

September 12, 2016 4pm

TO: City of Los Angeles Department of City Planning

ATTN.: Sarah Molina-Pearson sarah.molina-pearson@lacity.org LA Dept. City Plan'g.
200 North Spring Street, Room 750 Los Angeles, CA 90012 (213) 473-9723

CC: Council District: 4 - David Ryu Community Plan Area: Van Nuys-North Sherman Oaks
Diana Kitching Diana.Kitching@lacity.org LA Dept. City Plan'g.
200 N. Spring Str., Rm. 750 LA, CA 90012

FROM:

Subject: ICON Sherman Oaks DEIR
RE: CITY CASE NO. ENV-2014-1362-EIR SCH. NO. 2014071001

Dear Ms. Molina-Pearson

On behalf of the Citizens Coalition for A Safe Community, thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the ICON Project.

CCSC is very concerned about several key areas in the analysis that we believe to be deficient or in error. As a result the DEIR is significantly flawed and cannot be utilized for purposes of adequate environmental review and comment. Because the DEIR has relied on several flawed evaluations, conclusions, derived from the DEIR pertaining to the identification of potential historic resources, potential adverse impacts, adequacy of mitigation and compensation, and the evaluation of project alternatives, are all equally flawed. As such, the CEQA process for this project must not proceed to the Final EIR (FEIR) without revised evaluations and recirculation of a revised or supplemental DEIR.

We request the City to require preparation of a totally revised DEIR with many re-evaluation following proper methodologies and mandate consideration of alternatives and mitigation measures as part of the ongoing environmental review process.

General Comments:

Lack/Absence of:

- definitions, specificity, objectivity, and quantification of statements;
- well-defined project objectives;
- focused application to the Project, alternatives, and comparisons;
- basis for public advocated alternatives;
- factual and numerical and of referenced materials for statements;
- simple mitigation/compensatory measures, e.g.,
 - #1-congestion: discounted TAP cards, ROT shuttles (Computer Express from site to/from north Red and Union Stations), van-pools, etc.;
 - #2-light, noise, and vibrations: source shrouds and decorative/planted barriers;
- land use alternative of Specific Corridor Plan as mitigation for "spot zoning" and variances;

Widespread use of Feasibility/Infeasibility without economic and quantitative analyses

Specific comments:

samples–

2-3/5 4. Land Use and Zoning a. Van Nuys–North Sherman Oaks Community Plan The Project Site is located...(Community Plan) area that was adopted in September 1998....designates the Project Site for Community Commercial land uses....5/1...encompass a broad range of retail and service uses...Generally, these uses are located within one mile of residents. The Community Commercial land use designation corresponds with the C1.5..., C2..., CR..., C4..., RAS3..., and RAS4...zones in the LAMC.

No plan of almost 20 years without an update can reflect the current land use planning and development issues and generally is not acceptable for state compliances, e.g., CEQA.

No use/demand/residential analyses of one mile radius has been provided and therefore no factual information supports/rejects the statement.

Given the lack of planning context, the proposed project must be considered in a broader context and the project and all similar properties along Riverside Dr. must be planned as a program (e.g., specific corridor plan supplementing the eventual re-development of the current, out dated Community Plan.

Revise the DEIR and include the proposed project as part of a Riverside Dr. Specific Plan.

2-6/1 5. Project Objectives Section...(CEQA) Guidelines states that the project description shall contain “a statement of the objectives sought by the proposed project.”...further states that “the statement of objectives should include the underlying purpose of the project.”...is to create a high-quality, mixed-use development...integrated with neighborhood-serving commercial and recreational uses....specific objectives... below.

No definition, enumeration, or quantification of "High Quality" or "neighborhood-serving" is provided in the DEIR, and therefore no proposed development would appear to meet this stated goal.

As the objectives are totally inadequate or incomplete, development of the project and the alternatives are rendered inadequate if not incomplete. Without the objectives, any development of a public comment-alternative will suffer from the same issues.

Revise the DEIR and include the adequately defined, enumerated, and quantified objectives herein and use for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

Integrate new housing opportunities with neighborhood-serving commercial uses, recreational uses and existing office uses;

No definition, enumeration, or quantification of "neighborhood-serving" is provided in the DEIR and therefore no proposed development would appear to meet this stated objective.

Revise the DEIR and include the adequately defined, enumerated, and quantified objectives herein and use for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

Maximize new housing units on the Project Site to help meet the market demand for new housing in the region and in the City of Los Angeles;

Objective is unclear as to region of LACo or LACity.

No market demand information has been provided to support/refute compliance of the project or any alternatives.

No definition, enumeration, or quantification of "neighborhood-serving" is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective.

Revise the DEIR and include the adequately defined, enumerated, and quantified objectives herein and use for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

Provide convenient neighborhood-serving commercial uses and open space within walking distance of existing off-site residential and commercial uses, proposed on-site residential uses and on and off-site office uses;

Unclear as to whether the walking distance is related to the earlier use of "one mile"; revise and clarify. No definition, enumeration, or quantification of "neighborhood-serving" is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective. Revise the DEIR and include the adequately defined, enumerated, and quantified objectives herein and use

for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

Create an aesthetically attractive, high-quality design that engages the Los Angeles River and complements the existing Sunkist Building;

No definition, enumeration, or quantification of "aesthetically attractive", "high-quality design", and "neighborhood-serving" is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective. Revise the DEIR and include the adequately defined, enumerated, and quantified objectives herein and use for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

Develop a mixed-use project at the residential density and intensity consistent with the zones permitted by the Project Site's underlying Community Commercial land use...by the Van Nuys–North Sherman Oaks Community Plan;

No definition, enumeration, or quantification of "consistent with" or "Community Commercial" (rather than "neighborhood serving") is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective. Revise the DEIR and include the adequately defined, enumerated, and quantified objectives herein and use for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

Enhance the Project Site's walkability and public accessibility through the introduction of street-fronting neighborhood-serving commercial uses, and new plazas and walkways that connect with the LA Riverwalk;

The existing and proposed frontages cannot be considered as "street-fronting" compared to the more typical street-fronting commercial uses found throughout the Valley.

No definition, enumeration, or quantification of "walkability and public accessibility" is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective.

Retain...

Provide vehicle and bicycle parking that satisfies anticipated demand on the Project Site with direct access to the proposed residential and commercial uses, existing office uses and the LA River walk; and **No definition, enumeration, or quantification of "satisfies anticipated demand" is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective.**

Provide a sustainable development consistent with principles of smart growth...sustainable design features, mixed uses, infill development, and walkability.

No definition, enumeration, or quantification of "sustainable development, principles, smart growth...sustainable design features, and walkability" is provided in the DEIR, and therefore no proposed development would appear to meet this stated objective.

Revise the DEIR "project objectives" entirely and include the adequately defined, enumerated, and quantified objectives herein and use for the development of adequate alternatives and their comparisons, including a more comprehensive specific corridor plan.

4.D-21/2 3. Project Impacts a. Methodology The Historical Resource Assessment is based, in part, on historic permits for the Project Site, Sanborn Fire Insurance maps, historic photographs, aerial photos and site plans, local histories, and California State Historic Resources Inventory for Los Angeles County.

Research

Primary and secondary source materials were consulted for the development of applicable historic contexts. For a complete list of sources, please see bibliography. Sources generally included:

Appdx. 4/1 • Aerial photographs

References to aerial photos is render totally inadequate and incomplete by the absence of known and widely used US Army Air Service Aerial Photos of LA in 1923 and 1928 which may or may not confirm the review of valuable historic land uses of the project site.

Revise the DEIR and include the adequately reviewed historic aerial photos. Revision must be included both for Cultural Resources and for Hazards and Hazardous Wastes (e.g., agricultural pesticides and ground contamination).

6-13/2 The diversity of uses...support the City's housing needs and enhance the employment base of the Van Nuys—North Sherman Oaks area....foster continued economic investment in the area while meeting the needs of local residents....would also attract new businesses to the area....continue to provide office and desirable employment opportunities to the community.

6-19/4 d. **Conclusion** Overall, the Project would be consistent with the growth forecast for the City of Los Angeles Subregion and would be consistent with regional policies to reduce urban sprawl, efficiently utilize existing infrastructure, reduce regional congestion, and improve air quality through the reduction of vehicle miles traveled.

No definition, enumeration, or quantification of numerous terms (see above) is provided in the DEIR and therefore the public cannot be expected to provide reasonable review and comment regarding the development and local effect to meet these "targets".

References to economics, businesses, investments, "area" or "community" or "local", etc. render the section totally inadequate and incomplete without the publicly access definitions, delineation, and quantifications, required by CEQA and common sense and reason which may or may not confirm the review of valuable aspects of the proposed project.

Revise the DEIR and include the adequately described social/economic/employment evaluations to support such claims. Revision must be included in all sections and a socio-economic section must be provided, perhaps along with Growth Inducements.

THE F...WORD

5-3/1 According to the CEQA Guidelines,...detailed consideration is the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts. Alternatives to the Project that have been considered and rejected as infeasible include:

No feasibilities/infeasibilities has been defined nor quantified, especially economically, and generally is not acceptable for state compliances, e.g., CEQA.

Therefore the DEIR must be withdrawn, revised, and recirculated with adequate and complete definition, enumeration, and quantifications to provide adequate and complete basis for any statements with the "F...Word"

5-4/2 Based on the above, an alternative site is not considered feasible as it is not expected that the Project Applicant can reasonably acquire, control or have access to a suitable alternative site that..., this alternative was rejected from further consideration.

6-8/3 No feasible noise barrier

6-10/1 No feasible mitigation measures...could be implemented...

6-10/2 There are no feasible mitigation measures...

6-14/2 Among those alternatives, no feasible alternative was identified that would eliminate all of the Project's significant and unavoidable impacts with the exception of the No Project Alternative.

6-14/2 ...No Project Alternative would avoid all of the Project's significant environmental impacts...would not meet the underlying purpose of the Project or any of the Project objectives, and is not considered a feasible development alternative.

6-14/2 ...numerous mitigation measures that reduce the potential impacts associated with the Project to the extent feasible.

Feasibilities/infeasibilities have not been defined nor quantified, especially economically, and generally such usage in a DEIR is not acceptable for state compliances, e.g., CEQA.

Therefore the DEIR must be withdrawn and revised and recirculated with adequate and complete definition, enumeration, and quantifications to provide adequate and complete basis for any statements with the "F...Word"

6-14/2 Although the No Project Alternative would avoid the Project's significant and unavoidable cumulative impacts...and create a significant unavoidable land use impact.

6-14/2 ...Project...satisfies the Project objectives to a substantially greater degree than any of the proposed alternatives.

No definition, enumeration, or quantification of "satisfaction" for any objective has been provided in the DEIR

Revise the DEIR "project objectives" and the alternatives comparisons entirely and include the adequately defined, enumerated, and quantified comparisons of objectives for adequate alternatives, including a more comprehensive specific corridor plan.

6-14/2 ...Project presents several benefits that counterbalance the limited adverse effects...on the environment.

The "limited adverse effects" do not appear to be objectively reviewed compared to earlier statements: "Project's significant and unavoidable cumulative impacts" and "create a significant unavoidable land use impact".

Revise the DEIR.

6-14/2 ...No Project Alternative would avoid all of the Project's significant environmental impacts...would not meet the underlying purpose of the Project or any of the Project objectives, and is not considered a feasible development alternative.

No "underlying purpose" has been stated in the DEIR, nor have the objectives been shown to be related to or derived from such a Goal or Purpose.

Revise the DEIR.