



November 24, 2008

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 Department of City Planning  
 City of Los Angeles  
 200 N. Spring Street, Room 721  
 Los Angeles, CA 90012

RE: DEIR Case Number:  
 ENV-2007-933-EIR

The following comments relate specifically to the Metro Universal Project Site (the “Project”) Draft Environmental Impact Report (the “DEIR”) dated August 2008. The DEIR **does not** adequately address the impacts on the community from the proposed Project. Based on a review and analysis of each of the proposed alternatives (with the exception of the “no Project” alternative) we **do not agree** that any of the other proposed alternatives would meet the Project goal of “providing a new development that is consistent with and complementary to the key defining characteristics of the area in which the Project Site is located.” (Page I-17).

We **do not agree** that the significant impacts on the environment of Alternatives 2 through 8 can be reduced to a level of insignificance. Further we **do not agree** that the significant impacts can be appropriately mitigated. An “Unavoidable” impact is simply **not acceptable** in an area where there are already significant cumulative unmitigated impacts from developments that have been built over the past three years. The following comments are identified by the DEIR page number to which they relate. Each of these comments should be considered as a question of who, what, where, when or why as such would apply and we request a response to each of them. The exhibits attached to this letter of comment contain documentation in support of the comments to which they relate.

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| Cover    | <p>There is an error on the cover page of the DEIR. The DEIR states that the proposed Project is located in Los Angeles in zip code 91608. However the entire proposed Project is located in Studio City at zip code 91604. (See Exhibit I and Exhibit I-1)</p> <p>The address of the proposed Project is listed as 3875 North Lankershim Blvd. However, according to ZIMAS, this address is located in the middle of Campo de Cahuenga Way. According to the United States Postal service, this address does not exist. (See Exhibit I-2)</p> <p>Article VII of the Studio City Neighborhood Council Bylaws defines the boundaries of Studio City which includes the proposed Project site. (See Exhibit I-3)</p> <p>Please note that none of the proposed Project is located in zip code 91608. That zip code is located entirely to the East of Lankershim. (See Exhibit I-4)</p> |

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| I-3      | The DEIR states that the CEQA Initial Study for the proposed Project is presented as Appendix I-1 to the DEIR. Comments with respect to that appendix will be set forth separately below.   |
| I-4      | The DEIR contains a summary of Significant and Unavoidable Impacts of the proposed Project. Unavoidable Impacts are <b>UNACCEPTABLE</b> to our stakeholders.  |
| I-8      | <p>We <b>are not in favor</b> of a Signage Supplemental Use District that would increase visual blight by permitting any electronic billboards. Please note that the proposed METRO Universal SUD does not comply with the Sherman Oaks-Studio City-Toluca Lake-Cahuenga Pass Community Plan (the “Community Plan”) or the LA-RIO.</p> <p>Under the LA-RIO land that is within 1/8 mile of the LA River is subject to the City of LA’s right of first refusal if it is to be sold. Has the process for notifying the City of its rights with respect to any of the property within the proposed Project site that are subject to this right of first refusal been followed? How much of the proposed Project site is within 1/8 mile of the LA River?</p>   |
| I-9      | We <b>do not agree</b> that the proposed Project lighting will not cause a direct glare from the light source at any residential property. The Island Neighborhood of Studio City will have a direct and adverse impact from the light emitted by this proposed Project.  |
| I-10     | <p>This page indicates that the proposed Project’s landscape would include a walkway/plaza surrounding the Campo de Cahuenga Historic Site. It should be noted that the Community Plan on page I-1 states that the Campo de Cahuenga Transit Station will be a focal point centering around the Campo de Cahuenga and its “early California Spanish architecture will serve as the design criteria for this important gateway to the Valley.” (See Exhibit I-5 and I-5-1)</p> <p>Page I-5 of the Community Plan states that “Development of the transit station site must retain the early California Spanish Architecture in order to form a historical link with the Campo de Cahuenga, a significant structure from California’s past.” The Campo de Cahuenga is designated as an Historical Landmark by the State of California Office of Historic Preservation, California State Parks. It is also one of the eleven monuments located in the Valley that are also listed on the National Register of Historic Places. (See Exhibit I-6, I-6-1, I-6-2 and I-6-3)</p> <p>Policy 2-6.1 of the Community Plan requires that any proposed development contain a design element that continues the early California Spanish style of architecture found at Campo de Cahuenga. (See Exhibit I-7)</p> |
| I-10     | We <b>do not agree</b> that no open space would be required for Phase 1 or Phase 2 Option A of the proposed Project. A portion of the proposed Project site is currently zoned as open space OS-1XL and another portion of the site is zoned as PF-1XL. The DEIR has been prepared as if all of the requested zone changes that would be required to build the proposed Project have already been granted. This is not the case. The proposed Project would actually reduce the amount of land currently zoned for open space. We <b>do not agree</b> that this requested zone change should be allowed.  |

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| I-10     | <p>This proposed Project is located entirely within the LA-RIO area. As such, any development within the LA-RIO must increase the ecological value of open space. (See Exhibit I-8) Further, one of the goals of the LA-RIO is to create greenway adjacent open spaces that enhance the natural qualities and open space character of the River. (See Exhibit I-8-1) Why have the goals of the LA-RIO been ignored in the design of this proposed Project?</p>  |
| I-10     | <p>Potential Land Exchange – Please refer to Figure II-11(b). For the proposed Project to be developed 13,450 square feet of the park space would be given up in exchange for 18,180 square feet of the proposed Project site. Although it appears that this will result in an increase in the size of Regional Center, the realignment of Bluffsides Drive into the area that is currently park land will offset the benefit of the increase in the park area from the exchange.</p> <p>The parking lot currently located close to the baseball diamond will be relocated a considerable distance from the diamond and will now be adjacent to the Metro Parking facility. This relocation will decrease a significant portion of the useable park space and detract from the visual beauty of the park. Currently the parking is on the back side of the park.</p> <p>Please refer to Figure IV.E-54. From this figure you can see that the building to be built on Site C in Phase 2 will cast a shadow that will almost completely cover the baseball diamond and much of the park. These shadows will decrease the aesthetic appeal of the park.</p> <p>We <b>do not agree</b> that the proposed land exchange will be in any way beneficial to the community.</p> |
| I-11     | <p>The City of Los Angeles is currently undergoing a water crisis. The proposed Project will place a further strain on the existing water supply. (See Exhibit I-9)</p>   |
| I-12     | <p>Although dual plumbing would be installed in the proposed buildings, this proposed Project will place a further strain on the City’s sewer system. Studio City already has one scrubber that was installed to control the odors in our sewer system which is operating beyond its capacity. Another is slated for installation in the very near future. Many of our homes are plagued by dreadful sewer odors. Unless the infrastructure is significantly enhanced a development with so many toilets to flush into the existing system <b>should not</b> be permitted. (See Exhibit I-10).</p>  |
| I-17     | <p>The DEIR indicates that parking lot runoff shall be treated with bioretention where there is adequate space. Control of parking lot runoff should be a requirement for any development on this site. As indicated earlier the proposed Project is entirely within the LA-RIO and all of the Greenstreet Guidelines of that ordinance should be followed. (See Exhibit I-11)</p>  |
| I-17     | <p>The proposed Project objectives listed on this page <b>are not in agreement</b> with the Community Plan. This proposed Project <b>does not comply</b> with the Community Plan or the Specific Plan. The proposed Project site <b>is not located</b> in a Media-Oriented Regional Center. The only Regional Center authorized by the Community Plan is at the intersection of Ventura and Sepulveda Boulevards. (See Exhibit I-12 and Exhibit I-12-1)</p>   |

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| I-18     | <p>The DEIR indicates that this proposed Project will provide needed office and production space for the entertainment industry. We are not aware of any study that exists indicating that additional office/production space is needed. Please provide the study that supports the statement in the DEIR. Further we do not see sufficient enhancements to local and regional transportation infrastructure. The employment opportunities and job generation at this site will not be new jobs but will result from the transfer of jobs from a neighboring City. Additionally, jobs may be lost due to technological advances.</p>  |
| I-21     | <p>The mix of uses and per acre development density under alternative 5 would be similar to the development approved at the Hollywood and Vine Metro Red Line station that is presently under construction. Of the 2,650 parking spaces proposed under this alternative only 1,900 would be dedicated to serving the 1,110 residential units. Studio City is a parking impacted area. Condominiums are required to have 2.5 spaces per unit and apartments are required to have 2 parking spaces for every 3 habitable rooms. Based on these figures the proposed Project should have at least 2,350 parking spaces dedicated to the residential units. Additionally, it is a fact that 78% of those living near public transit do not use it. (See Exhibit I-13) Therefore, the number of proposed parking spaces is not sufficient based on the size of the residential portion of the development. Please explain why the required number of parking spaces have not been provided.</p>  |
| I-22     | <p>A pedestrian tunnel was originally proposed by Metro as part of the original construction of the Red Line station. A review of the Metro Construction Committee Reports for the year 2002 indicated that construction of the pedestrian tunnel (underpass contract c0322) was approved. However, the construction was delayed over and over until June of 2002 when, due to an executive management decision, this contract was removed from the North Hollywood Project. Since the MTA removed the pedestrian underpass from the Universal City Station Site Enhancements it has not fulfilled the commitment it made to the community as documented on page 3 item number 33 of the October 24, 2002 Metro Construction Committee Action File. (See Exhibit I-14 and Exhibit I-14-1)</p> <p>The MTA Mission Statement is to “operate and maintain a safe, clean and efficient transit system with professionalism, courtesy and integrity throughout the Los Angeles region.” The mission of the MTA is not construction and development of commercial and/or residential properties. Additionally, the MTA is a public agency and as such should not take any actions that are in violation of the Community Plan. (See Exhibit I-14-2) Taxpayers voted to fund the development of the subway with Proposition A in 1980 and with Proposition C in 1990. Neither of those propositions contemplated the use of subway stations for commercial or residential development. (See Exhibit I-14-3 and I-14-4)</p> |

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| I-23     | <p>Alternative 7 indicates that the Proposed Metro Universal SUD would permit changeable copy signs, animated signs, graphic signs, electronic message display signs, and projected image signs as long as they were between 0 and 100 feet above grade. The light emitted by such signs would adversely impact the quality of life of the neighboring residences as well as the surrounding communities. We are opposed to the granting of a special SUD anywhere within the Community Plan area as this is not permitted in the Community Plan or the Specific Plan. (See Exhibit I-15 and Exhibit I-15-1).</p>   |
| I-23     | <p>The first paragraph of Alternative 8 makes reference to the Community Plan as designating the proposed Project site as a Regional Center. There is no such reference in the Community Plan. (See Exhibit I-16)</p>   |
| I-23     | <p>The response to our public records act request did not contain complete information regarding the [Q]C2-1-CDO zone classification. Therefore we are unable to verify exactly what is allowed on the proposed Project site. Buildings of the size and density proposed are not within the scale and character of the neighborhood. As the DEIR does not indicate exactly what will be built, we question the completeness and adequacy of the DEIR.</p>   |
| I-25     | <p>Table I-1 Summary of Environmental Impacts and Mitigation Measures states on its first line that No Mitigation Measures are required and no significant land use consistency impacts would result from the proposed Project. This is not true. Mitigation of traffic, air, sewer and hydrology issues will be necessary even if a building within the scale and character of the neighborhood is ultimately proposed for this site.</p> <p>Of the list of items listed on this page that may require City approvals, it should be noted that Zone Code Changes, Height District Changes and many of the other items listed are called entitlements but in reality, they are requests for changes to existing codes and they must be subjected to the hearing process.</p> <p>We are opposed to any change in the General Plan that would be in contradiction to our Community Plan which would designate this area as a Regional Center. This site lacks sufficient alternative ingress and egress for it to support the density and traffic volumes that would result from such a designation. (See Exhibit I-16)</p> <p>The General Plan essentially serves as a “constitution for development.” The City’s 35 community plans collectively comprise the Land Use Element of the General Plan. (See Exhibit I-16-1) Therefore, any impact of the proposed Project that is not in conformity with the provisions of the Community Plan is in violation of the City’s General Plan.</p> <p>A transitional height adjustment is needed for the proposed Project proposed for this site. Due to the proposed Project’s proximity to the strictly residential Island Neighborhood of Studio City we are opposed to any transitional height adjustment. Without a zone change to eliminate the transitional height adjustment, current zoning would limit the maximum height of this development to 45 feet. The views of the residential properties are protected under both the Specific Plan and the Community Plan. (See Exhibit I- 17 and Exhibit I-17-1)</p> |

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| I-25     | <p>The proposed Project requests a parkland exchange. The City of Los Angeles and specifically the Studio City community is park poor. The size of the proposed Project would put Regional Center and the Campo de Cahuenga forever in shadows. This will have an adverse effect on the vegetation and the quality of the recreational experience at this park. This proposed Project is in direct contradiction to the goal in the Community Plan is to preserve and enhance open space (See Exhibit I-18 and I-18-1).</p>   |
| I-25     | <p>Open space is critical to the quality of life in our community. The definition of open space includes the slopes adjacent to the 101 and 134 freeways. It requires that properties adjacent to the river should promote the use of the river for recreational purposes. The Community Plan also indicates that rights-of-way for transportation facilities should be maintained as open space. (See Exhibit I-18-2)</p> <p>The DEIR indicates that approvals by other governmental agencies may be necessary to implement off-site mitigation measures. No portion of any project to be developed on this site should be allowed to proceed unless the approvals needed from other governmental agencies have been obtained for each and every off-site mitigation measure.</p> <p>As indicated in our comments above, the original proposal was for a pedestrian underpass that was never completed. (See Exhibit I-14 and I-14-1) Therefore, approvals for the construction of the pedestrian bridge across Lankershim are not sufficient. The construction of either a pedestrian underpass or a bridge must be a required condition including permits and finalized budget approvals before any development is approved for this site. All traffic mitigation measures must be completed prior to the initial excavation of the proposed Project site.</p> |
| I-26     | <p>Discretionary and ministerial permits and approvals for the implementation of the proposed Project are being requested. There are no ministerial issues within the DEIR because there are at least 28 times that the DIER indicates that impact of the proposed Project is unavoidable. (See Exhibit I-19) This means that there can be no mitigation of the impact as proposed. This is <b>unacceptable</b>. CEQA requires that adverse effects be reduced to less than significant. (See I-19-1) One example of the significance of an unavoidable impact relates to the requested exemption to the Mayor’s Executive Directive No. 2 prohibiting rush hour construction on City streets. Since many of the intersections are already designated as traffic impacted no exemption to the Mayor’s Executive Directive No.2 should be allowed.</p>   |
| I-26     | <p>The DEIR indicates that the proposed Project would conform to policies identified in various components of the Framework Element. This may be true, however, the fact that a General Plan Amendment would be required for the proposed Project to be built as proposed including changing the zoning of portions of the area from Open Space and Public Facilities (the least dense of all areas as it is void of buildings) to Regional Center (one of the most dense urban areas) is clearly not in conformity with the goals of the Framework Element or the Community Plan. The height in an open space is <b>NONE</b> yet the proposed Project requests an unlimited height. <b>We object</b> to any change in the height limit in any part of the proposed Project area. (See Exhibit I-18-2)</p>  |
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| I-26                           | There is an error in the DEIR as it indicates that Phase I of the proposed Project would conform to the existing Regional Center land use designation. No portion of the proposed Project site is designated as a Regional Center. The only area designated as a Regional Center in the Community Plan is the intersection of Ventura and Sepulveda Boulevards. (See Exhibit I-16) Additionally, the DEIR states that Phase 1 of the proposed Project would implement a number of Community Plan policies. This is not true and <b>we do not agree</b> with this statement. As specifically indicated throughout the Exhibits attached hereto, there are a number of aspects of the proposed Project that would be in direct contradiction with the goals and objectives of the Community Plan.  |
| I-26<br>Phase 1 and<br>Phase 2 | We <b>object</b> to the use of the DRAFT 2008 Regional Comprehensive Plan and the Southern California Compass Blueprint Growth Vision. Draft documents have not been subjected to the required hearing and approval process and are not operative documents.   |
| I-27<br>Phase 2                | The DEIR indicates that the proposed Project would conform to policies identified in various components of the Framework Element. This may be true however, the fact that a General Plan Amendment would be required for the proposed Project to be built as proposed including changing the zoning of portions of the area from Open Space and Public Facilities (the least dense of all areas as it is void of buildings) to Regional Center (one of the most dense urban areas) is clearly not in conformity with the goals of the Framework Element or the Community Plan. The height in an open space is <b>NONE</b> yet the proposed Project requests an unlimited height. <b>We object</b> to any change in the height limit in any part of the proposed Project area. (See Exhibit I-18-2)   |
| I-27                           | There is an error in the DEIR as it indicates that Phase 2 of the proposed Project would conform to the existing Regional Center land use designation. No portion of the proposed Project site is designated as a Regional Center. The only area designated as a Regional Center in the Community Plan is the intersection of Ventura and Sepulveda Boulevards. (See Exhibit I-16)   |
| I-27                           | <p>Additionally, the DEIR states that Phase 2 of the proposed Project would implement a number of Community Plan goals and objectives. This is not true and <b>we do not agree</b> with this statement. The purpose of the Specific Plan is to provide community development limitations based on the community infrastructure's transportation capacity. (See Exhibit I-20) The scope of this proposed Project will increase traffic in the area such that it will far exceed the infrastructure's transportation capacity.</p> <p>A goal set forth by the Studio City-Cahuenga Pass Streetscape Plan and Design Guidelines is to extend the themes of old California design as evidenced by the tiles and other accents of the existing metro station above ground and tie them to Ventura Boulevard. The proposed Project does not comply with this streetscape. (See Exhibit I-21)</p> |
| I-27                           | The DEIR indicates that proposed Project uses are permitted in and consistent with the C2 zone and that the proposed Project impacts would be less than significant. This is not true. As indicated previously, the requested change from open space and public facilities zones to a C2 zone would change the height requirement from <b>NO BUILDINGS</b> i.e. Zero height to a zone with unlimited height. <b>We object</b> to this proposed change.   |

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| I-27 and I-28 | <p>The DEIR indicates that proposed Project impacts would be less than significant because front yard setbacks, side and rear yard setbacks are not required within a C2 zone. However, such setbacks are necessary in residential areas. As some of the alternatives proposed may include a strictly residential building setbacks would be required. <b>We object</b> to any proposed Project Alternative that would delete setbacks for residential buildings. If such setbacks were not provided the impacts would be significant.</p>   |
| I-28          | <p>The proposed change from 1.5:1 FAR to 3.30:1 FAR would result in a major change in the square footage allowable and would result in significant impacts.</p> <p>The gross square footage of the project site is 479,596. (See Exhibit I-22-1) What is the net square footage of the project after dedications? Calculation of the allowable FAR must be based on the net square footage of the project not the gross square footage.</p> <p>The purpose of the DEIR is to analyze the impact of the proposed Project based on the zoning as it exists not to assume that zone changes are allowed and then conclude that a less than significant impact would result from construction of the proposed Project.</p> |
| I-28          | <p>The height on a portion of the proposed Project site is restricted to a two story maximum height. Other portions of the proposed Project site have no restrictions but are limited to a 1.5:1 FAR. This designation by definition limits the maximum allowable height of the buildings. (See Exhibit I-22)</p>  |
| I-28          | <p>There is no Community Design Overlay in place with respect to any portion of the proposed Project site. The fact that the Community Design Overlay was never completed does not negate the intent of the community to protect itself from development that is not consistent with the Community Plan. <b>We object</b> to the requested change in zone to eliminate the CDO designation.</p>  |
| I-28          | <p>Part of this zone is a [Q]. What are the specific [Q] conditions on all Proposed Project sites?</p>   |
| I-28          | <p>A conditional use permit is required for a Transit Oriented District (TOD). The City has not established a CUP process for TOD's. The fact that a process has not been established does not mean that this [Q] condition should be removed. <b>We object</b> to the removal of this [Q] condition.</p>  |
| I-29          | <p>A conditional use permit for a hotel in the C2 zone is required when the hotel is located within 500 feet of property zoned A or R. The outer boundaries are within 500 feet of R zoned property. <b>We object</b> to any discretionary approval for the hotel proposed in Phase 2 Option B as the structure would be out of scale with the existing residential neighborhoods. Goal 1 of the Community Plan provides for the protection of single family neighborhoods from new out of scale development and encroachment by higher density residential and other incompatible uses. (See Exhibit I-23 and Exhibit I-19-1)</p>   |
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| I-29     | <p>Phase 1 of the proposed Project, which is a Commercial Corner Development, will have significant impacts. <b>We do not agree</b> with the conclusion in the DEIR that the impacts will not be significant as it is based on the premise that zone and height district changes have been granted.</p> <p>Further, the purpose of an EIR is to analyze the impact of a proposed Project on the environment given the maximum use of the proposed Project site as currently zoned compared to the maximum use and zone needed for the proposed Project. This DEIR consistently and inappropriately analyzes the proposed Project’s impact assuming all requested zone changes and exemptions have been granted. (See Exhibit I-24 and Exhibit I-24-1)</p> |
| I-29     | <p>As the proposed Project is currently in an area designated as height district 1 new buildings and structures would be required to comply with the Transitional Height requirements. <b>We object</b> to any exemption from this provision of the zone code. (See Exhibit I-25 and Exhibit I-17-1)</p>  |
| I-29     | <p>The DEIR is in error as it states that the proposed Project site is designated as a Regional Center. The proposed Project site is <b>NOT</b> a Regional Center. (See Exhibit I-12)</p> <p>The DEIR states that the maximum FAR is 6 to 1 for this proposed Project site. This is <b>not correct</b> the maximum FAR is 1.5:1. (See Exhibit I-22)</p>   |
| I-29     | <p>The DEIR states that the Community Plan encourages increased density. This is <b>not correct</b>. The Community Plan specifically requires the protection of existing stable single-family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses. (See Policy 1-1.3 in Exhibit I-23)</p>   |
| I-29     | <p>Under Phase 2, Option B the proposed Project would provide a total of 400 dwelling units and 300 hotel rooms and concludes that the proposed Project would have a less than significant impact with respect to the open space required as set forth in the LAMC. This statement does not take into account the land exchange which would result in a significant decrease in the prime usable area of Regional Center. (See Exhibit I-26, Exhibit I-26-1 and Exhibit I-26-2)</p>   |
| I-30     | <p>The DEIR states that “with the approval of the Metro Universal SUD, proposed Project impacts with respect to land use plans and zoning from sign regulations and policies would be less than significant.” The proposed Metro Universal SUD does not exist and it <b>should not be established</b> as it is not in compliance with the Community Plan. (See Exhibit I-15 and Exhibit I-15-1).</p>  |
| I-30     | <p>Figure IV.A.2-2, a map of the proposed Project site, is in error. The areas labeled Valley Village Residential Area, Weddington Park North, the Island Community, Weddington Park South and Campo de Cahuenga Historic Site are all within Studio City. Additionally, the area labeled as Valley Village Residential Area is not Valley Village at all. Valley Village is located further to the North and West and it is not included on this map. (See Exhibit I-27)</p>   |

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| I-30         | The DEIR indicated that “No feasible mitigation measures are available to reduce impacts associated with increased building height, mass, and density or signage adjacent to the Campo de Cahuenga Historic Site and impacts would be significant and unavoidable at the Campo de Cahuenga.” <b>This is not acceptable.</b> The importance of the Campo de Cahuenga as gateway to our community at the transit station and as a historical site have been previously documented. (See Exhibit I-5 and I-5-1) and (See Exhibit I-6, I-6-1, I 6-2 and I-6-3)   |
| I-31         | The landscaping mitigation measure described in A2-2 <b>will not</b> provide any mitigation as the southern edge of Site B is the 101 Freeway not Weddington Park South. (See Exhibit I-28) Additionally, it should be noted that full size mature trees and landscaping elements must be incorporated in the landscaping plan.  |
| I-31         | The DEIR states that the impacts from height, mass and density as well as signage on Weddington Park South, City View lofts and the Island neighborhood would be significant and unavoidable after mitigation. <b>Unavoidable impacts are unacceptable</b> and are not in accordance with the Community Plan. (See Exhibit I-23)   |
| I-31         | <p>In B-1 the DEIR indicates that there will be significant and unavoidable impacts even after the implementation of a TDM program. The proposed Project should be reduced in scope so that there are no significant or unavoidable impacts, as the alteration of travel behavior by employees and others frequenting the proposed Project site can only be encouraged but not mandated. This program will not provide effective traffic mitigation. (See Exhibit I-29)</p> <p>Additionally all traffic mitigation measures must be agreed upon by all agencies referred to in the DEIR and they should be implemented before the hauling begins to eliminate the unavoidable effects within the proposed Project site area.</p> |
| I-31         | Although portions of Lankershim Blvd. may be widened, the DOT has advised the SCNC representatives that the portion of Lankershim that goes under the 101 Freeway cannot be improved or widened. Therefore, there will never be any way to design mitigation measures that will accommodate the expected increase in traffic resulting from the proposed Project. Further, a Caltrans representative, Doug Failing, stated recently at a public meeting that no funding would be coming to the area surrounding the proposed Project site for freeway improvements even if there were no budgetary constraints.  |
| I-31 to I-43 | Despite the mitigation measures mentioned on these pages, the DEIR indicates that the level of impact after the mitigation is significant and unavoidable. As indicated previously unavoidable impacts are unacceptable to our community. We find no supporting evidence to indicate that any proposed Project with unavoidable impacts has ever been approved in the City of Los Angeles. We specifically note that the Los Lomas project that would have had unavoidable impacts was not approved. (See Exhibit I-30 and I-30-1)   |

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| I-31 to I-43                           | <p>The list of mitigation measures on these pages excludes any mitigation designed to address the adverse traffic impact that this proposed Project would have on the intersection of Lankershim, Cahuenga and Ventura Blvds. The DOT's Public Information officer has advised us that due to cost constraints the underpass at this location has not been widened. Although the width of this underpass was adequate for the traffic volume in <b>1948</b> it is certainly not adequate for today's traffic volumes. New roadways in the area have already been built to facilitate access to the area primarily related to Universal City and they are not sufficient to eliminate the congestion at this intersection and on Lankershim Blvd. (See Exhibit I-31 and Exhibit I-31-1) The traffic that will result from this proposed Project will put this intersection into a continual state of gridlock. (See Exhibit I-32)</p> <p>The project is expected to generate between 14,161 and 14,652 daily vehicle trips on a typical weekday. Portions of the project are located adjacent to the intersection of Lankershim Blvd and Ventura/Cahuenga Blvd. At this point Lankershim Blvd., a major access point for vehicular traffic, goes under the 101 Freeway. This Freeway underpass cannot be widened. The Project would result in significant intersection Loss of Service impacts at 22 intersections as a result of Phase 1 and 52 intersections as a result of Phases 1 and 2. Many of the proposed traffic mitigation measures will not be implemented until the completion of Phase 2.</p> |
| IV.B<br>Transportation<br>Page IV.B-22 | <p>As indicated in footnote 3 the proposed Project would receive a transit credit as a component of Mitigation measure IV.B-1. We object to the granting of any transit credit to this proposed Project. Please note that the report "Travel Characteristics of Transit-Oriented Development in California" which was funded by a Caltrans Transportation Grant, indicates that 78 percent of residents in transit oriented housing do not use nearby bus or subways and only add more cars to local congestion. (See Exhibit I-13 and Exhibit I-33)</p>   |
| I-31                                   | <p>The July 24, 2008 Department of Transportation Initial Traffic Assessment of the Proposed Metro Universal Project at Lankershim Boulevard and Campo De Cahuenga Way (EIR No Env 2007-933EIR) concludes that a more aggressive Transportation Demand Management (TDM) program should be developed that would achieve a higher trip-reduction benefit of 20%, should be developed. The DOT acknowledges that even such a TDM program would still result in a number of unmitigated proposed Project traffic impacts. The DOT therefore recommends that additional proposed Project alternatives that are of a reduced density which would generate less traffic impacts should be considered. We agree with the DOT and we object to any alternative that results in unmitigated traffic impacts. (See Exhibit I-33-1)</p>  |
| I-34                                   | <p>The mitigation in B-8 suggests that upgrading intersections with signal controllers will improve traffic flow in the area. However, Moorpark Street is only one lane in each direction from Laurel Canyon to Fulton Ave. Moorpark Street is already overly congested so instillation of signal controllers will not remove any of the existing traffic and will not elevate the impact of the additional traffic that would result from the proposed Project.</p>   |

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| I-35         | <p>The mitigation measure described in B-12 indicates that it would increase the intersection capacity by one percent. We object to considering such a de minimus increase in capacity as a mitigation measure.</p> <p>The mitigation measures listed as items B-9, B-10, B-11 and B-12 all refer to the “intersection from 170 to 2070.” The 170 is a freeway there is no 2070 in this area. Please identify what the “2070” is and where it is located. (See Exhibit I-34)</p>  |
| I-36 to I-38 | <p>The mitigation measures listed provide for physical improvements to be made to only one side of the streets indicated. <b>We object</b> as these measures need to address both ingress and egress. Additionally, mitigation measures need to provide for the surrounding area in all directions, North, South, East and West. The current measures address mitigation to the North and East. There is almost no mitigation for the areas West or South of the proposed Project site.</p> <p>Please reconcile the traffic counts in the DEIR Volume 2: Section IV.B to the traffic counts in the Colfax Bridge Replacement Project Traffic Study – Studio City Community, Los Angeles, California November 27, 2006. (See Exhibit I-34-1)</p>   |
| I-40         | <p>The mitigation measures listed as items B-26 all refer to the “intersection from 170 to “270.” The 170 is a freeway there is no 270 in this area. Please identify what the “2070” is and where it is located. (See Exhibit I-35)</p>   |
| I-43         | <p>At the request of Caltrans, the DEIR included an analysis of proposed Project impacts on the study of on-and off ramps and weaving freeway segments. The DEIR indicates that based on the Caltrans criteria the impacts of the proposed Project are significant and unavoidable even after the proposed mitigation measures.</p> <p>As indicated in the Executive Summary Final Environmental Impact Report for the San Fernando Valley East-West Transit Corridor Project prepared in July of 2002, despite its recent widening projects, the Ventura Freeway (US 101) is currently operating at capacity in both directions during peak hours. This corridor has been projected to be one of the most congested corridors in the future, operating at 50 to 60 percent over capacity by the year 2020 suggesting the need for up to eight new lanes in each direction. It also indicates that severe congestion is projected for Ventura Boulevard. (See Exhibit I-36) We object to the construction of the proposed Project as it is evident that the major artery leading to the proposed Project location is already over capacity.</p> <p>Mitigation measures B-35 and B-36 indicate that the Project Applicant will make a fair-share contribution toward the improvements to on and off ramps as long as they are implemented by the year 2015. In light of the City’s budget crisis we object to the construction of the proposed Project before the mitigation measures are implemented and request that the Project Applicant be required to pay for these measures and that the time of their liability to do so be unlimited.</p> |

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| V.B<br>Transportation<br>IV.B-55 | The physical mitigation measures at intersections along Ventura Blvd evaluated at the request of LADOT were not proposed in the DEIR because those improvements would result in significant secondary impacts such as reductions in sidewalk widths and loss of on-street parking. (See Exhibit I-37) <b>We object</b> to the mitigation measures proposed as they are not able to reduce the proposed Project impacts to less than significant.   |
| I-43                             | The 2008 Long Range Transportation Plan indicates that proposed transportation improvements to this area include building new SB US-101 on-ramps and off-ramps at Campo de Cahuenga Way (Ventura Blvd. exit from northbound direction) and additional lanes NB and SB between the Ventura Blvd. exit and the 134 interchange. Please explain the impact of the proposed mitigation on these necessary freeway improvements. (See Exhibit I-38)   |
| I-43                             | The CMP Arterial Monitoring Station Impacts at Laurel Canyon & Ventura Boulevard have been identified in the DEIR as significant. The counts used in the DEIR are inconsistent with those of the Specific Plan. The measures identified in section IV.B of the DEIR do not conform to the provisions in the Specific Plan for mitigation of traffic in this corridor. The Specific Plan requires restrictions on future developments to ensure that Ventura Boulevard remains viable as the San Fernando Valley's premier commercial corridor. (See Exhibit I-39). The proposed Project alternatives should be developed that comply with the Specific Plan and that do not place a further strain on the Critical Intersections listed in the Specific Plan. (See Exhibit I-39-1) |
| I-44                             | The DEIR indicates that significant and unavoidable impacts would remain after the construction of Phases 1 and 2 Option A on 5 CMP freeway segments and that there are no feasible mitigation measures. <b>This is not acceptable</b> to the community. The size and density of the proposed Project should be reduced so that the proposed Project does not result in any significant or unavoidable impacts.  |
| I-44                             | The potential additional trips added by the proposed Project to Ventura Boulevard would have a significant adverse impact. Implementation of the mitigation measures would <b>NOT</b> reduce this impact to less than significant.   |
| I-44                             | The proposed Project will be under construction for 7 years. Access to the Island Neighborhood and the neighborhood from Valleyheart Drive will be significantly adversely affected due to lane closures and there will be a loss of on street parking. As the DEIR concludes the impact due to these lane closures is significant and unavoidable impacts are not acceptable. The size, scope and duration of the proposed Project construction period must be reduced.   |
| I-44                             | <p>We question how the mitigation measure as described in B-38 can be implemented. Will there be a guard posted to insure that the total number of trips per day does not exceed 295? The Island Neighborhood is a locked in residential area with only one way out, Lakershim Blvd. Does the 296<sup>th</sup> car have to wait until the next day to leave? It should be noted that even if that mitigation measure was successfully implemented the impact to the neighborhood will still be significant and unavoidable. Again, this is <b>not acceptable</b> to the community.</p> <p>When were the traffic counts compiled? On what dates were they compiled and at what time?</p>  |

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| I-45     | The mitigation measures described in B-39 indicate that all busses will turn left on Campo de Cahuenga Way causing them all to go through the underpass at Lankershim and Cahuenga/Ventura Boulevards which is a regionally impacted area already. (See Exhibit I-40) All other vehicular traffic would end up on Ventura or Cahuenga Boulevards. The Specific Plan requires restrictions on future developments to ensure that the corridor remains viable as the San Fernando Valley's premier commercial corridor. (See Exhibit I-39). Proposed Project alternatives should be developed that comply with the Specific Plan and that do not place a further strain on the Critical Intersections listed in the Specific Plan. (See Exhibit I-39-1) |
| I-45     | The benefits described in B-40 to the larger community do not out way the adverse impact that the intrusion will have on the neighborhoods. Additionally, any residual intrusions after construction is completed are <b>not acceptable</b> . The amount of funding proposed in this measure is not sufficient and the boundaries of the area of eligibility do not encompass a sufficient area. How was the traffic flow determined?   |
| I-45     | Site Access and Circulation Impacts especially as related to pedestrian safety will be significant and unavoidable. The DEIR indicates that there are no feasible mitigation measures beyond those identified in Section IV.B, most of which will not be implemented until the completion of Phase 2. This is <b>not acceptable</b> . The construction of a pedestrian underpass should be required to be completed before any other proposed Project construction is begun as required by the DOT for safety purposes. (See Exhibit I-41)  |
| I-46     | Mitigation measure B-41 states that the Project Applicant must provide a minimum of 296 parking spaces at one or more offsite locations within walking distance of Sites D and E until the completion of the Site B parking garage. Please identify the exact location for these parking spaces. We are unaware of any location within walking distance that could accommodate so many vehicles. Additionally, the current park and ride lot has 390 spaces. This will result in a loss of almost 100 parking spaces in a parking impacted area. (See Exhibit I-42) Where will additional parking be located?   |
| I-46     | Since the impacts associated with traffic mitigation measures are significant and unavoidable, this proposed Project should be reduced in size, scope and density so that it does not result in any significant and unavoidable impacts.  |
| I-47     | All of the sources of noise listed will have an adverse impact on Regional Center and the residential neighborhood not just on Campo de Cahuenga. Specifically the relocation of the transit station and the parking closer to the residential neighborhood is not acceptable. They should continue to be located adjacent to the 101 Freeway where the noise will not have as great an impact.   |
| I-47     | This DEIR does not include the Universal Vision Plan Project although it is mentioned on I-47 as being simultaneously constructed. The DEIR for that proposed Project should be cumulatively reviewed with the Metro Universal Project as the communities requested before this DEIR was prepared. Without reviewing the DEIRS for both projects simultaneously, the cumulative impact of these projects cannot be properly evaluated.  |
| I-47     | Although mitigation measure C-2 addresses construction noise by stating that piles will be drilled and pile drivers will not be used, the impact from vibrations is not mitigated as they relate to the residential neighborhoods. Please address how vibration damage to both the residential neighborhood and the commercial area surrounding the site will be prevented or mitigated.  |

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| I-47     | <p>The mitigation measures described in C-3 indicates that truck haul routes shall be planned to avoid streets where zoning is predominately residential. The DEIR indicates that the preferred truck haul route is south on Lankershim, right on Ventura Boulevard and right on Fruitland on ramp and South on the 101. (See Exhibit I-43) This does not comply with the Specific Plan. No construction vehicles should be allowed on Ventura Blvd. or on Bluffside or on Valleyheart. Further how do trucks that are arriving at the proposed Project site from the East, that exit the 101 Freeway onto Lankershim northbound get to the west side of Lankershim to pick up their loads? This route will further exacerbate the congestion in the underpass at Lankershim and Cahuenga/Ventura Blvd.</p> <p>Truck Traffic – average daily truck travel during proposed Project construction will range from 150 trips per day during the average three month period to 626 trips per day during the peak three month construction period. Although no haul activity would occur on Sunday the standard DAY TIME haul time schedule will be from 7:00 am to 9:00 pm Monday through Friday and 8:00 am to 6:00 pm on Saturday.</p> <p>The haul schedule for the NIGHT TIME shift is from 9:00 pm to 4:00 am the following morning. This would include hauling through the night on Friday until 4:00 am on Saturday morning. <b>No nighttime hauling should be allowed.</b></p> |
| I-47     | <p>The mitigation measure described in C-5 indicates that there will be a 4-5 foot high wall to mitigate the noise from the loading dock. To effectively mitigate the noise this wall should be 8 to 10 feet tall and it must be continuous for the entire length of Bluffside.</p>  |
| I-48     | <p>Mitigation measures described in C-8 do not apply to excavation, hauling and concrete pours. All construction related activity of any kind should be limited to the hours of 7:00 AM and 9:00 PM Monday through Friday and 8:00AM to 6:00 PM on Saturday. This proposed Project is adjacent to residential neighborhoods and any exception to the LAMC relating to construction times <b>should not be permitted.</b></p>   |
| I-49     | <p>The DEIR indicates that the wall along the loading dock and Bluffside Drive would be unattractive, unappealing and would make the park less accessible. Since the wall would also attract graffiti it may not be constructed which would make noise impacts significant and unavoidable. The wall must be built and it should be 8 to 10 feet tall and protected from graffiti with greenery that attaches itself to the wall.</p> <p>Additionally, as the noise from the loading dock will be generated 24 hours a day, this loading dock and the parking facilities should be located near the 101 Freeway and not build next to Regional Center and the residential neighborhoods.</p>   |
| I-49     | <p>Who from the City is going to be monitoring the mitigation measures listed in C-6 through C-14?</p>   |
| I-50     | <p>The increase in ambient noise from the loading dock will cause the noise level to be above 5dB and in the “Clearly Unacceptable” category for parks. Sound travels. These sounds will also result in an unacceptable level of noise in the residential neighborhoods.</p>   |

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| I-50, I_51 & I-52 | The DEIR does not indicate what mitigation measures or the level of impact after mitigation for the HVAC equipment, relocation of the Metro Bus Transfer and Layover facility, the rooftop patio, public assembly in the landscape plaza, and amplified programs. Please provide the mitigation measures proposed and the level of impact after mitigation. Additionally why were male voices used in the noise analysis?  |
| I-52              | The roof of the studio facility will be used for outdoor dining. Program sound may be used on this roof and in the landscaped plaza below between 7 am and 12 am or 17 hours a day. Program sound from the rooftop <b>should not be permitted</b> .  |
| I-52              | The DEIR indicates that to reduce the significant visual character and view impact of the proposed Project structures to less than significant, the proposed Project would have to be substantially downsized. <b>We agree with this statement. We do not agree</b> that such a downsizing would bring the proposed Project into compliance with the goals of the Community Plan and the Specific Plan. As indicated previously, there is an error in the DEIR where it states that this site is defined as a Regional Center. The site is not defined as a Regional Center in the Community Plan. |
| I-53 & I-54       | <b>We do not agree</b> that the views from sites P6, P7 and P10 all surrounding Regional Center will not be significantly impacted by the proposed Project. The proposed Project will block the views of the hills to the southeast from the park and the Island Neighborhood. Additionally, the view from P3 will be significantly impacted. The Community Plan protects the views from the hillsides. (See Exhibit I-44 and I-44-1)  |
| I-53              | This area is suburban, not urban. We <b>object</b> to the proposed signage as it will cause visual blight and use excessive amounts of electricity. We <b>object</b> to the fact that the DEIR assumes that this is a Regional Center and that such signage would be needed to create a media oriented environment. Studio City, Burbank and the surrounding area has existed harmoniously with numerous studios and other media businesses since their inception without any need for such signage. How many foot candles would be allowed in the requested signage supplemental use district?    |
| I-54              | As indicated in the DEIR the visual impact of a pedestrian bridge would be significant and unavoidable. This is why a pedestrian underpass should be constructed. Additionally, the developer should be required to pay for it.  |
| I-55              | No feasible mitigation measures are available to reduce the impacts of light & glare, shade and shadow other than a reduction in the height of the buildings. The proposed Project specific impacts and the cumulative impacts are considered significant and unavoidable. <b>This is not acceptable</b> . The height of the buildings should be reduced until the unavoidable impacts are eliminated.   |
| I-55              | No mitigation measures are available to address the significant impacts of upper level signage within the proposed Project. We recommend that the size of the signage be reduced to eliminate the unavoidable impacts.   |
| I-56              | The impact of the proposed Project on Studio City has been excluded from this page. Please analyze the impact of all these items on Studio City. As can be seen in Exhibit I-45 the entire proposed Project is located in Studio City. It is <b>unacceptable</b> to ignore the impact of the proposed Project on Studio City.  |
| I-56              | Nothing on the roof of any building should be allowed to be within 10 feet of the edge of the building. No helicopter pad should be allowed.   |

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| I-57         | <p>With respect to the impact on Geology and Soils, the mitigation measures proposed are: preparation of site specific reports for each Site prior to construction, monitoring and observation during construction, repair of the Campo de Cahuenga if it is damaged and design of a temporary dewatering system. <b>These measures are not sufficient.</b> No construction activity should be approved until all site specific reports have been completed and evaluated for all sites to ensure the viability of the proposed Project in its entirety. It would be unacceptable to begin construction on one site and then find that the rest of the sites cannot be built as planned once the report for that site is prepared. Further, the cumulative effect of the Universal Vision Plan Project must be included.</p> <p>Additionally, there are many questions that the DEIR does not address. How much water will be needed for the required wetting of the construction site in compliance with the city ordinance? What is the long term impact on the sub-surface soils themselves beyond settlement and slippage and what is the long term effect of dewatering on the trees in the adjacent park and the other surrounding areas? What is going to happen to the water that is pumped out in order to build the proposed Project? Will it be allowed to run off as waste water or sewage? What is the ecological impact of sucking that water out of the sub-surface strata once it is gone? Southern California is a desert and we rely on the importation of large amounts of water to continue to live here in comfort. The steady depletion of clean water bodes ill for the future of the residents of this city. The required dehydration of the land where the Project Applicant proposes to build portends an environmental disaster.</p> |
| I-58         | <p>With respect to the mitigation measures listed in G-1 who will monitor the construction equipment to insure that the Project Applicant is complying with these measures? How can trucks be limited to 5 minutes or less of idle time when they are lined up to haul out the dirt?</p> <p>As the above ground parking will be an open structure, the facility will be characterized by large numbers of bus operations such as idling and layovers. These operations will have continuing localized air quality impacts on the Campo de Cahuenga Historic Site, the Island Neighborhood and Regional Center.</p>  |
| I-59         | <p>The surrounding communities are subject to brown outs and occasionally to blackouts. Although we agree that the use of electric generators powered by internal combustion engines should be avoided, the electricity to be used by this proposed Project will put a considerable strain on the Southern California electrical grid. The proposed Project Applicant should be required to make a significant contribution to upgrade the electrical grid before proposed Project construction begins.</p>   |
| I-59 to I-64 | <p>Mass daily emissions of Volatile Organic Compounds (VOC), Carbon Monoxide (CO), Nitrogen Oxide (NOx) and Airborne Particulate Matter (PM<sub>10</sub>) from the proposed Project would exceed the Southern California Air Quality Management District (SCAQMD) thresholds and would be significant. Impacts associated with toxic air contaminants during Phase 1 construction would also be significant. The size and scope of the proposed Project should be reduced until these impacts would not be significant.</p>   |

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| I-59 to I-64 | Toxic Air Contaminant (TAC) emissions from the total construction effort may lead to maximum cancer risk for residential and work receptors that is greater than the South Coast Air Quality Management District cancer risk threshold. TAC emissions must be reduced so that the people in the surrounding area are not subjected to such cancer risks.  |
| I-64         | <p>The proposed Project will engulf the Campo de Cahuenga. The size and scope of the buildings will put the Campo de Cahuenga into a shadow.</p> <p>As noted previously the Community Plan on page I-1 states that the Campo de Cahuenga Transit Station will be a focal point centering around the Campo de Cahuenga and its “early California Spanish architecture will serve as the design criteria for this important gateway to the Valley. (See Exhibit I-5 and I-5-1)</p> <p>Page I-5 of the Community Plan states that “Development of the transit station site must retain the early California Spanish Architecture in order to form a historical link with the Campo de Cahuenga, a significant structure from California’s past. The Campo de Cahuenga is designated as an Historical Landmark by the State of California Office of Historic Preservation, California State Parks. It is also one of the eleven monuments located in the Valley that are also listed on the National Register of Historic Places. (See Exhibit I-6, I-6-1, I-6-2 and I-6-3)</p> <p>Policy 2-6.1 of the Community Plan requires that any proposed Project a design element that continues the early California Spanish style of architecture found at Campo de Cahuenga. (See Exhibit I-7)</p> |
| I-68         | What will be the effect on the Campo de Cahuenga Historic Site from the dewatering?   |
| I-69         | The DEIR indicates that proposed Project construction would not be expected to tax fire fighting and emergency services. This may be true, however, the Island Neighborhood has only one entry. The proposed Project will be under construction for 7 years. Access to the Island Neighborhood and the Cityview Lofts on Valleyheart Drive will be significantly adversely affected due to lane closures and there will be a loss of on street parking. The DEIR concludes the impact due to these lane closures is significant and unavoidable. <b>These impacts are not acceptable.</b> A plan must be developed to insure that emergency vehicles have unfettered and continual access to the Island Neighborhood during the construction.   |
| I-70         | The LAFD review indicated that implementation of the proposed Project could result in the need for the expansion of Stations 86 and 76 and concludes that the proposed Project would have a potentially significant impact with respect to fire prevention services. As a result, the proposed Project Applicant should be required to make a significant contribution to the expansion of these two stations.  |
| I-71         | The proposed Project may result in a reduction to the current officer-to-population ratio that would be classified as a significant impact. As a result, the proposed Project Applicant should be required to make a significant contribution to the hiring of 6 additional officers.   |

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| I-71     | <p>The DEIR indicates that intersections surrounding the proposed Project are expected to be significantly impacted with the proposed Project implementation; however, emergency response times are not anticipated to be greatly affected as emergency vehicles have sirens. <b>We do not agree.</b> Emergency sirens cannot effectively clear intersections that have gridlock as they are at service level F.</p>  |
| I-72     | <p>The DEIR indicates that the Phase 1 of the proposed Project will generate an additional 42 students further contributing to overcrowdings. How was this number determined, as Phase 1 has no residential component and it is projected to generate 3,448 employees?</p> <p>The school fees must be allocated directly for the schools listed in the DEIR.</p> <p>Phase 2 option A includes an additional 711 employees that will generate an additional 21 students. Causing the capacity of the existing middle and high school to be exceeded. How were these numbers determined?</p> <p>Phase 2 option B includes an additional 1,251 residents that will generate an additional 143 students. How was this number determined? If all the residents were couples there would be 625 couples, and if only half of those couples or 312 had only 1 child each that would indicate that there would be 312 additional students or more than twice the number indicated in the DEIR.</p> <p>Furthermore, how has the data in Table III-2 Related Projects been incorporated into these calculations? The DEIR indicates that there are 166 related projects in the City of Los Angeles alone.</p> |
| I-73     | <p>The Project Applicant requests a parkland exchange. The City of Los Angeles and specifically the Studio City community is park poor. The size of the proposed Project would put Regional Center and the Campo de Cahuenga forever in a shadow. This will have an adverse effect on the vegetation and the quality of the recreational experience at this park. This proposed Project is in direct contradiction of the goal in the Community Plan is to preserve and enhance open space (See Exhibit I-18 and I-18-1).</p>   |
| I-73     | <p>Please refer to Figure II-11(b).</p> <p>For the proposed Project to be developed 13,450 square feet of the park space would be given up in exchange for 18,180 square feet of the proposed Project site.</p> <p>Although it appears that this will result in an increase in the size of Regional Center, the realignment of Bluffside Drive into the area that is currently park land will offset the benefit of the increase in the park area from the exchange.</p>  |

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| I-73          | <p>The parking lot currently located close to the baseball diamond will be relocated a considerable distance from the diamond and will now be adjacent to the Metro Parking facility.</p> <p>Please refer to Figure IV.E-54. From this figure you can see that the building to be built on Site C in Phase 2 will cast a shadow that will almost completely cover the baseball diamond.</p>  |
| I-73          | <p>We <b>do not agree</b> that the construction phase of the proposed Project will not interfere with the existing park usage in a manner that would substantially reduce service quality of Regional Center. The DEIR indicates that access to the park site will be limited during the construction phase. Upon what was study was this statement based?</p> <p>Additionally, trucks hauling dirt, excavation and construction noise will all have an adverse impact on the park during construction. The payment of fees or potential dedication of land (which will only be a potential mitigation measure for Phase 2 Option B) cannot be considered an effective or direct mitigation measure for the noise and disruption that will impact the quality of life in the park during the 7 years that this proposed Project will be under construction. Few individuals would make a conscious choice to have a picnic or take a walk adjacent to a construction site.</p> |
| I-74 and I-75 | <p>We do not agree that the estimated 5,159 employees to be generated by the proposed Project will only occasionally patronize the park. Please provide the study was used to support this statement? The walking trail and open space of the park will provide a welcome respite from the office environment and should attract many workers during their lunch hours, before work and after work.</p>  |
| I-75          | <p>Since the proposed Project has the potential to decrease the parkland-to-population ratio which would be a significant impact, no approvals should be issued until this impact is mitigated or the proposed Project should be reduced in size until the impact in not significant.</p> <p>All Quimby Fees must be site specific and should be used for Regional Center or for a green open gateway as part of the LA-RIO project.</p>   |
| I-76          | <p>Has the mitigation measure described been developed after giving consideration to the additional strain on the Libraries that will result from the construction proposed in the Universal Vision Plan Project?</p>  |
| I-77          | <p>The DEIR indicates that the DWP has stated that with implementation of mitigation the agency has adequate water supplies to serve the proposed Project and projected growth. What specific mitigation measures are being referred to in this section? Additionally, please provide the study that supports this conclusion. The City of Los Angeles is currently undergoing a water crisis. The proposed Project will place a further strain on the existing water supply. (See Exhibit I-9)</p>  |

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| I-77          | <p>The State of California indicated on October 30<sup>th</sup> that it would cut water deliveries to their second lowest level ever, prompting warnings of water rationing for cities and less planting by farmers. (See Exhibit I-46)</p> <p>The California Department of Water Resources officials said water agencies could get as little as 15% of their State Water Project allocations. (See Exhibit I-47)</p>  |
|               | <p>Please reconcile these statements from the State of California regarding cutbacks in water that will be available to the DWP potentially resulting in rationing with the statement in the DEIR that the DWP has an adequate water supply to support the strain this proposed Project will have on the water system. Please include the impact on water conveyance and fire flow infrastructure after the removal of the temporary water line?</p> <p>Please provide the Resolution of the Board of Water and Power Commissioners for agenda item number 13 [ADOPTED RES 009-019]. (See Exhibit I-48) Additionally, please provide any study or report that was considered when adopting this resolution.</p>  |
| I-78          | We <b>agree</b> with the mitigation measure described in J-3.  |
| I-78          | Please describe in detail the exact nature of the sewer line improvements referred to on this page. As noted on page IV.J-57 of the DEIR the Bureau of Sanitation (the “BOS”) will not determine if there is allotted sewer capacity availability for the proposed Project until the Los Angeles Department of Building and Safety has established that the proposed Project’s plans and specifications are acceptable for Plan Check. Since that has not taken place yet please explain in detail the basis for the conclusion that no mitigation measures are required. How many toilets does the Project Applicant propose to install in Phase 1 and in Phase 2 of this project?  |
| I-78          | On page IV.J-58 the DEIR indicates that the BOS representatives report that their trunk sewer system is currently flowing at a rate of 53 percent capacity. Please provide the report that supports this statement. Much has taken place in the communities surrounding the proposed Project site in the last few years. What was the date of the report and how have impacts on the sewer system from the recent developments been taken into consideration in reaching this conclusion? Although the trunk sewer system may be flowing at that rate the sewer lines that feed into the trunk sewer system throughout Studio City are not flowing at this rate. The proposed Project will place a further strain on the City’s sewer system. Studio City already has one scrubber that was installed to control the odors in our sewer system which is operating beyond its capacity. Another is slated for installation in the very near future. Many of our homes are plagued by dreadful sewer odors. Unless the infrastructure is significantly enhanced a development with so many toilets to flush into the existing system <b>should not</b> be permitted. (See Exhibit I-10). |
| I-78 and I-79 | The DEIR indicates that the landfills that would serve the proposed Project site are anticipated to be closed by 2019 and 2029. If construction of the proposed Project begins by 2012 and takes 7 years to complete, one of landfills serving the proposed Project site is expected to be closed. Additionally, how has the impact of the other Related Projects Table III-2 been considered in determining the impact of this proposed Project on landfills.   |

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| I-78 and I-79 | The DEIR states that the impacts on landfills from this proposed Project specifically and cumulatively will be significant and unavoidable. <b>This is not acceptable.</b> The size of the proposed Project should be reduced until the impacts are less than significant.   |
| I-79          | We <b>do not agree</b> that the proposed Project would not contribute to any cumulative electricity impact. The surrounding community is subject to brown outs and occasionally to blackouts. The electricity to be used by this proposed Project will put a considerable strain on the Southern California electrical grid. The Project Applicant should be required to make a significant contribution to upgrade the electrical grid before proposed Project construction begins.   |
| I-79          | We <b>do not agree</b> that the proposed Project will not contribute to any cumulative natural gas supply. A natural gas crisis has been projected to take place within 5 to 10 years. We object to the statement that the impacts related to natural gas supply will be less than significant. This proposed Project will contribute to the depletion of natural gas. (See Exhibit I-49)  |
| I-79          | Hazardous materials will be used and stored on the proposed Project site during construction. The only mitigation measure proposed is the preparation of a soil management report and management of contaminated soil if it is discovered by subsequent observation (by sight or smell) during excavation and grading. These mitigation measures are <b>not adequate</b> . What measures will be taken to insure that the hazardous materials stored on the site during and after construction do not leach into the ground water or have an adverse effect on the Los Angeles River? Without such measures we <b>do not agree</b> that the impact will be less than significant.  |
| I-80          | <p>We <b>do not agree</b> with the statement in the DEIR that the proposed Project would not result in a permanent, adverse change in the movement of surface water sufficient to produce a substantial change in the current or direction of water flow. The proposed Project includes the construction of dense building over areas that are currently open space. Those areas will no longer be able to absorb rain water and contribute the replenishing of the aquifer. This will result in a permanent adverse impact.</p> <p>The DEIR concludes that the City's storm drain system can accommodate the discharge associated with the dewatering that would occur during proposed Project construction. In a time of severe drought no water resource should be wasted. The developer of the proposed Project should be required to recycle all discharge associated with dewatering such that no net decrease in the aquifer occurs.</p> <p>We do not agree that mitigation measure L-I which requires preparation of a plan is of itself sufficient to mitigate the effect of dewatering. We <b>do not agree</b> that the impact on Water Quality and Hydrology will be less than significant.</p> |
| I-81          | Although the proposed Project site may not contain any qualified protected trees, there are many mature trees that will be lost as a result of the construction of the proposed Project, including 22 protected Sycamores. Additionally, the developer should be required to replace any tree of any size that is removed or destroyed as a result of the construction of this proposed Project with a mature tree not a tree in a 24 or 48 inch box. The replacement trees should be indigenous to the area and come from the species list in the protected tree ordinance.   |

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| I-82          | We request that the SCNC and all other community organizations responding to the DEIR receive the initial report of the qualified biologist related to the birds and their nests. Further, regular monthly updates should be sent to these organizations during the period when the biologist serves as construction monitor.  |
| I-82 and I-83 | Although the construction workers may not relocate their residence as a consequence of working on the proposed Project, we do not agree that the impact from the temporary daily increase in population will be less than significant. As construction workers generally arrive at a proposed Project site with tools and other equipment they will not be arriving on public transportation. Therefore, there will be a significant increase in traffic and an adverse impact on parking in the immediately surrounding area. In Studio City there is already parking on the sidewalks and in alleys. We are concerned that the construction workers will do the same here as they do in New York. (See Exhibits I-50, I-50-1, I-50-2 and I-50-3) |
| I-83          | We do not agree with the conclusion in the DEIR that over 3,000 new jobs will be generated by this proposed Project. The studio facilities proposed for the proposed Project site are being relocated from the neighboring community of Burbank. The jobs in those facilities are therefore not new jobs being created in the area. Additionally, the introduction of new technology in the studio facilities on proposed Project site is expected to result in a net reduction of certain jobs.   |
| I-84          | Option B includes the development of 400 residential units and 300 hotel rooms. The significant increase in developments in Studio City on over 192 different sites has resulted in the construction of approximately 1,400 units in the last 4 years. Many of these units are unsold and unoccupied. Further, on November 10, 2008 there are 469 available apartments, townhouses and condos, as well as, 64 foreclosures in Studio City alone. (See Exhibit I-51 and Exhibit I-51-1) Therefore, given the current depressed state of the economy and the level of recent development in the area, the additional residential units proposed in Option B are not needed.  |
| I-85          | Although the impact on population from the 1,251 new residents expected to be generated by Option B, Phase 2 is not expected to be significant on the City of Los Angeles, when the cumulative effect of this proposed Project is considered in relation to the 2,900 additional residents expected to be generated from the Universal Vision Plan Project and the residents from the Related Projects Table III-2 the impact on population will be significant. Please revise the DEIR to address the cumulative effect of the Universal Vision Plan Project residences and those on Related Projects Table III-2. (See Exhibit I-52)   |
| III-14        | The DEIR indicates that the Universal Vision Plan Project Table III-2 number 65 has an EIR. Please include the Mixed-Use Development Universal Vision Plan Project EIR in your response to these DEIR comments and explain how the cumulative impacts of that development have been considered in the preparation of this DEIR.  |
| III-14        | In early 2007, the CBS Studio Center opened their new broadcast facility. Presently, there are almost 3,000 employees driving on and off the lot. Table IV.B-4 does not take these additional car trips into account. Further, the DEIR shows only one critical intersection on Ventura Blvd. between Lankershim and Sepulveda Blvds. This does not agree with the number of intersections with significant loss of service that is documented in the Specific Plan  |

| <b>Appendix I-1<br/>Page Number</b> | <b>CEQA Initial Study for the Proposed Project<br/>Comment</b>   |
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| Cover                               | There is an error on cover page of the DEIR. The DEIR states that the proposed Project is located in Los Angeles in zip code 91608. However the entire proposed Project is located in Studio City at zip code 91604. (See Exhibit I and Exhibit I-1)   |
| Page III-6<br>Item IV.c             | We do not agree with the response to this item. The proposed Project will cause hydrological interruption and it will have a substantial adverse effect on the hydrology of the proposed Project site.   |
| Page III-6<br>Item IV.f             | We do not agree with the response to this item. The proposed Project will conflict with provisions of both the LA-RIO and the Los Angeles River Master Plan.   |
| Page III-7<br>Item VI.a.iv          | We do not agree with the response to this item. The DEIR does not adequately address the potential impact the dewatering and excavation that will be required for the construction of the proposed Project may have on the subsurface or on the areas immediately surrounding the site. The significant amount of dewatering and excavation proposed may cause slope failures and undermine the 101 Freeway at this location.  |
| Page III-8<br>Item VIII.c           | We do not agree with the response to this item. The proposed Project will substantially alter the existing drainage pattern of the proposed Project site. The proposed Project includes the construction of dense building over areas that are currently open space. Those areas will no longer be able to absorb rain water and contribute the replenishing of the aquifer. Additionally, parking lot runoff will be substantial. This may result in substantial erosion.   |
| Page III-9<br>Item VIII.d           | We do not agree with the response to this item. The proposed Project will substantially alter the existing drainage pattern of the proposed Project site and may adversely impact underground streams that feed into the LA River. The proposed Project includes the construction of dense building over areas that are currently open space. Those areas will no longer be able to absorb rain water and contribute the replenishing of the aquifer. Additionally, parking lot runoff will be substantial. This may result in on- or off-site flooding as there will be less open space to absorb rainwater runoff. |
| Page III-9<br>Item VIII.g           | We do not agree with the response to this item. The proposed Project includes the construction of 400 residential units and 300 hotel rooms within 500 feet of the Los Angeles River. Therefore the proposed Project site is within the 100-year flood plain.  |
| Page III-9<br>Item VIII.h           | We do not agree with the response to this item. The proposed Project includes the construction of dense building over areas that are currently open space. Those areas will no longer be able to absorb rain water and the structures will impede or redirect flood flows.   |
| Page III-9<br>Item IX.a             | We do not agree with the response to this item. The density of the proposed Project at the gateway to the San Fernando Valley would forever change the character of this suburban residential community.   |
| Page III-9<br>Item IX.c             | We do not agree with the response to this item. The proposed Project will conflict with provisions of the LA-RIO, the Los Angeles River Master Plan and the Community Plan.  |
| Page III-12<br>Item XI.g            | We do not agree with the response to this item. The DEIR states that the impacts on landfills from this proposed Project specifically and cumulatively will be significant and unavoidable.  |

| Appendix I-1<br>Page Number  | CEQA Initial Study for the Proposed Project<br>Comment   |
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| Page III-5 to<br>Page III-12 | The Project Applicant in their response to the CEQA Initial Study Checklist acknowledges that the proposed Project will have 55 potentially significant impacts. There are at least 12 additional items that should have been answered as having potentially significant impacts. The size of the proposed Project should be reduced until the impacts are less than significant and no unavoidable impacts are included in the final EIR. |

The DEIR **does not** adequately address the impacts of the proposed Project. We **do not agree** with the conclusion set forth that certain impacts cannot be mitigated and are unavoidable or that the significant effects on the environment have been analyzed adequately in the DEIR. As noted on page I-24 of the DEIR, CEQA guidelines require the selection of the environmentally superior alternative. We agree that the proposed Project should comply with CEQA guidelines. Although the Reduced Height/Reduced Density Alternative would be environmentally superior to the proposed Project, that Alternative should be reduced in scale and character until it results in no significant adverse impacts after mitigation.

Studio City has changed considerably since 2006. Yet most of the supporting tables and maps were prepared as of 2006. We request that these documents be updated. We request that the Final EIR address each concern listed herein and that the proposed Project not be allowed to proceed in its current form. We request that no changes to the current zone code designations or other regulations and ordinances that our protective of our community be permitted. Any additional consideration of the document should be deferred until all the reports required by the FEIR are prepared and analyzed.

We appreciate your consideration of our position.

Sincerely yours,

Ben R. Neumann  
 President  
 Studio City Neighborhood Council