Partner  
of RAND PASTER & NELSON, LLP

Exhibits

cc: Sophia Kim, Department of City Planning  
Renata Ooms, Department of City Planning  
Dana Sayles, three6ixty

# Exhibit 1: Project Site Within One-Half Mile of Wilshire/La Cienega PLE Station



## Exhibit 2: High Quality Transit Corridor Analysis

**PROXIMITY TO HIGH QUALITY TRANSIT CORRIDOR – 6435 WILSHIRE BLVD**

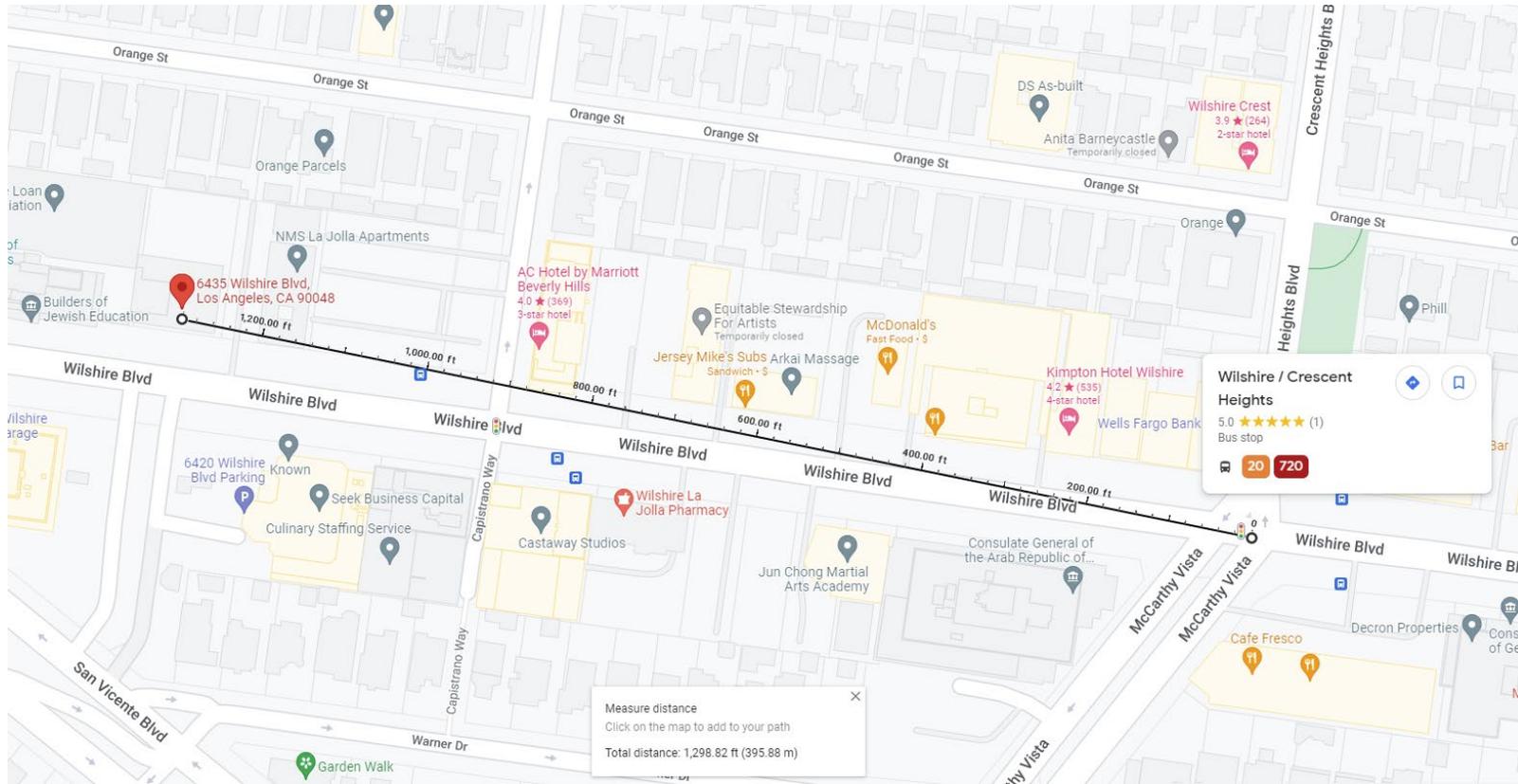
6435 Wilshire Boulevard, adjoining Wilshire Boulevard (High Quality Transit Corridor) and located less than 0.25 miles from Metro Line 720 and Metro Line 20 Stop at Wilshire Blvd and McCarthy Vista/Crescent Heights Blvd

**Metro 720 Eastbound**

420 Peak Hour Minutes / (14 AM trips + 53 PM trips) = 6.26 peak headway

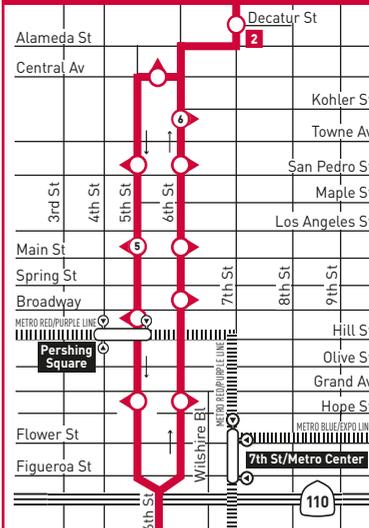
**Metro 720 Westbound**

420 Peak Hour Minutes / (44 AM trips + 24 PM trips) = 6.17 peak headway





INSET MAP 1 - DOWNTOWN LOS ANGELES



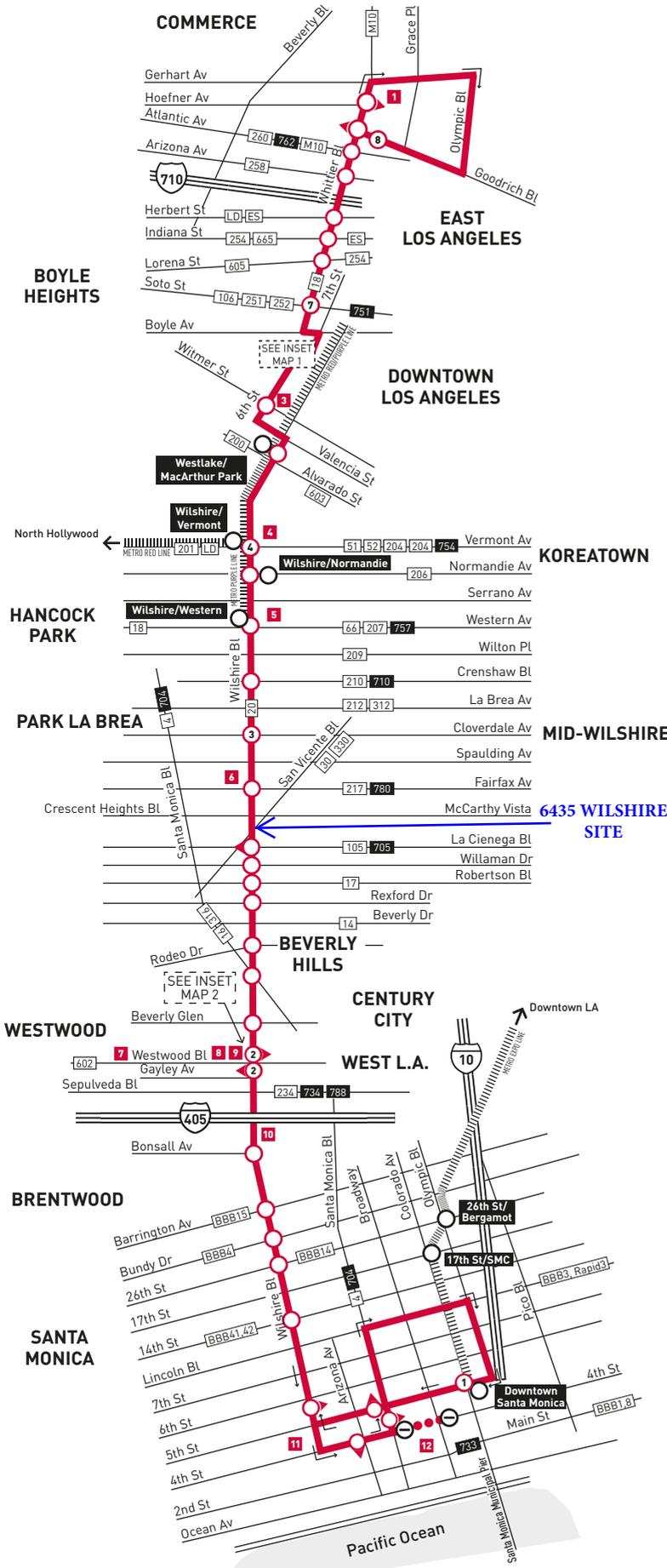
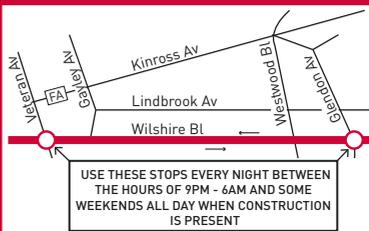
LEGEND

- Line 720 Route
- Line 720 Route Ending at 4th & Broadway
- Rapid Stop
- Rapid Stop - Single Direction Only
- Rapid Stop Timepoint
- Rapid Stop Timepoint - Single Direction Only
- Discharge Only
- Metro Rail
- Metro Rail Station
- Metro Rail Station Entrance
- AV Antelope Valley Transit Authority
- BBB Santa Monica's Big Blue Bus
- C Culver CityBus
- CE LADOT Commuter Express
- FA LAX FlyAway
- ES El Sol Shuttle
- LD LADOT DASH
- M Montebello Bus Lines
- SC Santa Clarita Transit

MAP NOTES

- 1 Commerce Center**
- 2 Greyhound Bus Terminal**
- 3 Good Samaritan Hospital**
- 4 Wilshire/Vermont Customer Center**
- 5 Wiltern Theatre**
- 6 LA County Museum of Art**
- 7 UCLA**
- 8 Westwood Village**  
Metro 2, 20, 234 (late nights, early mornings & weekends), 302, 602, 720, 734, 788; AV786; BBB1, 2, 8; Rapid 12, 17, 18; C6; Rapid 6; CE431, 534; CE573; SC792, 797
- 9 Hammer Museum**
- 10 Veteran's Hospital**
- 11 4th St & Wilshire Bl**  
BBB2, 3, 9; Rapid 3
- 12 Third Street Promenade**  
Metro 4 Owl, 20 Owl, 534, 704, 720; BBB1, 2, 3, 5, 7, 8, 9, 18  
Rapid 3, 7, Rapid 10

INSET MAP 2 - WESTWOOD



# Monday through Friday

Effective Dec 15 2019

# 720

## Eastbound Al Este (Approximate Times / Tiempos Aproximados)

## Westbound Al Oeste (Approximate Times / Tiempos Aproximados)

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5th St & Colorado	Wilshire & Westwood	Wilshire & Cloverdale	Wilshire / Vermont Station	6th & Koehler (Central)	Whittier & Soto	Commerce Center	Commerce Center	Whittier & Soto	5th & Main	Wilshire / Vermont Station	Wilshire & Cloverdale	Wilshire & Westwood	5th St & Colorado				
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# SCAG HIGH QUALITY TRANSIT AREA MAP

## High Quality Transit Areas (HQTAs) 2045 - SCAG Region



### Summary

The High Quality Transit Areas (HQTAs) is within one half-mile of a well-served transit stop or a transit corridor with 15-minute or less service frequency during peak commute hours.

[View Full Details](#)

[Download](#)

### Details

**Dataset**  
Feature Layer

**February 18, 2021**  
Info Updated

**February 18, 2021**  
Data Updated

**February 28, 2017**  
Published Date

**1 Records**  
[View data table](#)

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