

SANTA MONICA MOUNTAINS CONSERVANCY

RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207



March 23, 2009

David J. Somers, Project Coordinator
Room 750, City Hall
Department of City Planning
Environmental Review Section
200 North Spring Street
Los Angeles, California 90012

Draft Environmental Impact Report Comments
The Plaza at The Glen Mixed Use Project, 13003-13075 Victory Boulevard
ENV-2007-4063 EAF, SCH No.2007121170

Dear Mr. Somers:

The proposed Plaza at the Glen project site is located adjacent to the one-mile-long Tujunga Wash Greenway project within Los Angeles County flood control rights-of-ways. This six-plus-million dollar public project was jointly implemented by the Mountains Recreation and Conservation Authority (MRCA) and the Los Angeles County Department of Public Works. The Santa Monica Mountains Conservancy granted a substantial percentage of the project funding to the MRCA. The proposed project objectives in the DEIR are commendable; however, all of those objectives can clearly be met without resulting in adverse impacts to the Tujunga Wash Greenway (greenway) and with including low cost project features that enhance the greenway.

The proposed project would result in unavoidable significant adverse visual impacts on the greenway. The proposed project would also result in unavoidable significant adverse ecological impacts on the greenway. By the time any commercial project begins construction, both the habitat quality and potentially occurring bird, reptile, amphibian, and mammal species will have increased many fold. For that matter, as time goes on the ecological capacity and species richness for the greenway will increase for decades. The Draft Environmental Impact Report (DEIR) is deficient for not addressing the progressive increase in ecological capacity in the portions of the greenway immediately adjacent to the proposed project, across the channel and within 1000 feet of any portion of the project.

Upon our review of the Draft Environmental Impact Report (DEIR) we discovered that the proposed project is based on permanently removing a substantial area of the Tujunga

Greenway project on Los Angeles County-owned land to put in a transit hub. To our knowledge the applicant has not specifically informed either the MRCA or the Los Angeles County Department of Public Works about this diminution of parkland and eradication of park bond funded improvements. The DPW NOP comments make no mention of this conversion of land use on public fee simple open space. The many different funding sources for the greenway project all carry prohibitions about eliminating funded improvements and most certainly require reimbursement. This proposed loss of parkland and evaporation of expended park improvement funding must be thoroughly vetted in the Final Environmental Impact Report. Most probably the omissions disclosed in this paragraph warrant re-circulation of a Supplemental EIR to allow adequate public review.

Given the substantial public investment in this project, and its value as a community amenity, any development approved on the subject property must enhance, not detract from the greenway's recreational, scenic, educational, and ecological value. In contrast, good public policy dictates that any approved project should enhance the greenway with dedicated adjacent open space, native landscaping, substantive setbacks, and precisely written and enforceable lighting restriction. The DEIR is deficient for not at all addressing the compatibility of the specific proposed commercial uses adjacent to the greenway. Such analysis must occur both for the proposed project and each development oriented DEIR alternative.

The Conservancy's March 24, 2008 NOP comment letter requested that the DEIR must include at least two economically feasible alternatives that meet the bulk of the project objectives and provide a minimum 50-foot-wide setback for all buildings along the publically-owned greenway. The DEIR is deficient for not including any alternative that meets the project objectives and provides reasonable setbacks from the public greenway facility. The DEIR alternatives analysis contains zero discussion about how the alternatives differentially affect visual impacts on the greenway and the analysis of biological impact differential is deficient.

The alternatives analysis shall remain deficient too until there is at least one development alternative that meets the bulk of the project objectives and includes a contiguous minimum 25-foot-wide swath of 100 percent native landscaping along the full length of the greenway abutting the existing greenway perimeter fencing. Public access ways to the greenway would be an exception along with small public sitting areas with ADA standard permeable surfaces.

The alternatives analysis shall remain deficient until there is at least one development alternative that meets the bulk of the project objectives and includes no structures greater than 28 feet in height within 100 feet of the greenway property. Such a height limitation is critical to retain the existing character of this unique public right of way. The proposed project includes five story buildings within 30 feet of the greenway.

The alternatives analysis shall remain deficient until there is at least one development alternative that meets the bulk of the project objectives, includes substantially greater building setbacks, height limitations, and inclusion of directly adjacent native landscape zones, and includes a functional transit hub that does not eliminate more than a few slivers of native planting area on public land. The subject property is large enough to accommodate any such transportation facilities within impinging on existing habitat on public lands.

The DEIR is also deficient for not specifically addressing how the public will make use of the existing entrance to the greenway from the proposed project and from each DEIR alternative. We encourage the applicant and the City to create a high quality interface between the greenway entrance and the proposed transit plaza/hub that is 100 percent in concert with the native vegetation and mass use of permeable surfaces. As proposed the character of the project is not harmonious with the greenway design.

The DEIR does not adequately describe, and permanently make provision for, how the public will be able to park on the subject private property to use the greenway. The scope and magnitude of the proposed General Plan Amendment and Zone Change warrant the requirement of a designated, but not necessarily exclusive, area for public recreation parking. The City staff should contact our staff to work with the MRCA in designing accommodations for a safe, usable joint use parking area prior to recirculation of DEIR, SEIR, or FEIR. A DEIR alternative should have addressed providing a permanent easement to the City or the MRCA for such a parking area.

A DEIR alternative should address the feasibility of a public restroom at the greenway entrance. The maintenance and security of the restroom should be amply funded by the proposed commercial facility. Again the scope of the project (General Plan Amendment and Zone Change) provides adequate nexus and economic engine to require such a mitigation measure. The MRCA should also be considered as an entity to manage this facility because that agency already maintains the greenway and patrols it with sworn rangers.

The DEIR is deficient because it does not disclose that a request for a General Plan Amendment and Zone Change provides the City with great latitude to require a project that demonstrably enhances and is additive to an existing public resource.

The proposed project and all of its DEIR alternatives represent a step backward in time in terms of its ratio of permeable to impermeable surfaces. A project of this scale and density must include an onsite area to capture, retain and filter storm water runoff. Ideally, this function could be achieved in the native vegetation setback zone along the Tujunga Wash Greenway.

The Plaza at The Glen DEIR Comments
ENV-2007-4063 EAF, SCH No.2007121170
March 23, 2009
Page 4

Please send all future project documents and address any questions to Paul Edelman of our staff at the above letterhead address and by phone at (310) 589-3200 ext. 128.

Sincerely,

RONALD P. SCHAFER
Chairperson