



[www.smnoma.org](http://www.smnoma.org)  
[nomaboard@gmail.com](mailto:nomaboard@gmail.com)

October 2, 2013

To: The members of the Planning Commission, Planning Staff, City Council, City Manager, City Attorney

From: North of Montana Association, Board of Directors

With this letter, the North of Montana Association outlines the areas of focus, concern and anticipated factors of study that we expect to be addressed in the upcoming Environmental Impact Report study for the Downtown Specific Plan. As residents, key stakeholders and community partners, we would respectfully request that these areas be addressed comprehensively in the EIR. Please consider this letter a list, not necessarily a comprehensive list, of the areas we expect to be addressed in specific detail with respect to the Downtown Specific Plan.

\*\*\*\*\*

**1. Before any projects are advanced through the planning process, it is essential that the city complete an EIR study of at least two scenarios for its downtown, using as its baseline the current state of the downtown:**

Scenario one: Building out everything to the maximum extent permitted under current zoning.

Scenario two: Adding to scenario one the proposed modifications for the eight so-called "opportunity sites".

**2. Please measure potential environmental impacts in at least the following areas:**

1. Traffic
2. Increased water usage, and adverse impact on city's ability to meet water goals
3. Increased electricity usage and potential reduction in stability of the power grid
4. Air quality

5. Noise
6. Congestion
7. Parking
8. Effects on the underlying geology of the downtown, particularly as regards potential seismic activity.
9. Access by first responders in a timely fashion -- potential slowing of response time
10. Visual impact -- light/shadow on the streets and sidewalks
11. New costs to the city vs. expected new revenues
12. Changes in the character of our community
13. Added population
14. New car trips daily, broken out by time of day
15. Increase in number of public school students
16. Increase in use of the parks
17. Increase in demand for use of public facilities, including ball fields, meeting venues and other public spaces
18. Increase in daily volume of sewage and cost of hauling/treating it
19. Increase in daily trash and recycling (in tons), and cost of hauling/processing it
20. Increase in demand for hospital and ambulance services, and cost of providing it
21. Increase in demand for fire fighters and equipment
22. Increase in demand for police officers and equipment.
23. Increase in demand for public school services, including teachers, classroom space and administrative support
24. Increase in demand for public transportation.
25. Potential adverse impact of additional traffic on Santa Monica intersections, by name.

26. Potential adverse impact of additional traffic on through-trips by commuters who reside in nearby communities

27. Potential adverse impact of additional Santa Monica traffic congestion on adjacent and nearby communities (West Los Angeles, Brentwood, Pacific Palisades, Culver City, Venice, etc.)

3. Is it legal under the California Environmental Quality Act for the city to be advancing development projects prior to the completion of the required environmental impact report? This seems pertinent in light of recent statements by members of the Rent Control Board that the RCB was forced under threat of lawsuit to approve the withdrawal of rental units at Village Trailer Park, suggesting that advancing a project creates some legal rights for the developers before final approval is given.

4. There have been discussions about requiring deed restrictions on affordable units so that only people who work in Santa Monica can live in the units. Are such deed restrictions legal? Are they enforceable?

5. How can we accurately assess the impact of new residents and car trips on the city when we have no realistic way to assure that scarce in-town housing units are occupied by people who work in Santa Monica?

6. How can we accurately assess the impact of new businesses on car trips and traffic in Santa Monica when we have no legal way to ensure that such businesses will hire local residents? Or could we include such a requirement in the Development Agreement (DA)?

7. More than \$1.5 million in political donations have been made by developers in recent City elections. We know that developers who made these contributions stand to reap profits of hundreds of millions of dollars if the City Council approves additional height and density over current limits for their buildings, and they are seeking to gain advantage in this political process. It is customary in Santa Monica for council members not to recuse themselves from matters before council in which their campaign donors stand to benefit financially. Will each member of the City Council make public, on a current basis, the amount and source of all contributions and loans they have accepted from developers, people associated with developers, and developer-funded PACs, over the past five years? Residents don't want density and height downtown, but developers have more money than residents. We need to study the influence of developer donations on our City Council and the politics of our city. Please include that in the EIR.

8. Questions continue to be raised about the potential effectiveness of Traffic Demand Management (TDM) efforts to reduce congestion in our city.

a. What enforcement mechanisms will be put in place to require the developers to fulfill the terms of traffic demand agreements that they make with the city? How will the city ensure that TDMs will be implemented by subsequent owners in the event that properties are sold?

b. Given that we are seeking to apply TDM measures to new developments in the city, should the practices not also be applied to existing large-scale employers, both private and public, such as the City of Santa Monica? In view of the fact that the City government is the largest employer within the city, what effective mechanisms will be put in place to ensure that the city requires its employees to use vanpools, carpools and other methods of transit as a way of decreasing traffic congestion?

**9.** The city has already stated that it is unlikely to be able to achieve its goals for reduced water usage by the year 2020, given the existing level of development in the city. Please provide an estimate for the expected water shortfall by the year 2030 under each of the following three scenarios:

- 1) With the downtown at its present state;
- 2) With the downtown built out to 84 feet, and
- 3) With the downtown fully built out plus with the eight “opportunity sites” fully built out?

**10.** Assuming that the Development Agreement proposals currently submitted to the city within the first three years of the LUCE are all implemented, the population of the city as projected by the LUCE for the year 2030 will be achieved within the next decade. Does then the city have a revised population estimate for the year 2030, broken out in the following ways:

- 1) With the downtown at its present state;
- 2) With the downtown built out to 84 feet, and
- 3) With the downtown fully built out plus with the eight “opportunity sites” fully built out?

The EIR cannot be completed without access to such population data.

\*\*\*\*\*

We thank you for the work you have done to date. We look forward to working together with the city to ensure conformance with the LUCE and identify potential environmental impacts that could result from anticipated development in the downtown.

Respectfully,

The Board of Directors  
North of Montana Association