

**Westwood South of Santa Monica Blvd
Homeowner's Association**

Incorporated November 8, 1971

P. O. Box 64213

Los Angeles, CA 90064-0213

February 10, 2010

Los Angeles City Planning Commission

RE: Bundy Village" - Case No.: VTT-66732-CN-DB-GB, ENV-2006-3125-EIR
CPC-2007-1486-GPA-ZC-CU-DB-SPR

Dear Planning Commissioners:

This letter repeats the issues we raised in a similar letter sent in November to the Planning Department Deputy Advisory Committee. Please accept this letter on behalf of Westwood South of Santa Monica Blvd. Homeowners Association representing over 3,800 single family and condominium homeowners living east of the 405 freeway to Beverly Glen Blvd. and between Pico and Santa Monica Blvds. We live in an area of significant nearby development where infrastructure has been unable to keep pace with new demands being made. We are particularly concerned with the cumulative impacts of projects throughout Los Angeles and particularly about cumulative impacts of development on the Westside where traffic is at or near gridlock for many hours of each day. Our community, while not immediately adjacent to the proposed Bundy Village project, will experience traffic impacts within our area AND will have to cope with the virtual barricade that will be created as a result of the new traffic that will be generated by this project. We regret that we were not involved in early review of the project; however, we were not contacted by project representatives nor was traffic information pertaining to our community shared with us. We are concerned about project impacts and would like to incorporate earlier comments raised by others in our comment letter. We are opposed to this project as currently proposed. We oppose the rezoning of the land, the request to reduce side setbacks, and the proposed density of medical office buildings that will create barriers to access for all those seeking to travel from east to west and/or from north to south past this project location.

To consider changing current **zoning** to permit development of the more than 500,000 square feet "Bundy Village" proposed project at 1901/1925/1933 South Bundy Drive and 12333 West Olympic Blvd. simply disregards previous concerns and public input which resulted in current zoning and the adoption of the community plan that governs the

area. Further, review of the existing planning documents for this project reveals that there have not yet been agreements made between the relevant traffic agencies including LADOT and Caltrans. Since Caltrans has not apparently agreed with the traffic mitigations proposed by the developer, revisions to that plan are currently underway. How can our organization OR the Advisory Agency comment on the project without knowing what is being proposed as part of the traffic mitigation plan? It is premature for the City to grant any zone changes for the project until the final traffic mitigations for the project have been provided, reviewed, analyzed and discussed in an open forum. We must be shown that the mitigations being considered are sufficient to offset the impact of the project. If not, it must be downsized to a level that will allow for mitigations to be meaningful. We request that the January 14th City Planning meeting be rescheduled to allow for adequate time to review any new reports or recommendations.

We have significant concerns regarding the **incompatibility of this proposed project with existing State, County and City guidelines**. The EIR for the project is clear that even if the mitigations proposed in the EIR could be achieved, the project does not meet many objectives of the City, County, and State of California with respect to transportation and traffic issues. Of great concern to us is the ability of this project to reach **WLA TIMP** program goals. If the WLA TIMP seeks to keep intersections from reaching an LOS of “F” level, or from further deterioration if at the “F” level, then this project does not comply with the goals of the TIMP.

The following intersections in our area and adjacent area will be impacted and, in many locations, further mitigations have been deemed not possible:

- Wilshire and Westwood- PM Peak goes from V/C (volume/capacity) of 1.007 to a V/C of 1.009. (.002 worse)
- Santa Monica and Barrington in PM Peak from a V/C of 1.077 to V/C of 1.097. (.020 worse)
- Santa Monica and Westwood- AM Peak from V/C of 1.001 to 1.003 (.002 worse) and PM Peak from 1.130 to 1.136 (.006 worse)
- Olympic and Centinela, south leg. Goes from “C” to “F” as a result of this project even after mitigations. PM Peak from .759 to 1.252 (.493 worse)
- Olympic and Bundy- In AM Peak from 1.176 to 1.242 (.066 worse) and PM Peak from 1.158 to 1.335 (.177 worse)
- Olympic and Barrington- PM Peak from 1.127 to 1.153 (.026 worse)
- Olympic and Sawtelle- AM Peak from 1.538 to 1.546 (.008 worse) and PM Peak from 1.595 to 1.626 (.031 worse)
- Olympic and Sepulveda- PM Peak from 1.108 to 1.128 (.020 worse)
- Pico and Sawtelle- AM Peak 1.025 to 1.031 and PM Peak from 1.181 to 1.197 (.016 worse)
- Ocean Park/Gateway and Bundy- AM Peak from 1.129 to 1.140 and PM Peak from 1.121 to 1.160 (.039 worse)

- National and Bundy/Centinela- AM Peak from 1.124 to 1.242 (.018 worse)

There are problems with project conformity with the **West Los Angeles Community Plan**:

- Page IV.G-35 of the DEIR states that this project does not further Policy 16-1.1 due to the significant intersection impacts that cannot be mitigated. “Maintain a satisfactory LOS for streets and highways that should not exceed LOS “D” for Secondary Highways and Collector Streets; nor LOS “E” for Major Highways or major business districts.
- Page IV.G-35 of the DEIR states that this project does not further Policy 16-2.1 due to the significant intersection impacts that cannot be mitigated. “No increase in density shall be effected by zone change, plan amendment, subdivision, or other discretionary action, unless it is determined that the transportation infrastructure serving the property can accommodate the traffic generated.”
- Policy 1-2.3 of the Community Plan states: “Do not increase residential densities beyond those permitted in the Plan unless the necessary infrastructure and transportation systems are available to accommodate the increase.” The developer claims that the plan is consistent with this objection because it would be in line with the density allowed under the proposed zoning, but it is quite reasonable to interpret this policy as meaning that the residential density needs to be consistent with the current zoning, not a zoning change that the developer is requesting.

In addition, the current **West LA Community Plan** dates back to 1999 and has not been updated. It is essential to wait until this Community Plan is complete than to do “spot zoning” for specific areas of the region that may prove to be incompatible with the Community Plan once it is revised. Our community has gone on record as seeking to **preserve “M” and industrial zoned land**. There is little of such land remaining on the Westside and it should be retained for the uses that must be limited to operating on land of such zoning. There is a great emphasis on establishing “green” jobs and related tech businesses, but if we do not have places for them to locate, we will be unable to capture those jobs and industries in the City. It may be appropriate for the City of Los Angeles to work cooperatively with Santa Monica to develop a “big picture” look at the land in this area that has long served the purpose of housing large and small manufacturing facilities. Medical office buildings may be built on commercially zoned land and there are planning designations that will allow commercial/retail ventures to be coupled with residential development under the RAS zone. However, to convert very limited “M” or industrial land for retail, office or residential uses seems very short-sighted, especially when one takes into account the future EXPO line operation that will be capable of

bringing “green” or hi tech workers to the project location by train. Those uses will not generate the daily trips that a medical facility will bring.

We challenge those who say that it is wise to move forward on almost any and all construction projects because of the boost they give to the construction industry and building trades. We have attended too many City hearings where trade representatives speak glowingly of projects about which they know little other than that they will provide good paying jobs. Any project eventually constructed on this land will provide good paying construction jobs. The size and scope of this project with its associated negative impacts should not be minimized or excused because it will generate construction jobs. The City must also consider impacts on accessibility, quality of life, added daily travel times, etc. A project more in scale with the infrastructure limitations and zoning requirements will also generate construction jobs

In addition to discussing **long term land use patterns** in the area, has the Planning Dept. been in contact with Santa Monica to discuss the impacts of this project on their city and its residents and those who travel to work there? The proposed mitigations were not found to be acceptable in addressing their concerns. Input from all relevant and impacted stakeholders and involved agencies needs to be considered and included in deliberations of this massive project. It should not be considered in pieces, in different venues and with different parties having different information.

WSSM has welcomed Menorah Housing into our community with an upcoming **senior housing** development now being built on Pico Blvd. between Veteran and Greenfield Avenues. We recognize the need for new senior housing units but believe that the project as currently proposed includes but a token offering given the size and scope of this project. 62 Moderate Income Units being proposed is less than 1% of the project's area. If the 146 market-rate senior units are included, senior housing represents only about 3% of the project's area. We would hope that future downsizing of the project does not result in a reduction of senior units constructed. After all, the senior units will not be responsible for generating much of the anticipated traffic that is causing the project's negative impacts. If one were to hold true to the name “Bundy Village” perhaps it could be proposed that additional senior units be provided (in apartment and condominium arrangements) to address the growing and clear need for senior housing alternatives creating a village of seniors. Such developments exist in many areas but there are none on the Westside where one would expect the need to be equal to or greater than the need or demand for medical office space! And, the project location is in close proximity to both St. John's Hospital and Santa Monica-UCLA Medical Center so that seniors would have ready access to high quality medical care. From a cost-benefit point of view, the intensity of senior housing offered does not warrant the negative impacts the entire project as proposed will bring. However, while senior housing is a great community asset, we still believe that the protection of “M” and industrial zoned land should take a precedent or, that at the very least, zoning should

not be changed until the new West Los Angeles Community Plan has been written and priorities for the land determined.

For our constituents in South Westwood, the existence of this project and the resulting traffic will DECREASE our **access to medical facilities** in Santa Monica. Many Westsiders utilize St. John's Medical Center and the Santa Monica-UCLA Medical Center facilities. Many outpatient procedures (and geriatric services) for UCLA Medical Center are now performed at the Santa Monica –UCLA medical campus. The added traffic that will be generated by the Bundy Village project will exacerbate a situation already at gridlock for too many hours of the day. Our travel time to and from Santa Monica will be adversely impacted on any and all the major east/west arterials. This is of grave concern. We also see that access to and from the Santa Monica Freeway will be impaired and that freeway traffic will also be negatively impacted.

Did traffic projections for this project take into account possible alterations to the use of the **Pico and Olympic corridors** as proposed by Mayor Villaraigosa and as currently under EIR review by the City? That plan places westbound traffic from Century City and West Los Angeles to access the 10 freeway westbound from Bundy and Centinela (rather than at Overland). We did not see mention of this. We also did not notice any discussion of the Pico Blvd./ Sepulveda Blvd. intersection which is going to be impacted by the EXPO Light Rail line. To address Pico and Sawtelle and also Olympic and Sepulveda but to ignore mitigations for Pico and Sepulveda does not seem reasonable.

WSSM believes that additional **alternatives options** may exist to scale down the project to a size that would have a much smaller impact on traffic in this area AND ONE FOR WHICH MITIGATIONS ARE MORE LIKELY TO SUCCEED.. Alternative B in the EIR downsized the project by 30% by leaving the footprint of the project roughly unchanged but reducing the height and mass of the buildings. This resulted in a traffic reduction of 40% in the number of trips overall and 36% in peak hours. The EIR states that this alternative would meet the same project objectives as the proposed project but would still result in “unavoidable and significant impacts” in Air Quality, Noise, and Transportation and Traffic.

LA DOT also raised this issue, as noted in its letter listed as Appendix 1 of the FEIR: “In response to the findings of the traffic study and the number of impacts that could not be fully mitigated, DOT, as standard practice, discussed downscaling the project as a possible means to reduce the traffic impacts of the project to below significant levels. However, the applicant indicated that the scope of the project is required due to the sizable demand for additional medical services on the Westside of Los Angeles, particularly medical services adjacent to affordable and senior housing.”

We are unaware of the rationale of potential tenant “demand” being used to rationalize the proposed size of any project, especially in light of significant environmental

impacts. There are many unmet demands for services throughout the City. That does not mean that any developer can propose a project that seeks to meet those unmet demands without regard for the setting in which the project is proposed to be located. There are severe infrastructure limitations, and the fact that there might be tenants for a project available who are willing to pay this developer rent, does not mean that the project as proposed should be built, or that the offer to provide limited senior housing (or senior housing) should then be used to somehow make the project palatable enough to go forward as proposed.

Project alternatives that downsize square footage that are generating trips should be developed so that the traffic reduction might be decreased to a level below significant after mitigations are implemented. It should be noted that just this month, the Beverly Hills City Council upheld its Planning Commission's refusal to allow an office building project currently under construction to be converted into medical office space uses specifically because of the traffic and trip generating concerns. That project, at the corner of Robertson and Wilshire Blvds., would have had serious negative impacts on the traffic in the area, on the function of two arterials as well as significant negative impacts on the surrounding residences. The City Council listened to arguments on both sides of the issues and supporting their Planning Commission's refusal to grant a change in the entitlements for the property. No medical facilities will be built there. The commuters and residents in the area will not have to contend with un-mitigatable impacts.

Review of comment letters on the DEIR from groups such as WLANC, Mar Vista Community Council, and Kilroy critique a number of the **flaws underlying this project's Traffic Study**. Assumptions made seem to consistently understate the current traffic flow in the area and the negative traffic impact of the project. The level of analysis by LADOT, given that LADOT's information in the Appendix to the EIR is identical to that of the developer, brings to question whether the City independently did any analysis of the assumptions put forth by the developer.

The FEIR document did not adequately address or answer comments raised in the DEIR. Several comment letters note that the study used national average traffic estimates (ITE) calculations instead of actual numbers from West Los Angeles. The DEIR notes that it only uses West LA TIMP numbers for the PM Peak but that ITE is acceptable for the others. It is worth noting that virtually every one of the 64 intersections studied shows a lower V/C rating in the AM Peak than in the PM Peak (Table IV.K-9), which suggests that the ITE numbers are, in fact, consistently lower than the West LA TIMP numbers and therefore not appropriate for the intersections studied and that TIMP data should be used instead for all time periods. City Planning protocols state that actual numbers should be used whenever possible. Why are estimates being used and accepted instead?

Comment letters state that the existing **LOS values of adjacent intersections** as measured by Hirsch/Green vary widely so do not appear to be correct. (Table IV.K-1) Traffic patterns in the area are such that Olympic Blvd backs up solidly from Bundy to Sepulveda and Santa Monica Blvd from Barrington to Sepulveda during peak hours. Therefore, it does appear strange that Barrington and Santa Monica can receive a “C” LOS in AM Peak and “D” in PM Peak while Federal and Santa Monica two blocks to the east receives an “A” in both time periods. Anyone who has traveled on Federal Avenue (or Santa Monica Blvd.) at peak travel periods knows that it is not behaving at an “A” level of service. Similarly, Olympic and Sawtelle gets LOS “F” in both time periods while Olympic and Colby just a few blocks to the West gets LOS “A”. It is also curious that Bundy Drive and the I-10 Eastbound onramp gets an LOS of “B” when it is being discussed as one of the most critical mitigation efforts in the project.

It appears that the area of study for this project was not adequate for numerous intersections that will be impacted were not included. For example, the Olympic/Sawtelle and Olympic/Sepulveda and Pico/Sawtelle intersections are studied but not Pico/Sepulveda intersection which will be impacted by the EXPO crossing at Sepulveda as well as potential development of the former cement plant factory site between Pico and Exposition and Sawtelle and Sepulveda Blvds. (the proposed Casden project). The mere density of these two projects in such close proximity on the two main arterials in the area is cause for study and analysis. The EXPO crossings need to be taken into account throughout the area and the expected down times for gate closures included in projected estimates. This project will be in close proximity to EXPO and Metro submitted NOP comments indicating that: “The Draft EIR should recognize that the Exposition Light Rail will operate in peak weekday service as often as every five minutes in both directions and that trains may operate, in and out of revenue service, 24 hours per day, seven days per week adjacent to the proposed project,” which appears not to have been taken into account.

- Mar Vista Community Council had requested during the NOP that plans should be prepared to establish pedestrian, bicycle, and bus facilities and access but these are not included in the EIR. The Los Angeles Bike Plan is currently being reviewed and the ability of this location to be served by bike lanes and to provide facilities for bike riders (employees, visitors, etc. is important).
- Both WLANC and Mar Vista raised issues as to whether the mitigation fee was high enough, and that it may be only 20% to 25% of what is necessary. What calculations were used to determine the fee? How may it be increased?
- The EIR states that Hirsch/Green used Caltrans data for the freeways, but that this data did not provide them with directional information or breakouts between AM and PM Peak hours. (Page IV.K-120). However, the Brentwood Community Council notes that westbound numbers shown for the volume of traffic on I-10 at each of the freeway exits west of the 405 are consistently

higher than eastbound numbers for both AM and PM Peak hours, which does not seem consistent with actual traffic patterns in the area nor does it seem possible that more traffic will always be heading westbound, particularly in the PM Peak timeframe. There is adequate discrepancy that additional study and clarification is warranted.

We join with the Brentwood Community Council in noting that page IV.G-44 states that “Many of the freeway segments in the project vicinity are already operating at or near their design capacities in at least one direction during one or both of the peak hours. The additional traffic resulting from the anticipated increases in regional demand is expected to exacerbate the already poor conditions on the selected freeway segments, particularly on the Santa Monica Freeway. Traffic volumes are also expected to increase substantially on the San Diego Freeway.” The DEIR then goes on to say that the addition of HOV lanes may help the situation. It should be noted that the addition of HOV lanes on the 405 freeway will not improve traffic flow and the addition should not be used to justify new development. It is recognized that a carpool lane will add about 10% to the capacity of the northbound freeway. The southbound carpool lane that was scheduled to open in 2004, opened in 2009 - this week. The new northbound lane is scheduled to open in 2013, four years from now. Traffic volumes are growing approximately 1 1/2% to 2% per year on the Westside.. If the new lane construction takes five years (only one more year than projected), traffic will have grown by 7% to 10%, approximately equivalent to the capacity of the new lane. There will be essentially no change in volume/capacity ratio.

There are no HOV lanes for the I-10 freeway west of the 405, and the developer gives no data to back up any assertions that the HOV lanes on the 405 will improve traffic flow on the I-10. (In fact, it is likely true that the lack of HOV lanes on the I-10 will have a negative impact on the traffic flow on the 405.) Given that there are no HOV lanes planned for the I-10, we question how much widening the ramps at the entrance to the I-10 at Bundy will do to mitigate the traffic in the region. While ramp improvements may improve traffic flow from what it is today, the developer provides no explanation of how much traffic will be taken off of surface streets or how much intersection traffic flow will improve as the result of this change. In other words, if cars are sent up a ramp onto a freeway that isn't moving, does having a different ramp help the situation on the street level and in nearby intersections?

The DEIR then goes on to say that “the incremental project traffic volumes will not produce any significant impacts to any of the Santa Monica or San Diego freeway segments analyzed.”, What is the data used to back up this broad statement which seems to conflict with the analysis that shows that **it is significant enough to negatively impact 64 intersections on surface streets in the area?** With the proximity of the I-10 to this project, one cannot help but believe that it will impact both city streets and freeways. And, one must remember that commuters and those attempting to reach the project site are not committed to “sticking” on a street when it is

gridlocked, or a freeway when it is bumper-to-bumper. As roadway traffic conditions change, drivers alter their behaviors and will shift from roadway to freeway and vice versa. Like water or sand, traffic flows around obstacles placed in its way until saturation is reached. And, one of the major criticisms of this project's traffic study is that it seems to assume that the traffic will continue to flow despite the fact that the water (ie traffic) is backing up already and has nowhere to go.

Others have already commented on the fact that the study area and traffic mitigation planning should have continued north to Sunset Blvd. since Bundy Drive provides one of the few north/south routes connecting the I-10 with Sunset Blvd., Brentwood and points north. In the initial NOP, WLANC had suggested that the **study area** should go to Sunset Blvd, which we agree should have been the case. The EIR includes an analysis of only four intersections in Brentwood: San Vicente, Montana, and Westgate; San Vicente and Barrington; Wilshire and Bundy; Wilshire and Barrington. Therefore, the impact of this project on Brentwood and traffic in Brentwood and en route to Brentwood has been understated.

In addition to comments pertaining to the traffic impacts of the project, we would like to comment on some of the characteristics of the project. The developer's website (www.bundyvillage.info) states that "Nearly 40% of the project site will be dedicated to **open and green space**, providing residents, workers, patients and neighbors with a lush and serene space to enjoy the outdoors." However, Figure II-7 in the DEIR shows a series of adjacent buildings with what appears to be far less than 40% open space between them. It appears from that photo that the majority of open space is landscaped gardens on the roofs of 6 story and 8 story residence buildings, and even then it is difficult to see how the 40% calculation has been derived. We request an explanation of the calculations used to determine open space provided. In order to achieve community support, the developer should clarify how neighbors will benefit from this open space as promised, and how the visual impact of the buildings will be appealing with less than the promised degree of ground level open space. How much of this space will be accessible to the public?

We also suggest that the City should not grant requests for reduced side setbacks to zero as proposed for one area of this project. The requirement for side setbacks is an important factor in creating livable communities. The waiving of side, front and/or rear setbacks sets dangerous precedents. This project consists of a number of large parcels. The mere fact that the developer is seeking a zero side setback demonstrates to us the fact that his project is attempting to overbuild on the property with little regard to anything other than the opportunity to generate rentable space and income. Project design should respect setback requirements and no exception should be granted.

This major project requires significant downsizing if its approval is to be considered. Rezoning must be denied.

Please include Westwood South of Santa Monica Blvd. on the mailing list for future notices pertaining to this project. Please include this letter in the file.

Sincerely,

Barbara Broide
President

cc: info@brentwoodcommunitycouncil.org
Ray Klein, BCC President
CD 5 Councilmember Paul Koretz
CD 11 Councilmember Bill Rosendahl