



Santa Monica Coalition for a Livable City

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May 20, 2013

TO: City of Santa Monica

(Roxanne Tanemori, roxanne.tanemori@smgov.net)

FROM: Santa Monica Coalition for a Livable City ("SMCLC")

RE: Scoping Comments for Miramar DEIR

The Santa Monica Coalition for a Livable City ("SMCLC") submits these comments as to the scope of the Draft Environmental Impact Report ("DEIR") for the proposed Fairmont Miramar project. SMCLC, as well as large numbers of residents and businesses in the City, have grave concerns about the proposed tearing down of the hotel on the site and replacing it with a much taller, denser hotel, topped with 120 luxury condos. We are also concerned with the significant increase in retail on the site, the greatly expanded spa and a much larger catering operation. As proposed, the project would add significant additional traffic to the area, including to the residential neighborhood it abuts, and exacerbate the growing traffic gridlock in Downtown and along Wilshire and Ocean. And, as proposed, the project does not provide sufficient parking to alleviate the current problem of overflow parking on adjacent neighborhood streets.

A Downtown Specific Plan ("Plan") called for under LUCE is a critical component of a citywide plan to integrate land use and transportation, to reduce traffic with no new net trips, reduce greenhouse gas emissions, maintain Downtown's usability by residents and create a sustainable local community.

No draft of this Plan has been released and the City Planning Department says it is in its "early stages" (Francie Stefan, Downtown Specific Plan forum, May 6, 2013), though a number of developers, including those of the Fairmont Miramar, seem to be proceeding as though the Plan does not matter at all or is somehow a *fait accompli*.

There is only the vaguest of references in LUCE as to what some are now calling "opportunity sites." The vagary of the language led to no debate as to the concept or the fleshing out of what that meant. That debate is just beginning. Importantly, LUCE makes no reference to heights and densities in relation to them but requires such heights and densities to be specified in the Plan. No decision has been made by either the Planning Commission or the City Council in relation to the "opportunity sites" or what limits they will have. The Fairmont Miramar site is one such "opportunity site" that is likely to be included in some yet undetermined manner in the Plan.

The City is required to analyze all of the proposed and forecasted growth for the downtown and the significant environmental impacts in a Program EIR for the Downtown Specific Plan. A Program EIR considers the entire Downtown as the “project” and studies the cumulative impacts of all proposed or forecasted projects through 2027 to determine how much growth is reasonable and sustainable. And that rate of growth also must be compatible with the rate of growth limited by LUCE for Santa Monica as a whole. Therefore, this is a critical planning document.

Given this, it is premature for the Miramar to do an EIR for its project before a Downtown Specific Plan is adopted and a Program EIR is prepared. It is not possible to analyze the Miramar’s current massive proposal, including 120 condos, in relation to (or whether it is consistent with) a Plan that doesn’t exist. Moreover, LUCE identifies this area as a “transitional neighborhood” with special needs and requirements, and therefore its planning must be especially compatible with the still undetermined Downtown Specific Plan.

CEQA precludes piecemeal planning. The Fairmont Miramar is not legally permitted to proceed with a project by preparing its own EIR and then seeking, by necessity, an amendment to LUCE where no specific plan has been adopted.

Any Development Agreement (“DA”) negotiated between the Fairmont Miramar and the City will likely include at least a multi-year grace period before the project must break ground as has been the case with prior DAs entered into by developers and the City for large projects with significant, unavoidable impacts. It would be unsound and piecemeal planning and highly objectionable for the City to approve a DA in order to grant vested rights to a project like this one that would have massive impacts, including economic and social, before the master planning is completed and all of the adverse environmental impacts are known.

If, however, the Fairmont Miramar unwisely intends to proceed with a DEIR in these circumstances, it is incumbent that the DEIR study a full range of alternative projects: (1) with significantly less height and density and retail space; (2) with significantly less traffic impacts; and (3) with no and fewer condos. The DEIR should not pose “alternatives” that do not reduce the project’s proposed density and other impacts (or only minimally do so). Such alternatives should also include a range of adaptive reuse proposals, including existing buildings on the site that may not rise to the level of being designated as historical landmarks, but which still have a rich history and connection to the site and to Santa Monica that bear preserving.

Diana Gordon, Co-Chair

Cc: Planning Commission
City Council
Neighborhood Association Leaders