

Johnson & Sedlack

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August 3, 2011

Roderick Diaz, Project Manager
Los Angeles County Metropolitan Transportation Authority
One Gateway Plaza 201
Los Angeles, CA 90012

Greetings:

This firm represents a group of citizens in the Crenshaw area and submits these comments on their behalf.

The EIR for this project fails to adequately evaluate the impacts of providing at grade or aerial rail service through the heart of the Crenshaw neighborhood. Many of the findings are illusory and based upon absolutely no evidence in the record.

Will the Project divide an existing community:

The EIR makes the unsupported conclusion that the project will not divide an established community. This conclusion defies logic and is unsupported by any evidence. The Crenshaw neighborhood is an established community that has worked for years to improve the quality of life in the Crenshaw area. Local groups have spent over a decade developing a specific plan for the area designed to create an upgraded commercial area and specifically to develop a pedestrian friendly "Downtown" area. It is inconceivable that running an at grade rail line through the middle of this "Downtown" area will not divide an established community. The passage of frequent trains will prevent pedestrian movement from one side of Crenshaw Boulevard to the other.

In addition, the at grade rail will result in loss of turning movements on Crenshaw Blvd. and the elimination of at grade crossings will restrict movement from one side of Crenshaw to the other.

Aesthetic Impacts:

The placement of at grade or elevated tracks through the heart of downtown Crenshaw will result in tremendous aesthetic impacts. What is now an attractive heavily landscaped median through the heart of downtown Crenshaw will become a barren set of railroad tracks that will cause a visual blight. Years of work in improving the visual quality of downtown Crenshaw will be down the drain with the swapping of this amenity for a visual blight. The

effect of the loss of this amenity will be felt by the adjacent commercial area, much like a graffiti covered building with shuttered windows.

Traffic Impacts:

The construction of an at grade rail line through the center of downtown will result in increased traffic problems, not just during construction but continuing throughout the life of the project. The at grade rail will result in loss of turning movements on Crenshaw Blvd. and the elimination of at grade crossings. These alterations will result in concentration of traffic at reduced locations resulting in increased delays. At grade intersections on existing lines have resulted in unacceptable levels of fatalities in train/vehicle accidents. Additionally, the location of this at grade rail in proximity to a number of schools and on school routes will also result in increased hazards to child pedestrians.

Parking Impacts:

The proposed at grade construction through the heart of downtown Crenshaw will result in the loss of over two hundred critically needed public parking spaces. Local merchants who rely upon this public parking will be devastated.

Land Use Impacts:

The Crenshaw Specific Plan relies heavily upon this existing public parking and will be significantly impacted by this loss. The proposal is antithetical to the concepts of the Specific Plan of creating a pedestrian friendly neighborhood with significant public amenities and minimizing off-street parking. With the loss of the on-street parking along the frontage roads, the goals of the specific plan of providing reduced parking located at the rear of the buildings so that a traditional downtown feel can be maintained.

Economic Impacts/ Blighting Impacts:

The impacts described above will all combine to further marginalize existing businesses along Crenshaw Blvd. The loss of pedestrian traffic, reduced vehicular access, loss of parking, loss of significant public amenities and the creation of a blighting influence in the center of and running the full length of Downtown Crenshaw will all result in lost business to business that are already very stressed because of the current business climate. The inevitable result will be the loss of sales revenue and the failure of more businesses. As buildings become vacant they become subject to vandalism. The additional failed businesses will create further pressure on the businesses that remain as the area would increasingly be identified as being a distressed area, a veritable ghost town. Businesses will lose the synergy of spill over business from the lost businesses and the result will be a death spiral that will leave an abandoned commercial area with no maintenance and subject to increased vandalism. The area will change from a business area that while under stress, provides essential services to area residents to a blighted area, with increased crime potential due to the lack of traffic and activity. A community asset will be transformed into a blighted drag on the entire area. The idea that the rail line will create additional pedestrian traffic at terminal nodes dozens of blocks away from the impacted properties and thus will increase business activity is ludicrous and ignores the impacts to the majority of the area.

Environmental Justice:

Would this at grade section down the center of Downtown Crenshaw be constructed down the center of Rodeo Drive in Beverly Hills? I don't think so. This is nothing more than attempt to shift the public cost of providing a public good to the residents and businesses in what is an economically depressed minority neighborhood who are perceived to be without power or influence. The cost of constructing the project must include not only the actual construction cost but also the indirect costs on the neighborhood.

The only rational solution is to place the proposed at grade and elevated sections of the proposed rail line underground where it will not result in the negative impacts identified above.

Sincerely,

Johnson & Sedlack

A handwritten signature in black ink, appearing to read "Raymond W. Johnson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

By:
Raymond W. Johnson, Esq. AICP
Attorneys for Petitioner

RAYMOND W. JOHNSON, Esq. AICP
Principal Planner/Of Counsel

Management:

- Consulting City Planner, Lenexa, Kansas
- Community Development Director, Lee's Summit, Missouri
- Owned and operated consulting, development and commercial real estate companies for over twenty years
- Project Management. Gatewood Hills
- Project Management, Summit Tec Industrial Park
- Project Management, Parkway Plaza
- Project Management, Rancho Lucerne

City Planning:

- Current Planning
 - Two years principal planner, Lenexa, Kansas (consulting)
 - Two and one half years principal planner, Lee's Summit, Missouri
 - One year North Desert Regional Team, San Bernardino County
 - Fifteen years subdivision design: residential, commercial and industrial
 - Thirty years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
 - Five years as applicants representative in the telecommunications field
- General Plan
 - Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
 - Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
 - Created innovative zoning ordinance for Lenexa, Kansas.
 - Developed Draft Hillside Development Standards, San Bernardino County, CA.
 - Developed Draft Grading Standards, San Bernardino County.
 - Developed Draft Fiscal Impact Analysis, San Bernardino County
- Environmental Analysis
 - Two years, Environmental Team, San Bernardino County
 - Review and supervision of preparation of EIR's and joint EIR/EIS's
 - Preparation of Negative Declarations
 - Environmental review of proposed projects
 - Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

Design:

- John Knox Village of the High Plains, Residential care facility
- John Knox Village of Lubbock, Project expansion and Landscaping plans
- John Knox Village of the Rio Grande, Residential project expansion

- John Knox Village of Tampa Bay (care facility)
- John Knox Village of Lee's Summit, Residential expansion
- John Knox Village of Omaha, project redesign
- Friendship Village, Residential expansion
- Baptist Homes of Fort Lauderdale, High rise residential project
- Rancho Lucerne Planned Development, 4257 unit PUD
- Parkway Plaza, Office Park
- Summit Tec Industrial Park
- The Orchards at Lakewood, PUD
- Gatewood Hills, PUD

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of LaVerne. 1997 Member, Law Review, Deans List, class valedictorian. Published, Journal of Juvenile Law

Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Planning-Environmental Solutions

8/94- Present

Serve as applicant's representative for planning issues to the telecommunications industry. Secure government entitlements for projects throughout inland empire and eastern Los Angeles County. Provide guidance to agencies relative to telecommunications ordinances. Provide applicant's representative services and construction management to private developers of residential projects. Provide design services for private residential development projects. Provide project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydro geological, hydrologic, landscape architectural, golf course design and fire consultants.

Johnson & Sedlack

1/98- Present

Partner in law practice representing clients on environmental and land use issues. Clients include Endangered Habitat League, AT&T Wireless Services, Sierra Club, Audubon Society, Center for Community Action and Environmental Justice, Union for a River Greenbelt Environment, Citizens First of Temecula Valley, Temecula Open Space Preservation Organization, Elsinore Murietta Anza Resource Conservation District

San Bernardino County Planning Department

Environmental Team

6/91-8/94

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county. Responsible for reviewing cellular applications.

San Bernardino County Planning Department

General Plan Team

6/91-6/92

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. Responsible for reviewing cellular applications.

San Bernardino County Planning Department

North Desert Regional Planning Team

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects. Responsible for reviewing cellular applications.

Broadmoor Associates/Johnson Consulting

2/86-6/90

Commercial Real Estate Broker, Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.

9/78-5/84

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association

6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

City of Lee's Summit, MO

4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff

Economist/Planner

5/73-4/75

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS. Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.