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January 10, 2023

LETTER TO FILE:

ENV-2019-2568-SCEA
Responses to Comments

The City of Los Angeles (City) prepared a Sustainable Communities Environmental Assessment (SCEA) dated November 2022 and a Mitigation Monitoring and Reporting Program (MMRP) for The Parks in LA Project. The SCEA was released for public comment from November 16, 2022, to December 16, 2022. A Hearing Officer public hearing was held for the proposed Project on December 14, 2022.

PUBLIC COMMENTS

During the review period the Lead Agency received comment letters from the following entities:

- Wilshire Center-Koreatown Neighborhood Council (WCKNC)
- Alek Friedman (Central Hollywood Neighborhood Council)
- Emi Ohari & Satoe Ohari (Abutting property owners)
- Ki Nam Ko & Young Sook Woo (Abutting occupant)
- Lozeau Drury, LLP (representing Supporters Alliance for Environmental Responsibility (“SAFER”))
- Nam Kim (Former President of Wilshire Koreatown Neighborhood Council)
- Pyung C (Koreatown citizen)
- mkprop@frontier.com
- Mitchell M. Tsai (representing the Southwest Regional Council of Carpenters “Southwest Carpenters” or “SWRCC”)

The following provides the City’s responses to each of the written comments raised in the comment letters received for the SCEA. Copies of the written comments in their entirety can be found in the administrative record of Case No. ENV-2019-2568-SCEA.

As discussed in greater detail below, the issues raised in the comment letters do not provide substantial evidence that a significant environmental impact is likely to occur. As such, the SCEA as circulated satisfies the legal requirements of CEQA, and no further analysis is warranted.

Inquiries regarding the SCEA shall be directed to Chi Dang, Planning Staff for the Department of City Planning at (213) 978-1177 or Chi.Dang@lacity.org.



December 30, 2022

Via Email: chi.dang@lacity.org

Chi Dang, City Planner
City of Los Angeles
Department of City Planning

**Subj: General Response to Comments on The Parks in L.A.
Project (ENV-2019-2568-SCEA)**

Dear Ms. Dang,

The City has received several comment letters on the Parks in LA Project, an eight-story, infill mixed-use building with 251 residential units located on 8th Street West between Hobart and Harvard Boulevards in the Wilshire Community Plan area. Two letters that were directed at the adequacy of the Sustainable Communities Environmental Assessment (SCEA) have been responded to individually and are not being readdressed here. This letter is to provide generalized responses to comments that do not involve California Environmental Quality Act (CEQA) issues.

Comments have been received from:

- Alek Friedman
- Emi Ohari
- Satoe Ohari
- Ki Nam Ko
- Young Sook Woo
- Nam Kim
- Justinopk@gmail.com
- mkprop@frontier.com

Comment topics overlap and can be addressed within the following categories: Opposition to Reduced Setback, Obstruction of Light, Seismic/Geological and Drainage, Traffic/Overcrowding, and Demolition Safety.

Reduced Setback

The setback of the 2nd story of the building is reduced from 20 feet to 16 feet. The first floor is a commercial use and does not require any setback but a setback of two feet is provided. Were the building entirely commercial there would be no requirement for a setback above the first floor. As the project provides income-restricted housing units the reduction in setback is allowed by concession granted through the City Zoning Code which reflects provisions of the State Density Bonus Law.



Obstruction of Light

California does not recognize a private right to property views, light, or air, and the project is located in a dense urban core of the City which is the most environmentally beneficial location for an increase in commercial and residential density. The Sustainable Communities and Climate Protection Act (SB 375) was created to integrate transportation and land use planning to reduce greenhouse gas (GHG) emissions. SB 375 allows for streamlined CEQA review through a SCEA for projects that help increase density and reduce auto dependency in an effort to combat global climate change. The project site is within a dense urban core that is served by multiple public transit options and is the type of project that serves the goals of SB 375.

Seismic/Geological and Drainage

It is a regulatory requirement for new projects to deliver a comprehensive geotechnical investigation and soils report. These reports determine the type of soil on site, assess seismic risk, and delineate appropriate foundation requirements for the building based upon the findings. The City's Department of Building and Safety reviews the adequacy of the reports and issues conditions on the project, and subsequently reviews the project engineering plans. These actions are taken for all new construction projects in the City, the details and intensity of review commensurate with the details of the project. A Geotechnical Investigation Report for the project was prepared by Don Soils Engineering Co., dated November 20, 2018, and submitted to the Department of Building and Safety Grading Division. The Grading Division issued a Soils Report Approval Letter on January 25, 2019. The design of the building's foundation and structure will be completed by a licensed engineer. The plans will subsequently be reviewed by City engineers. During construction progress will be monitored by trained engineers. All designs and work performed will be required to meet CA building code and seismic requirements. Additionally, the project will be subject to surface and groundwater draining regulations including a sub-surface drainage system per LABC Chapter 70 Grading, Excavations, and Fills. During construction and necessary draining system will be continuously monitored and treated per City regulations.

Traffic/Overcrowding

SB 375 was created to integrate transportation and land use planning to reduce GHG emissions. SB 375 allows for streamlined CEQA review through a SCEA for projects that help increase density and reduce auto dependency in an effort to combat global climate change. The project does provide parking for visitors and residents as required, but is of a land use type that will in general help ease auto dependency over time. Transportation accounts for 27% of U.S. GHG emissions, and passenger vehicles are responsible for 57% of those emissions (*U.S. EPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990–2020*). Reduction of vehicle miles traveled is necessary to combat global climate change. Traffic is a product of auto dependency and increasing residential and commercial density within a dense urban core that is served by multiple public transit options will allow more people to live where jobs are located, or work were transit is accessible. Creating the same number of residential units in an area that is not served by robust transit options would increase vehicle miles traveled and increase GHG emissions.

Demolition Safety

Demolition activities are regulated by Federal, State, and local law. South Coast Air Quality Management District Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities) requires a survey for asbestos prior to demolition of the structures to ensure asbestos is not released into the air during construction. The Lead in Construction Standard (SB 460), which is overseen by Cal/OSHA, requires employers to protect workers at job sites from lead exposure, which avoids environmental exposure, and provisions in Title 17 of the California Code of Regulations, Division 1, Chapter 8, Accreditation, Certification, and Work Practices for Lead-Based Paint and Lead Hazards apply, including Section 36050, Lead-Safe Work Practices which requires containment of lead during demolition activities.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Rosenstein", with a long horizontal flourish extending to the right.

Tim Rosenstein
Project Manager



Chi Dang <chi.dang@lacity.org>

RE: Case #ENV-2019-2568-SCEA

Urban Growth Advocates <urbanization.advocates@gmail.com>
To: Chi Dang <chi.dang@lacity.org>

Tue, Nov 22, 2022 at 11:33 AM

Good morning, Chi!

Thank you for sending me the revised renderings.

While the development looks slightly better, the presence of large sections of of dark-gray (or even black) color of the exterior may ruin the overall aesthetics of the building, making it appear a bit utilitarian and industrial. Is the applicant able to consider lighter tones instead?..

I took the liberty and made some changes to the renderings.

*Attached please see the three revised images.

As you can see, I replaced the dark-gray with burgundy. On other image(s), as an option, -- I kept some of the gray color. I believe, the *combination* of gray with another color - would be better than having solely gray (on the side of the building).

Please kindly forward these images to the applicant, for their review.

Thanks so much!

~ Alek.

ATTACHMENTS

On Tue, Nov 22, 2022 at 8:42 AM Chi Dang <chi.dang@lacity.org> wrote:

Good Morning Alek,

The applicant received your comments and asked to forward you these revised renderings of the project.

Please see the attached. The color of the building has been changed since planning design review sessions.

Have a nice Thanksgiving!

Chi

Chi Dang

City Planner

Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1307

Please note I am out of the office every alternating Friday.

On Mon, Nov 21, 2022 at 10:46 AM Urban Growth Advocates <urbanization.advocates@gmail.com> wrote:

Good morning, Chi.

Thanks so much!

Happy upcoming Thanksgiving!

~ Alek.

----- Original Message -----

From: Chi Dang
To: Urban Growth Advocates
Sent: Monday, November 21, 2022 08:34
Subject: Re: Case #ENV-2019-2568-SCEA

Good Morning Alek,

Comments received, thank you. These comments have been forwarded to the applicant and architect for review.

Sincerely,
Chi

**Chi
Dang**
City
Planner
**Los
Angeles City Planning**
200
N. Spring St., Room 621
Los
Angeles, CA 90012
Planning4LA.org
T:
(213) 978-1307

Please note I am out of the office every alternating Friday.

On Fri, Nov 18, 2022 at 9:14 PM Urban Growth Advocates <urbanization.advocates@gmail.com> wrote:

Dear Mr. Dang,

I would like to comment on the proposed development, reference numbers:

CASE: #ENV-2019-2568-SCEA

ADDRESS: [3431-3455 W. 8th Street](#) - in Koreatown, Los Angeles CA 90005. "The Parks". Also, 749, [765 & 767 S. Harvard Boulevard](#), Los Angeles, CA 90005.

Specifically, I believe the proposed building design / color scheme needs major changes. Currently, the facade colors are too dark, gloomy, uninviting, and overly utilitarian. Also, the dark (gray) color may cause issues during hot days, since the dark exterior colors cause the building to absorb heat, hence the developer may be interested in revising the color. Lastly, the dark (especially gray!) color is not pedestrian-friendly, from the Urban Development perspective; it ruins the streetscape aesthetics and deters walkability.

Please forward the request to developer and/or architect, to consider lighter, brighter, more vibrant colors of the building. Perhaps, the white color / off-white / beige (with some patterns of other colors) would greatly improve the image of the building.

Thank you so much. I will look forward to the amended color scheme of the building!
Best regards,

--

Alek Friedman, ADVOCATE

Urban Development / Smart Growth

Beautification Committee Member (former),

Central Hollywood Neighborhood Council

📠 323 . 465 . 8511 Home/Office

📱 213 . 999 . 1273 Cellular

www.ProgrammingAndImaging.com

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3 attachments



REVISED1.jpg
126K



REVISED2.jpg
110K



REVISED3.jpg
116K



December 13, 2022

Via Email: chi.dang@lacity.org

Chi Dang, City Planner
City of Los Angeles
Department of City Planning

Subj: Response to comment letter on The Parks in L.A. Project (ENV-2019-2568-SCEA) dated December 12, 2022 from Lozeau Drury LLP

Ms. Dang,

The City has received a letter dated December 12, 2022 regarding the SCEA prepared for The Parks in L.A. Project, signed by Richard Drury of Lozeau Drury LLP, writing on behalf of Supporters Alliance for Environmental Responsibility (“SAFER”). Envicom Corporation, on behalf of Charles Park and Associates, LLC, provides this response to the letter.

The letter claims the SCEA:

“[F]ails as an informational document and fails to impose all feasible mitigation measures to reduce the Project’s impacts. Therefore, we request that the Development Services Department prepare a revised SCEA or, in the alternative, prepare an Environmental Impact Report (“EIR”) for the Project pursuant to the California Environmental Quality Act (“CEQA”), Public Resources Code section 21000, et seq.”

The letter explains the SCEA “fails” because:

“A SCEA must incorporate all mitigation measures from the Sustainable Communities Strategy. (Pub. Res. Code section 21155(a) and (b).)”

The letter then goes on to list several Sustainable Communities Strategy (SCS) mitigation measures the project does not incorporate.

The premise of the letter as restated above has no merit. A SCEA must not incorporate all mitigation measures from an SCS. Mitigation measures are incorporated into an environmental document when there are impacts, and where such impacts can be reduced to less than significance with incorporation of the mitigation measure. If there are no significant impacts, no mitigation is necessary. If potential significant impacts are reduced to less than significance through routine application of standard regulatory measures or other means, no mitigation is necessary. A SCEA must only incorporate all *feasible* mitigation SCS measures (PRC section 21155.2(a)). A mitigation measure for a significant impact that does not exist is not a “feasible” mitigation measure and does not need to be applied. And where a potential significant impact is reduced to less than significance through application of standard compliance measures or a mitigation measure that is crafted to address the specific conditions of the project or project site, application of a similar SCS mitigation measure is not necessary and therefore not feasible.



The letter lists these following SCS mitigation measures the SCEA does not incorporate. It is not necessary to incorporate these measures. Our response to each item follow below.

1. PMM AES 1 – requiring graffiti resistant materials. (SCEA p. 28)
2. PMM AES-2: Measures to reduce aesthetic impacts. (SCEA p. 28).
3. PMM AES-3: Shielding for lighting fixtures. (SCEA p. 30).
4. PMM AQ-1: Tier 4 construction equipment and other measures. (SCEA p. 34).
5. PMM GHG-1: MM to reduce GHGs. (SCEA p. 52)
6. PMM HYD-1: SWPPP for construction. (SCEA p. 61).
7. PMM NOISE-1. Install noise barriers for construction. (SCEA p. 65).
8. PMM PSP-1. Ensure adequate public services. (SCEA p. 69).
9. PMM TRA-1: Transportation Demand Management strategies, such as bike lanes, universal transit passes, parking cash-out, vanpools, carpooling, etc. (SCEA p. 71).

Numbers 1-3 are concerned with potential aesthetic impacts. As stated in Section V Part I of the SCEA (Initial Study/SCEA Impact analysis, Aesthetics), aesthetic impacts are not considered significant impacts on the environment for Transit-Oriented Infill Projects, per SB 743.

Number 4 refers to newer construction equipment that meets the EPA’s most recent emissions standards, which were adopted in 2004 and phased in by 2015. Specifying the use of only Tier 4 construction equipment could be a mitigation measure used when there is a construction emissions impact. As shown in Section V Part III (Air Quality) of the SCEA, there are no significant construction emissions impacts and therefore no need for mitigation.

Number 5: As explained in Section V Part VIII (Greenhouse Gas Emissions) there are no significant impacts related to GHGs and therefore no need for mitigation.

Number 6: As explained in Section V Part VII.b. (Geology and Soils), standard regulatory procedure requires the project to produce a SWPPP prior to permitting for any ground disturbing activities. This is reiterated again in Section V Part X (Hydrology and Water Quality).

Number 7: Section V Part XIII.a. (Noise) of the SCEA applies three mitigation measures regarding construction noise, MM-NOI-1, MM-NOI-2, and MM-NOI-3. MM-NOI-2 clearly and plainly places a requirement on the project for enclosures and/or barriers around the site or equipment.

Number 8: Section V Part XV (Public Services) analyzes the public services in question and determines there are no significant impacts, which therefore precludes the need of any mitigation measures.

Number 9: Section V Part XVII (Transportation) analyzes transportation according to the questions in Appendix G of the CEQA guidelines and determines there are no significant impacts, which precludes the need of any mitigation measures.

The letter concludes with:

“The whole point of the SCEA is that streamlined environmental review is allowed because the Project will implement all mitigation measures set forth in the SCS. The above measures would clearly reduce the Project’s impacts and they are required to be implemented pursuant to CEQA Section 21155. Since the City has refused to implement these measures, the City may not rely on the SCEA and must prepare an EIR.”

This is a misunderstanding of SB 375 and CEQA in general. Mitigation is used to reduce significant or potentially significant impacts to a level of less than significance. Where there is no potential for a significant impact, no mitigation is necessary.

Summary

The claims of the comment letter are simply incorrect. There is no requirement to incorporate all SCS mitigation measures, and there is no need for an EIR on that basis. The letter makes no other specific claims that are worth addressing at this time.

Sincerely,



Tim Rosenstein
Project Manager



December 14, 2022

Via Email: chi.dang@lacity.org

Chi Dang, City Planner
City of Los Angeles
Department of City Planning

Subj: Response to Comment Letter on The Parks in L.A. Project (ENV-2019-2568-SCEA) Dated December 13, 2022 from Mitchell M. Tsai Attorney at Law

Dear Ms. Dang,

The City has received a letter dated December 13, 2022 regarding The Parks in L.A. Project and associated SCEA, signed by Armita Ariano, writing on behalf of Southwest Mountain States Regional Council of Carpenters. Envicom Corporation, as the consultant preparers of the SCEA, provides the following responses to the environmental concerns raised in the letter.

The letter was received by the City the evening of December 13, the day before the hearing, scheduled for December 14 at 11:00 a.m.. Nevertheless, with the limited time available to process the letter and submit these responses prior to the hearing, the following is provided for the City's use in support of the SCEA analysis.

Comment 1: "The SCEA Omits Information and Fails to Support its Findings on Air Quality Impacts with Substantial Evidence." Page 12

The subject of this is odors, which the commenter assumes will be produced during construction activities, stating that the SCEA, in order to be sound, must discuss "the extent of such odors including its anticipated duration and potency" and apply mitigation measures to "alleviate such odors to nearby sensitive receptors."

The comment seems to suggest that a temporary odor by definition is a significant impact that must be mitigated. The commenter also claims that because there is no quantification of temporary odors it cannot be determined there are less than significant impacts. Both assertions are incorrect. Quantification of an undefined measurement such as "potency" of an odor is not warranted or reasonable, nor is it necessary given the type and temporary nature of minor odors potentially generated during construction. As stated in the SCEA (page 93), substantial odors are typically associated with industrial projects involving the use of chemicals, solvents, petroleum products, and other strong-smelling materials used in manufacturing processes, as well as some sewage treatment facilities and landfills. As indicated in the SCEA (also page 93), while some odors may occur from construction, they are minimal and of short duration. In addition, such minor odors would dissipate quickly outdoors. Construction of this type is not a substantial or significant producer of odors, and the commenter has not provided substantial evidence to the contrary. Neither construction nor operational odors are a substantial or significant concern for this project.



Further, the minor odors, such as those from construction operations, begin to dissipate the moment they are created, and construction odors are generated outside which will allow odors to dissipate to the maximum extent possible. Further, the nearest air quality sensitive receptors are residences to the north, which are enclosed structures that would serve as a barrier to the any outdoor odors. Additionally, construction activities like pouring cement or painting structures occurs every day throughout the City on a by-right basis without CEQA review. A permit for pouring a new driveway or painting a commercial building is issued without review precisely because any minor odor nuisances that might be produced are temporary in nature.

The CalEEMod output results included in Appendix A of the SCEA provide approximate durations of construction phases which illustrate over how many days, weeks, etc., temporary construction odors might be generated when construction is underway, and Table V-11 in the SCEA provides usage factor information that details how long any particular piece of equipment is operating at full power during a day when it is employed. This information helps illustrate how transitory temporary odors are, odors that, if perceptible, will cease each day shortly after equipment is shut down, or when paint or hardscape is dried, and will cease entirely once the project is completed. Again, the letter fails to provide substantial evidence that there will be significant impacts from temporary odors.

Comment 2: The SCEA Omits Information and Fails to Support its Findings on Biological Resources Impacts with Substantial Evidence

The claim states the SCEA, “fails to elaborate on whether any active nests are found in the trees onsite, what types of birds may nest, and whether such birds are migratory birds. SCEA at 95. Moreover, the City failed to conduct a bird survey that would otherwise determine the same.”

A bird survey *prior to entitlement* to determine what birds might be present is unnecessary given the context, which is ornamental trees on a fully developed lot in a highly urbanized area of Los Angeles far from any natural open space. A bird survey prior to ground disturbing activities, as required as a regulatory compliance measure, is sufficient precaution given the context. There are no natural or native habitats on or near the site suitable for nesting of special-status or migratory species. To require a detailed mitigation measure where no significant resources exist and no significant impact is anticipated would lack nexus and “rough proportionality” between impact and mitigation that is required by CEQA. (CEQA Guidelines § 15126.4, subd. (a)(4)(A)–(B), citing *Nollan v. Ca. Coastal Commission* (1987) 483 U.S. 825, *Dolan v. City of Tigard* (1994) 512 U.S. 374.) The sample mitigation measure provided in the comment letter is clearly from a site that has resources absent in the project site location. Furthermore, this comment does not provide any substantial evidence the project will have significant impacts on biological resources.

Comment 3: The SCEA Omits Information and Fails to Support its Findings on Energy Impacts with Substantial Evidence

This comment does not provide any substantial evidence that the project will create significant impacts related to energy use. No measure or threshold of what constitutes excessive energy use is substantiated, and no evidence any such threshold would be violated has been presented.

Comment 4: The SCEA Omits Information and Fails to Support its Findings on Geology and Soils Impacts with Substantial Evidence

The SCEA analysis (page 110) relies appropriately upon the project-specific Geotechnical Investigation Report, dated November 20, 2018, and prepared by Don Soils Engineering Co., which is included as SCEA Appendix F, and the Los Angeles Department of Building and Safety Grading Division (LADBS) Soils Report Approval Letter for that geotechnical report, dated January 25, 2019, for the Geotechnical Investigation prepared for the Project (SCEA Appendix G). All geology and soils impacts were found less than significant, with mitigation applying only to potential paleontological resources (unrelated to the foundation stability impacts of concern to the commenter).

Whether or not the SCEA explains precisely the design of foundation to be used has no bearing on the adequacy of the analysis. The comment states the SCEA must “lay out what the requirements for the foundation will be and how the applicable requirements will compensate for less ground-shaking.” To provide this level of detail in the CEQA document is not necessary for a site with no major or unusual geologic issues and where the project design is relatively typical. Further, no major issues were identified in the geotechnical report and appropriately credentialed engineers at the LADBS have found the information provided in the SCEA appendices appropriate for approval. No legitimate purpose of CEQA would be aided by including more technical information in the Geology and Soils Section of the analysis. Additionally, the comment does not provide any substantial evidence there will be significant impacts related to Geology or Soils.

Comment 5: The SCEA Omits Information and Fails to Support its Findings on Hazards and Hazardous Materials Impacts with Substantial Evidence

This comment asserts that the SCEA fails to provide substantial evidence of a lack of impacts to the public or the environment through the routine transport, use, or disposal of hazardous materials during construction. The commenter asserts the analysis is lacking “further details including the amount and handling frequency of such items or methods by which such items will be safely stored and handled.” As noted in the SCEA, “During construction, paints, solvents, fuels for construction equipment, and building materials would be utilized to construct the proposed residential/commercial mixed-use components of the Project” and goes on to cite standard regulations that restrict usage to avoid significant impacts. The project’s use of construction materials would be similar to any other projects in the City, many of which would be by-right, typically exempt from CEQA documentation. There is nothing unusual about the proposed construction that would warrant additional detail or scrutiny in order to determine the level of impact. The project would be required to follow all related requirements set forth by the California Environmental Protection Agency’s (CalEPA) Department of Toxic and Substance Control (DTSC), Cal/OSHA and the Los Angeles Regional Water Quality Control Board (LARWQCB) regarding the transport, use and disposal of hazardous waste. No CEQA benefit would be achieved by including unnecessary detail regarding the construction program’s use of typical construction materials. Furthermore, this comment does not provide any substantial evidence there will be significant impacts related to Hazards and Hazardous Materials.

Chi Dang, City Planner
City of Los Angeles
Response to Southwest Mountain States Regional Council of Carpenters
Comment Letter re: The Parks in LA SCEA
December 14, 2022
Page 4 of 4

Summary

The CEQA analysis contains sufficient information so support the CEQA conclusions. The comment letter in each instance fails to demonstrate that there is substantial evidence a fair argument exists that the project may have significant impacts.

Sincerely,



Tim Rosenstein
Project Manager



Chi Dang <chi.dang@lacity.org>

[Public Comments] TPLA SCEA

Fernando Tovar <fernto62@gmail.com>

Wed, Dec 14, 2022 at 9:06 AM

To: Chi Dang <chi.dang@lacity.org>

Cc: Tim Rosenstein <trosenstein@envicomcorporation.com>, Steve skim0514 Kim <skim0514@gmail.com>, Laura Kaufman <lkaufman@envicomcorporation.com>, Diana Park <dianap@offlineinc.com>, Charles Park <cpark@offlineinc.com>

Good morning Chi, thank you for forwarding. We will provide formal responses after the hearing. With respect to comments regarding the incentives for reduced yards and reduced open space, the project is eligible for both of these incentives by-right so long as the affordable set aside requirements are provided.

The reduced yard from 20' to 16' will not impact any roadways, the reduced yard is along the northerly property line and there will be no commercial activity or openings at the rear elevation at ground level. The L/W units are oriented along the rear property line starting on the second floor and a green screen is provided on the first floor facing properties to the north.

The height of the building and any potential shade/shadow impacts are aesthetic impacts that are not considered under CEQA for Transit Priority Projects. That said, to the extent sunlight moves east to west and this property is north of the site, the impacts should not be significant.

We can provide a more formal and thorough response after the hearing.

Best regards,

Fernando

[Quoted text hidden]



Chi Dang <chi.dang@lacity.org>

Response to Emi Ohari's Comments (owner of 740 S. Hobart St. adjoining the subject site)

Fernando Tovar <fernto62@gmail.com>

Mon, Dec 19, 2022 at 2:25 PM

To: Chi Dang <chi.dang@lacity.org>

Cc: Charles 3455 W 8th Dong il Jang Park <CPark@offlineinc.com>, Steve S Kim <skim0514@gmail.com>, David Seongbae Kim <dkim@corbelarchitects.com>, Mick Myungsik Choi <mick@corbelarchitects.com>, Tim Rosenstein <trosenstein@envicomcorporation.com>, Diana Park <dianap@offlineinc.com>, Edward Park <ed.sh.park@gmail.com>

Hello Ms. Dang, the following is submitted in response to Ms. Ohari's comments at the public hearing on December 14, 2022 and in response to her email comments dated December 16, 2022. Ms. Ohari owns the adjoining apartment building to the north of the subject site and expressed concerns that: the proposed building height (88' 6" to the parapet) is higher than the surrounding six and seven story buildings, and that the project's reduced rear yard setback of 16' in lieu of 20' would obstruct sunlight for the occupants of her apartment building.

1) **With respect to Building Height**, any impacts due to the building's height would be considered aesthetic impacts under CEQA. The proposed building is a mixed-use development, is located within a Transit Priority Area (TPA) and is considered a Transit Priority Project (TPP). Pursuant to SB 743 and to Section 21099 (d)(1) of the Public Resources Code (PRC), a project's aesthetic and parking impacts shall not be considered a significant impact on the environment if: 1. The project is a residential, mixed-use residential, or employment center project, and 2. The project is located on an infill site within a transit priority area. The project meets both of these criteria and therefore, aesthetic impacts, if any, are not considered significant impacts.

Also, the building's proposed height is permitted by-right under the proposed Height District 2 and no waivers from the zoning code are requested. The proposed building's height is generally consistent with the height of surrounding six and seven story structures. The proposed building consists of two levels of commercial uses on the first and second levels with five levels of residential above, consistent with a 7-story structure. However, the Live/Work units located on the second floor are two-story lofts. The height of the two-story lofts are the same height from floor to ceiling as the office uses on the second floor. However, under the Building Code, the building is treated as an 8-story building due to the two-story lofts. If the Live/Work Units were removed, the building height would remain the same and the building would be considered a seven-story structure. Nevertheless, the building height is generally in line with newer surrounding developments.

2) **Reduced Rear Yard:** The requested reduced rear yard from 20' to 16' is not a discretionary action but is also permitted by-right as an incentive to facilitate development of the project provided the project sets aside the requisite number of restricted affordable units. The project is setting aside 11% of the total units for Extremely Low and Very Low Income households in compliance to the city's affordable set-aside requirements to be eligible for incentives.

As much as the height and reduced yard are permitted by-right, in light of the project's height, the difference in sunlight obstruction on the adjoining property to the north between a 20' rear yard and a 16' rear yard is negligible. Thus, any increase to the rear yard would not provide any significant benefits to the adjoining property to the north. Furthermore, the adjoining property does not contain any outdoor recreational amenities that would be negatively impacted in any way.

That said, to the extent feasible, the project incorporates a green screen and landscaping along the northerly property line to maintain privacy and soften the project between the subject site and the adjoining properties to the north. The project's commercial component is not required to provide a rear yard setback. However, the project provides an approximately 2-foot landscaped setback along the northerly property line at ground level with Boston Ivy (Sheet LP-01) that will provide a green screen along the rear elevation. On the second level above, the building provides a 16' setback where a deck/patio is located along the northerly property line to the rear of the Live Work Units which includes a raised planter that contains a row of trees to screen the proposed building from adjoining properties to the north (Sheet LP-02).

Thank you for the opportunity to respond.

Regards,

Fernando Tovar



Chi Dang <chi.dang@lacity.org>

[Public Comments] TPLA SCEA

Fernando Tovar <fernto62@gmail.com>

Mon, Dec 19, 2022 at 3:05 PM

To: Chi Dang <chi.dang@lacity.org>

Cc: Tim Rosenstein <trosenstein@envicomcorporation.com>, Steve skim0514 Kim <skim0514@gmail.com>, Laura Kaufman <lkaufman@envicomcorporation.com>, Diana Park <dianap@offlineinc.com>, Charles Park <cpark@offlineinc.com>

Hello Ms. Dang, I am submitting a response to the comments received from Mkprop by email dated December 16, 2022. The comments express concerns about the construction of subterranean parking in connection with The Parks project and notes that there is water constantly draining from 837 S. Harvard Boulevard onto the street. The property at 837 S. Harvard is located approximately one-half block south of the subject site. However, the comments do not provide any specific details concerning the nature or source of the drainage and do not explain how this concern applies to the proposed Parks LA development. Thus, it is very difficult to provide a specific response to these comments.

To be clear, this does not appear to be a CEQA related comment. In the absence of more detailed information, my comments will be general. A comprehensive soils report prepared by Don Soils Engineering Co. dated November 20, 2018 was submitted to the Department of Building and Safety Grading Division. The Grading Division issued an approval letter on January 25, 2019 subject to 39 conditions. Condition No. 8 requires drainage in conformance to the Code be maintained during and subsequent to construction. This requires that the project be in compliance with the city draining regulations including the sub-surface drainage system per LABC Chapter 70 Grading, Excavations, and Fills. During the construction, the drain system will be continuously monitored and treated per city regulations.

Meanwhile, any drainage issues at the [837 S. Harvard Blvd](#) property across 8th street are not related to the subject site and are outside the scope and jurisdiction of the entitlements requested on the subject site.

Kind regards,

Fernando Tovar

[Quoted text hidden]