

Communication from Public

Name: RESPCT - Residents for an Equitable San Pedro Community Today

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Council File No: 20-0680

Comments for Public Posting: Please assure that the City Council PLUM members receive this article including Environmental Justice maps ASAP. Thank you, Residents for an Equitable San Pedro Community Today

While Pledging Social and Economic Justice, City Hall Loots a Community of Color

RESPCT / 19 OCTOBER 2020

[PRINT](#)



DOUBLESPEAK-From Los Angeles Department of City Planning Director Vince Bertoni: "As public servants who inform land use, we face a pivotal moment in time where we reflect on the social, political and economic injustices that have challenged our Black, Indigenous and communities of color for generations."

But City Hall must move from 'reflection' to action.

A case in point: on October 5th 2020, members of the San Pedro community group RESPCT (Residents for an Equitable San Pedro Community Today) sent a letter to the Los Angeles Planning and Land Use Management (PLUM) Committee, requesting that committee members address the extreme environmental and economic injustice issues connected to ongoing real estate developments in the Pacific Corridor. The letter cited the

Citizens Protecting San Pedro appeal of the recent City Planning Commission (CPC) approval of the project at 1309-1331 South Pacific Avenue, [detailed in this description](#), which would irrevocably degrade the quality of life in this already disadvantaged community.

People living near the project site are 82% non-white with a median household income of \$32,200 - approximately half that of the average Angeleno. San Pedro is not a NIMBY community. Residents encourage new real estate projects that increase affordable housing in proportion to local demographics, promote equitable economic development, and are healthy sustainable assets in sync with the character of their neighborhoods. But this largely market-rate project would set a precedent for gentrification that will displace working-class people of color and destroy the fabric of the last affordable neighborhood on LA's coastline.

Following are excerpts from [the community's letter demanding Environmental and Economic Justice, located in City Council File 20-0680](#).

San Pedro is a major economic engine for Los Angeles - generating hundreds of millions of dollars in revenue for the City annually. But for decades, this low-income community of color has served as the human buffer zone around the polluting Port, bearing the unfair burden of a degraded quality of life and harmful health impacts. Now LA's Department of City Planning (DCP) is intensifying this extreme environmental injustice by supporting economic injustice - facilitating an onslaught of irresponsible real estate projects at the behest of Councilman Joe Buscaino and his developer allies. The City is enabling abuse on top of abuse.

Environmental Injustice in San Pedro - FACTS and MAPS

- The U.S. EPA lists the area for 1309-1331 Pacific (as well as the locations of the same developer's other projects in San Pedro) as among the worst in the nation in the categories of:

map 1: [Environmental Indicators](#)

map 2: [Demographic Indicators](#)

map 3: [Environmental Justice Indexes](#)

- The California EPA has identified the project area as:

map 4: [an SB 535 Disadvantaged Community](#)

map 5: [among the neediest and most at-risk neighborhoods from pollution](#)

- The South Coast Air Quality Management District's MATES IV Study lists the neighborhood as:

map 6: **in the highest category for carcinogenic risk** from exposure to air toxins and noxious ultrafine particle concentrations

- The LA County Department of Public Health lists Port-adjacent communities as:

map 7: having **the highest numbers of Childhood Asthma cases** in the City of LA

A USC Annenberg Center for Health Journalism article states: "... the intense pollution that emanates from the nation's largest port compromises the health of nearby communities... Asthma, sleep deprivation, hypertension, cancer: all have been linked to living near the Port..." and cites the disproportionate "burden of disease" in communities like San Pedro.

Nevertheless, the City of LA, which controls the Port, continues to willfully endanger the health of vulnerable San Pedro residents. The LA Times has revealed that in recent years **the Port privately rolled back pollution-cutting measures** at the China Shipping terminal, **failed to meet pollution-reduction requirements** at the TraPac terminal, and condoned hundreds of violations of the shore power rules meant to protect communities like San Pedro from toxic ship emissions. In January the LA Times reported that despite gains a decade ago, **progress in fighting air pollution has waned**, and cited backsliding and a lack of enforcement by the City. And in August, the Times covered new standards approved by the State Air Resources Board that face fierce opposition from business interests. The backlash has resulted in adding **provisions that would allow compliance by funding emissions reduction projects elsewhere**. And neither the truck nor ship rules will bring immediate air quality improvements because they do not start taking effect until 2023 or later and take years more to phase in.

Systemic Economic Injustice in San Pedro

The City of LA has systematically degraded the health and quality of life of San Pedro residents, and in turn has devalued properties by expanding Port operations that have polluted the air and destroyed waterways and wetlands. The City's financial interests have been served by keeping the Pacific Corridor community dirty and disenfranchised, so the Port could continue polluting and growing and extracting revenue with relatively few challenges. In 2019, the Port's annual operating revenue was more than half-a-billion dollars.

Now, the City is incentivizing developers to come in and scoop up the devalued properties and build luxury market rate housing that will displace low-income residents of color in LA's last working-class coastal community. This is a breathtaking example of systemic economic injustice, and it aggravates the already severe environmental injustice in San Pedro.

LA's politicians and planners rationalize this "displacement and replacement of the poor for profit" by touting the creation of much-needed housing stock, notably Affordable Housing. However, 1309-1331 Pacific Avenue developer Adam O'Neill (Square One Homes) is including the smallest possible number of affordable units in order to exploit the City's lucrative Density Bonus scheme. And in order to create these few affordable units, the developer alleges that additional incentives beyond what the law allows are required - a 76% bonus for Floor Area Ratio and a 52% bonus for height, both as compared to the standard 35% density bonus. Their demands for these exorbitant concessions, additional entitlements, immunity from Community and Redevelopment Plans, exemption from the California Environmental Quality Act (CEQA), and more, appear to be unconditionally aided by San Pedro's Councilman Joe Buscaino, LA City Planners, and the CPC.

The question is why?

Why is more market rate housing being built in a community that can't afford it? In one recently completed San Pedro development brokered by Square One Homes, with only two affordable units, the twenty market-rate units are for sale or for rent at \$3,600/month in a neighborhood where residents' average annual income is \$32,279. The rent is approximately \$11,000 more per year than residents' total income.

Why is more market rate housing being built when there are already hundreds of market-rate apartments sitting empty in San Pedro? As of September 4th there were 492 market-rate vacancies, with more than 800 additional units in development.

Why do developers and our Councilman maintain that market-rate apartments will lure higher income Angelenos to the Pacific Corridor in San Pedro, one of the most environmentally toxic neighborhoods in the City? This is a fallacy: people with the privilege of choice are simply not moving here, evidenced by the hundreds of existing vacancies.

Why is the City encouraging harmful speculation in San Pedro? In San Pedro developer Square One Homes operates as a flipper, funded by Fundrise, a crowd-sourced online real estate investment platform, buying low and re-selling high after attaching community-busting entitlements to the lots. Their profiteering undermines rational city planning, inflates housing costs, and displaces residents of color.

Why has Councilman Buscaino not accepted multiple requests for a meeting with Board Members and Land-Use Committee Chairs of the three San Pedro Neighborhood Councils to discuss the Appeal of the 1309-1331 Pacific project? The three N.C.s all voted to support this Appeal. They are the grassroots level of LA City government - Board Members are public officials elected by the members of their community. The Councilman is not fulfilling his obligation to his constituents.

Why is the City continuing to support an autocratic system of Council-district fiefdoms? This invites corruption and facilitates racketeering by virtually eliminating governmental oversight, to the detriment of LA's low-income communities. **The expanding FBI investigations, indictments, and convictions** make this question especially relevant.

Why do our elected officials and agencies like DCP continue to embrace and enable discriminatory gentrification practices, especially given the City's newly stated goals of justice and equity for communities of color? "Gentrification is rooted in colonialism and white supremacy. It disrupts family ties, uproots communities, and erases the cultural heritage of working class communities of color. Gentrification has many code words: urban renewal, revitalization, vitality, infrastructure. All entail the accumulation of wealth through dispossessing the poor of their housing and communities (LA Tenants Union)."

The situation in San Pedro, implicitly enabled by City agencies, employees, and Councilman Buscaino, is a textbook case of economic injustice. Coupled with the extreme environmental injustice perpetrated by LA's Port operations, the burden is literally unbearable in this community.

NOW IS THE TIME

The PLUM Committee, DCP, and LA City Council now have an historic opportunity to immediately address the overwhelming environmental and economic injustice in San Pedro by curbing the continuing systemic aggression against this unfairly burdened community.

- Rectify LA's upside-down development system that treats developers as valued clients and struggling communities as obstacles.
- Challenge corrupt council district fiefdoms **"over which council members have sole discretion to make real estate development decisions, including whether a project gets a tax break or an exemption from land-use rules."** (Los Angeles Times Editorial Board)
- Ensure that developers follow the City's laws, CEQA, and existing Community/Redevelopment Plans, and that new projects embrace the City's stated goals of community health, equity, and justice.

Our elected officials and City employees must summon the strength, conviction, compassion, and integrity to break with a discriminatory history and set community development on a more just course.

*(**RESPCT** (Residents for an Equitable San Pedro Community Today) is focused on mitigating the overwhelming environmental burden on our Port-adjacent community of San Pedro by steering reckless speculative development toward healthier, more equitable solutions. RESPCToday@gmail.com)*

LINKS AS ATTACHMENTS

PROJECT DESCRIPTION

Case Number: CPC-2019-4908-DB-SPR

CEQA: ENV-2019-4909-CE

Project Site: 1309-1331 South Pacific Avenue, San Pedro

PROJECT SPECIFICS:

The proposed project is the construction of a 4-story residential building comprised of 102 dwelling units including 12 Very Low Income units and 90 market-rate units. The 90 market-rate units will be unaffordable for local residents, who have a median household income of \$32,200 [census tract 296901].

The residential units are located on all floors, and will comprise 53 single-room studios, 19 one-bedroom units, and 30 two-bedroom units. Therefore, 70% of the units are not family-friendly.

No commercial space is proposed. The site is currently improved with three vacant commercial structures, built between 1924 and 1940, which will be demolished. The project will permanently eliminate street-level retail and there will be a loss of prosperity opportunity for local small businesses due to the demolished storefronts.

The proposed project will be 45' 5" tall - 52% taller than the current height maximum of 30 feet.

The proposed project will be approximately 83,158 square feet in floor area with a Floor Area Ratio ("FAR") of 2.65:1 - 76% larger than the current FAR maximum of 1.5:1.

The proposed project includes a 20 percent reduction in the open space required by LAMC Section 12.21 G.

The proposed project includes a 5-foot rear yard setback in lieu of the 16 feet otherwise required by the C2-1XL-CPIO Zone.

The proposed project will provide 127 unbundled parking spaces (separately leased from the apartment units) in 2 subterranean levels, in addition to 81 long-term and 8 short-term bicycle parking spaces. This includes a reduction of required vehicle parking as per the Bicycle Parking Ordinance (LAMC Section 12.21.A.4).

Vehicular access is proposed from one driveway along 14th Street. There are no dedicated turn lanes or pull-out space to enable traffic flow.

There are 26 mature trees on the site and 4 trees along the public right-of-way, all of which will be removed to clear the lot.

The proposed project does not adhere to:
the San Pedro Community Plan
the San Pedro Community Plan Implementation Overlay District (CPIO)
the Pacific Corridor Redevelopment Plan
the City's Density Bonus regulations and other applicable land use laws

The proposed project's generic design is out of scale, form, and character with community history and surrounding architecture, as required by the mandatory Standards set forth in the Pacific Corridor Redevelopment Plan and the guidelines in the San Pedro Community Plan/CPIO. The project does not maintain and compliment San Pedro's unique maritime heritage, and will set a precedent for other developers' future projects to erase local history.

The project does not provide for any infrastructure upgrades for water, sewer, streets, power or cable. The public infrastructure on Pacific, including utilities, is outdated and insufficient, and the project will increase stress on fragile systems. In addition, the project plan does not address the additional infrastructure strain due to the cumulative impacts of the developers' other proposed 100 unit project at 2111-2139 Pacific Avenue.

CUMULATIVE IMPACTS

The project plans do not adequately address cumulative impacts. Inconsistencies within the developer's soil export/removal figures and lack of defined hauling routes during construction make assessment of air quality, noise, and traffic impacts impossible. [As detailed in the August 7th letter sent to the City from the Northwest San Pedro Neighborhood Council Board](#), "the errors in calculating the traffic impacts are notable." And per the same letter: "Further, the developers have proposed another similarly sized project at 22nd and Pacific that was not included as part of a cumulative impact analysis because the project is not within 500 feet of this project. We are not aware of any such legal excuse for not evaluating the impact that their other projects will have on traffic. The city deliberately made Pacific Avenue one lane in each direction and it has become a crimp on the umbilical cord of traffic flow to the south end of San Pedro. The traffic impact of the two projects should be considered together."

Additionally, the traffic study and project plans do not address [the project's location within the City's High Injury Network \(HIN\)](#). According to the City's website "The HIN spotlights streets with a high concentration of traffic collisions that result in severe injuries and deaths... Nearly half the people killed in traffic crashes were walking or bicycling, and an alarming number of those killed are children... Residents of under-served communities are disproportionately killed in traffic crashes."
The 15th Street Elementary School is a block away from this project.

Finally, the project developers and the City have not addressed the cumulative impacts on the Pacific Avenue Tsunami Evacuation Route or the Emergency Services Route.

Further detailed analysis regarding cumulative impacts is contained on pages 6-7 within [Attorney John Given's letter to the Los Angeles City Planning Commission \(April 20, 2020\)](#).

CATEGORICAL EXEMPTION

As detailed in [Attorney John Given's letter to the Los Angeles City Planning Commission \(April 20, 2020\)](#), page 5, section II, The Proposed Class 32 Categorical Exemption from the California Environmental Quality Act (CEQA) does not apply to the project, because the project as proposed does not comply with all applicable zoning code regulations and Community/Redevelopment plans, and because the cumulative impact analysis is inadequate.

IMPACTS ON NEIGHBORING HOMES

The project will negatively impact the surrounding neighbors' quality of life. Of the six adjacent residential properties a few feet away, there are five one-story homes and one two-story home - all would be overshadowed by this proposed 45' 5" apartment building, with balconies looking down on them. The project's size is grossly out of sync with the mass and scale of the existing neighborhood. It will shade adjacent residents' homes for much of the day, lessen air flow, and block the sunset views that are a defining characteristic of the neighborhood. The proposed project will reduce walkability and community engagement by removing historic street-level store fronts and replacing them with a towering private residential structure. There will be significantly increased parking and traffic issues, which will further diminish residents' quality of life.

DISPLACEMENT

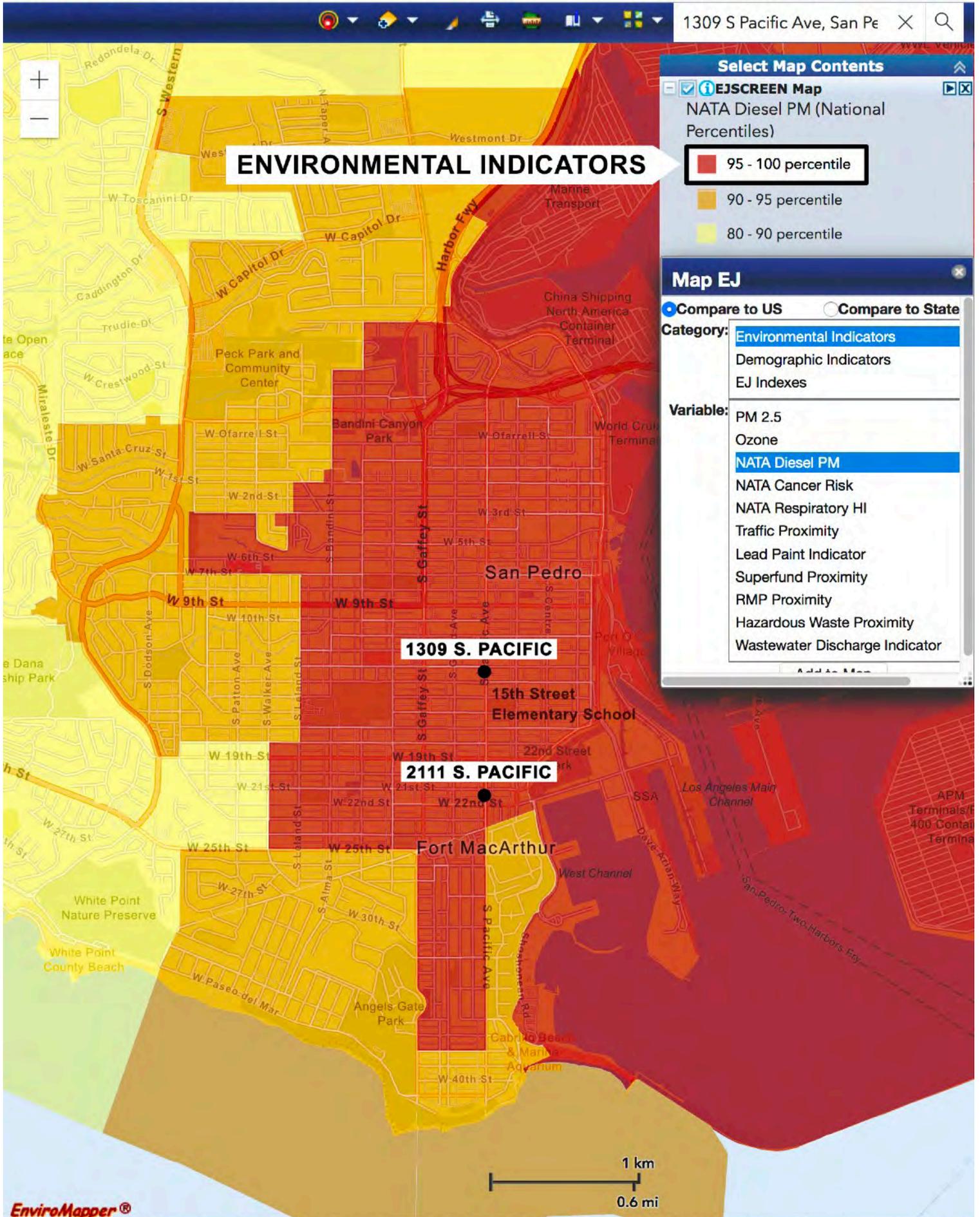
The largely market rate 'luxury' project will set a precedent for increased rents and inflated property values on Pacific Avenue, expediting the [well-documented gentrification process](#) that historically displaces low-income residents and people of color. The developer acting as a middleman - securing entitlements and then flipping the entitled property for profit (before anything is built) - pushes prices even higher. The median household income for residents in this census tract is \$32,200. The current average annual rental for recently constructed, market rate, one-bedroom apartments in downtown San Pedro ranges from \$24,456 to \$32,688. The apartments proposed for 1309-1331 South Pacific Avenue will clearly price out the working-class people of color living in this last affordable coastal neighborhood in Los Angeles.

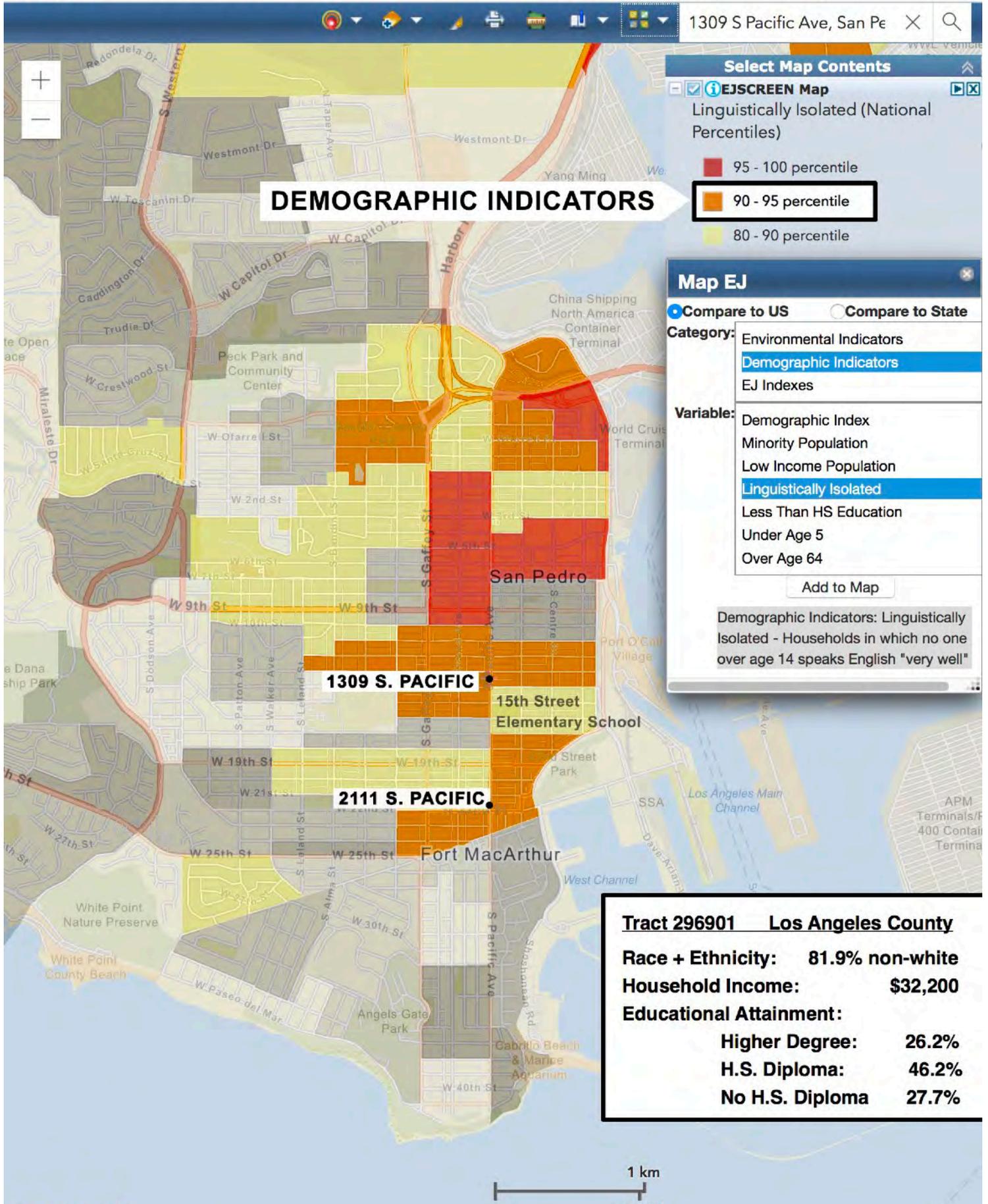
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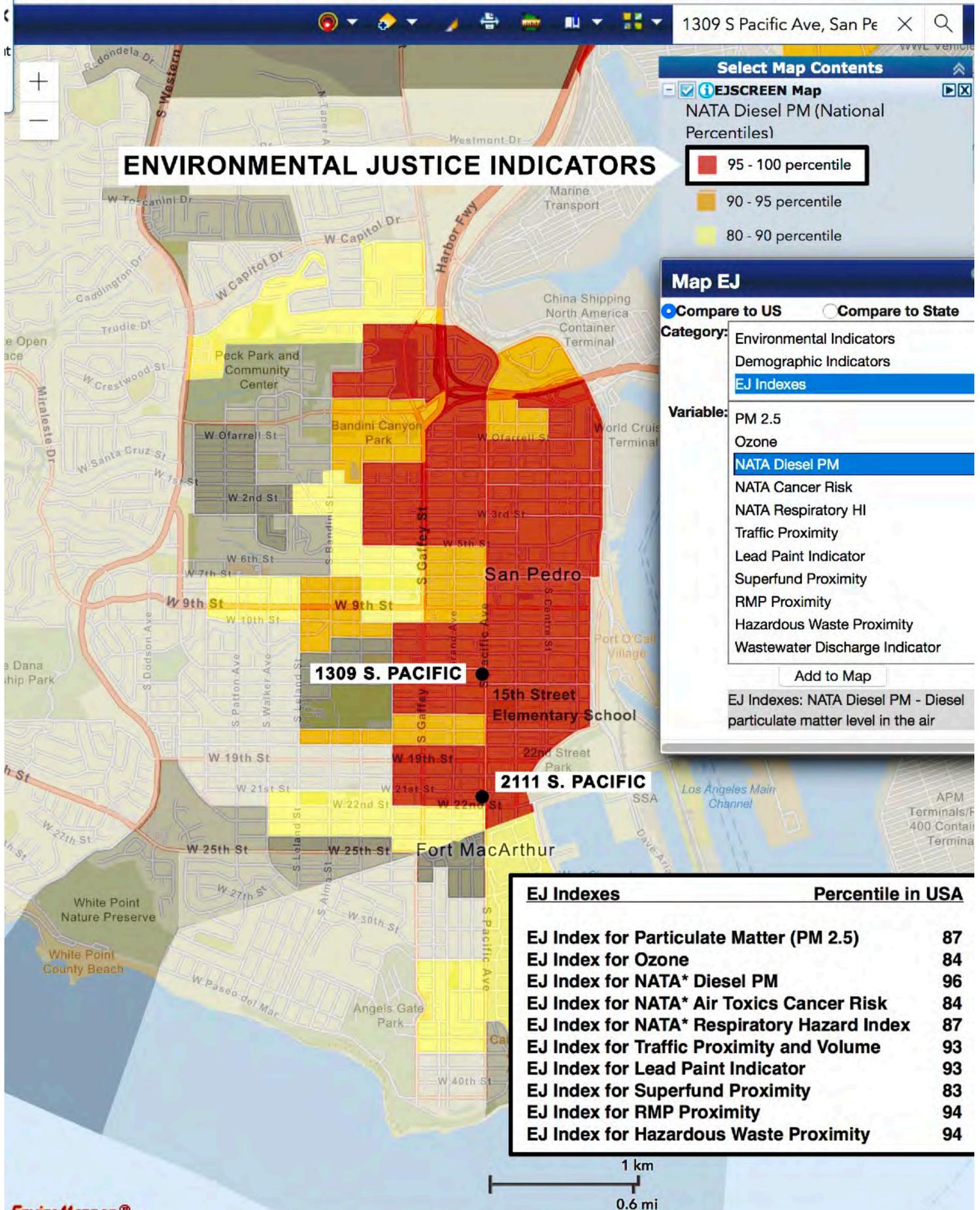
ENVIRONMENTAL INJUSTICE IN SAN PEDRO - FACTS AND MAPS:
(see attached Exhibits below)

- The US EPA lists the area for 1309-1331 Pacific and 2111-2139 Pacific as among the worst in the nation in the categories of:
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ENVIRONMENTAL JUSTICE INDICATORS

Select Map Contents

- EJSCREEN Map
 - NATA Diesel PM (National Percentiles)
 - 95 - 100 percentile
 - 90 - 95 percentile
 - 80 - 90 percentile

Map EJ

Compare to US Compare to State

Category: Environmental Indicators, Demographic Indicators, **EJ Indexes**

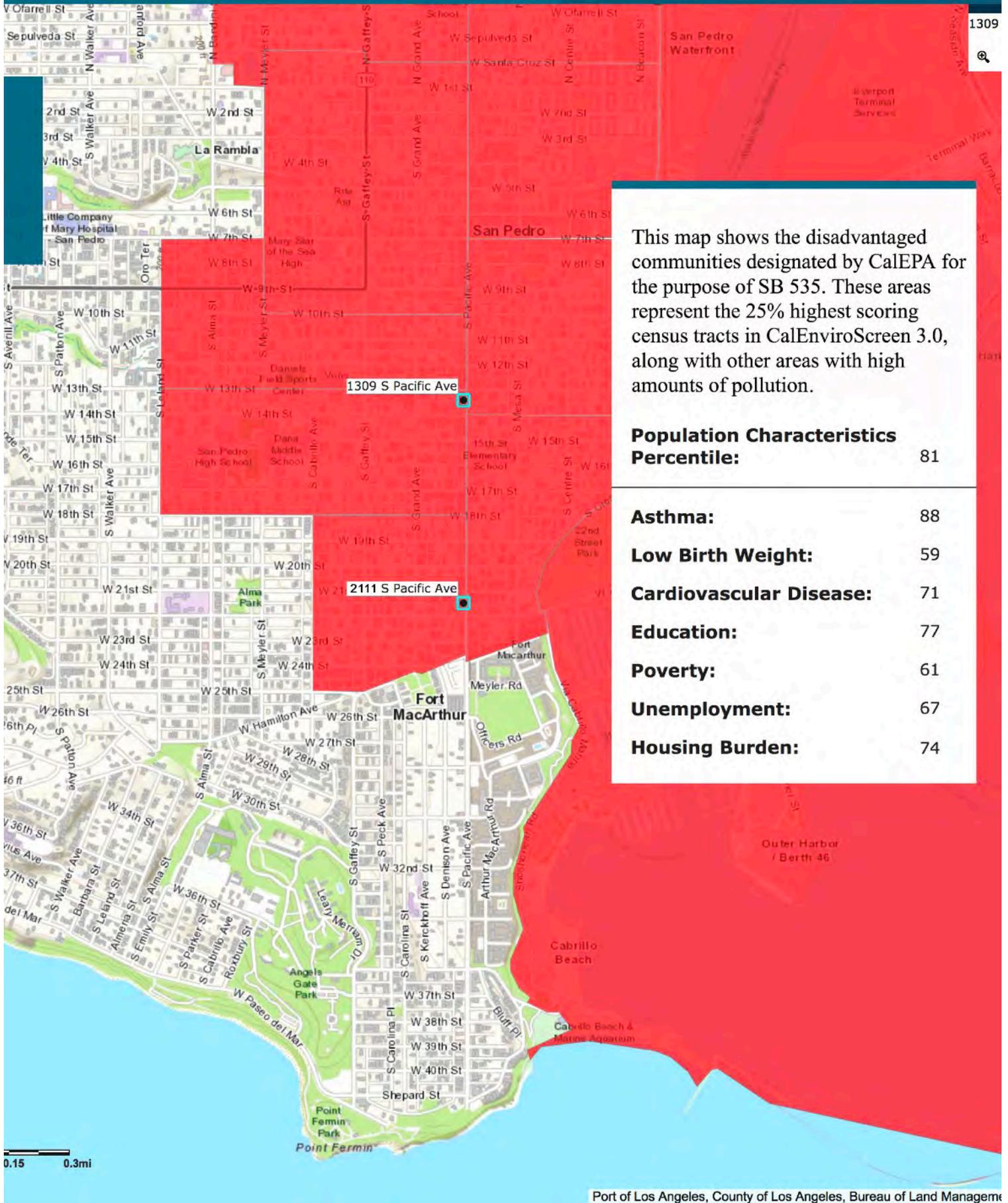
Variable: PM 2.5, Ozone, **NATA Diesel PM**, NATA Cancer Risk, NATA Respiratory HI, Traffic Proximity, Lead Paint Indicator, Superfund Proximity, RMP Proximity, Hazardous Waste Proximity, Wastewater Discharge Indicator

EJ Indexes: NATA Diesel PM - Diesel particulate matter level in the air

EJ Indexes	Percentile in USA
EJ Index for Particulate Matter (PM 2.5)	87
EJ Index for Ozone	84
EJ Index for NATA* Diesel PM	96
EJ Index for NATA* Air Toxics Cancer Risk	84
EJ Index for NATA* Respiratory Hazard Index	87
EJ Index for Traffic Proximity and Volume	93
EJ Index for Lead Paint Indicator	93
EJ Index for Superfund Proximity	83
EJ Index for RMP Proximity	94
EJ Index for Hazardous Waste Proximity	94

SB 535 Disadvantaged Communities
 using CalEnviroScreen 3.0 results (June 2018 Update)

1309 S Pacific Ave, San P



This map shows the disadvantaged communities designated by CalEPA for the purpose of SB 535. These areas represent the 25% highest scoring census tracts in CalEnviroScreen 3.0, along with other areas with high amounts of pollution.



OEHA
Office of Environmental Health
Hazard Assessment



CalEPA
California Environmental
Protection Agency

Pollution Burden

Population Characteristics

Overall Results

CalEnviroScreen 3.0 Results (June 2018 Update)

from OEHA

CalEnviroScreen Website

CalEnviroScreen identifies California's most environmentally burdened and vulnerable communities using environmental, health, and socioeconomic information.

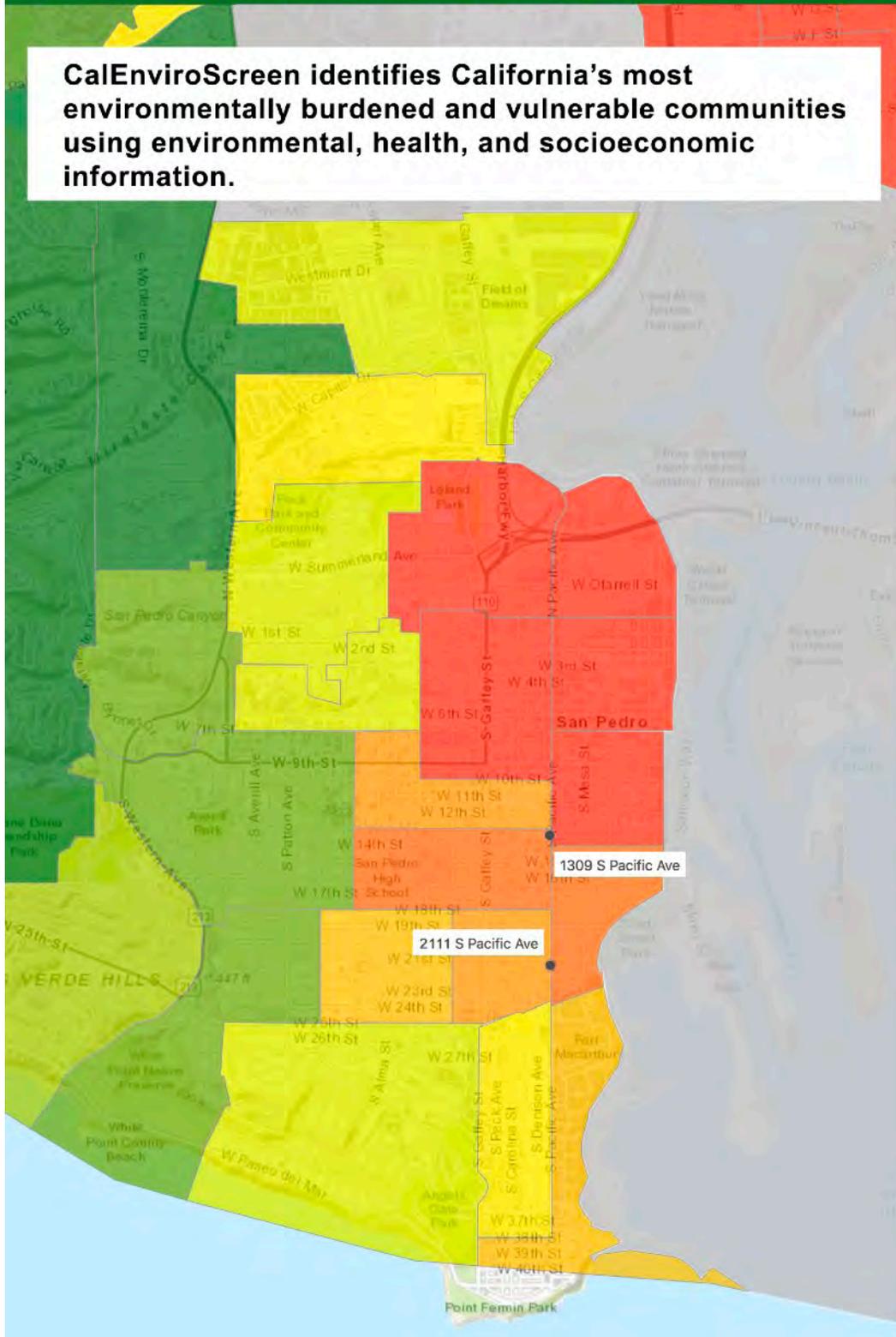
Legend

CalEnviroScreen 3.0 Results

A census tract with a high score is one that experiences higher pollution burden and vulnerability.

-  91 - 100%
-  81 - 90%
-  71 - 80%
-  61 - 70%
-  51 - 60%
-  41 - 50%
-  31 - 40%
-  21 - 30%
-  11 - 20%
-  1 - 10% (Lowest Scores)

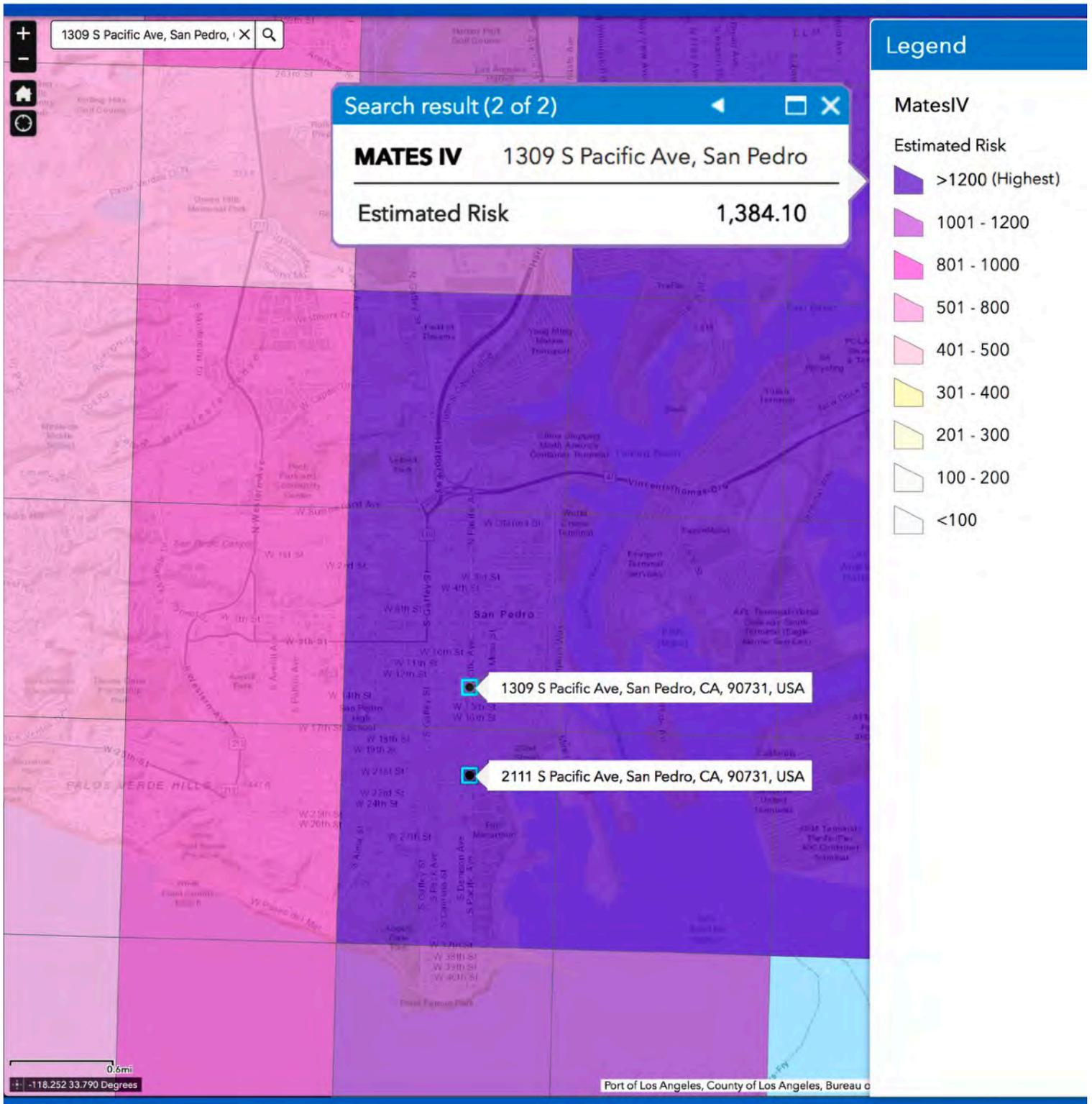
High Pollution, Low Population





CARCINOGENIC RISK:

The MATES IV Study focuses on the carcinogenic risk from exposure to air toxics. An additional focus of MATES IV is the inclusion of measurements of ultrafine particle concentrations.



“Asthma is the most common chronic illness and a leading cause of disability in children.”

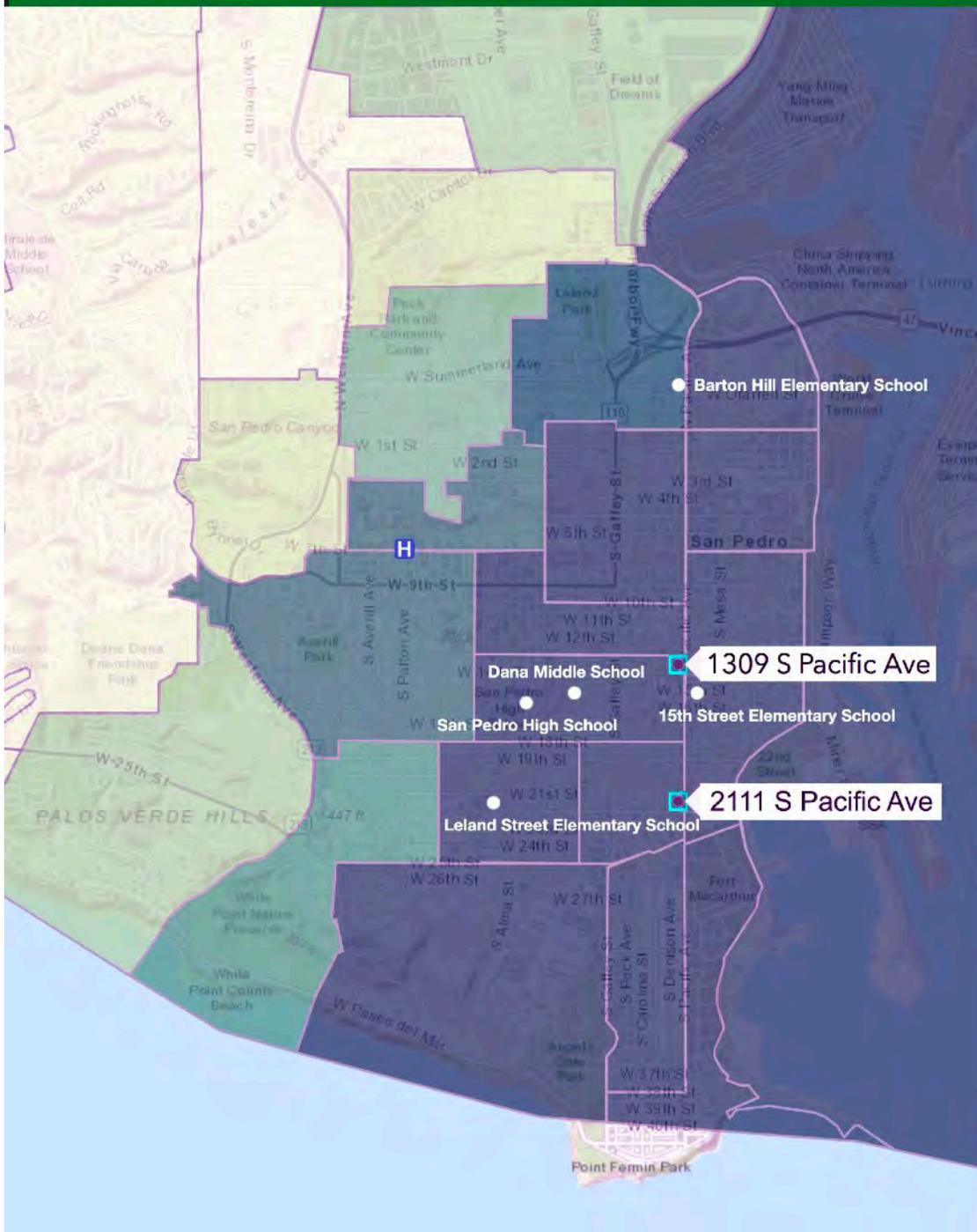
Los Angeles County
Department of Health Services

Census Tract 6037296901 has 4,127 people. The asthma percentile for this census tract is **87.56**, meaning the asthma rate is higher than **87.56%** of the census tracts in California.



Asthma Indicator Results

from CalEnviroScreen 3.0



Legend

Emergency
Departments



Asthma Percentile

-  > 90 To 100
-  > 80 To 90
-  > 70 To 80
-  > 60 To 70
-  > 50 To 60
-  > 40 To 50
-  > 30 To 40
-  > 20 To 30
-  > 10 To 20
-  0 To 10