

June 22, 2021

Los Angeles City Council
Attn: City Clerk
200 N. Spring Street, Room 395
Los Angeles, CA 90012

Clerk.CPS@lacity.org, Clerk-ENSLA@lacity.org

Re: Case No. CPC-2019-4908-DB-SPR; CF 20-0680 (1309-1331 South Pacific Avenue) – Appellant’s Response to June 22, 2021 Applicant Letter re. Pacific Corridor Redevelopment Plan

Honorable Members of the City Council,

First, it is unconscionable that during this City of L.A. affordable housing crisis that the City Council would not choose to implement HSC Section 33413(b)(1) and require 15% low- or moderate-income affordable housing for this project, as it may do at its discretion. This shows that our city decision makers are not really interested in solving our serious affordable housing crisis, which directly impacts our homelessness crisis, when it has the tools at its disposal to do so. The City can deny the project on this basis as it has the discretion to require this critical affordable housing so that it can meet its overall requirement over time. Why would the City wait to implement this critical component of the city’s redevelopment plans. There is absolutely no reason to put this off until years from now and every reason not to do so. Again, it’s shameful that this City Councilman and his fellow Councilmembers have not chosen to require the additional affordable housing. The 15% redevelopment plan requirement is not based on the density bonus calculation, which is a percentage of base density, but rather us a percentage of all new units. As per LAMC Section 11.5.14 B.2. states that: Whenever the Redevelopment Regulations conflict with provisions contained in Chapter 1 of the LAMC or any other relevant City ordinances, the Redevelopment Regulations shall supersede those provisions, unless the applicable Redevelopment Regulations specifically provide otherwise or are amended.

The numerous errors in Form CP-3566 RPA Administrative Review and Referral Pacific Corridor that indicate the project is a mixed-use project are not “scrivener’s errors.” That is nonsense. These are gross errors and result in erroneous conclusions for the subject review.

On page 5 of 5 of the form, just before the signatures, is a box for “Additional Staff Notes.” These notes state that the “proposed mixed-use development” “generally confirms” with Sec. 503.4 of the Pacific Corridor Redevelopment Plan, which states:

§ 503.4 Residential Uses Within Commercial and Industrial Areas

The Agency may permit appropriately designed and properly located residential and mixed use development within Commercial and Industrial areas, consistent with the applicable Community Plan as it now reads or as it may be amended from time to time in the future, provided that the proposed use shall conform to the following criteria:

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1. Promote community revitalization;
 2. Promote the goals and objectives of the Plan;
 3. Be compatible with and appropriate for the Commercial uses in the vicinity;
 4. Include amenities which are appropriate to the size and type of housing units proposed;
and
 5. Meet design and location criteria required by the Agency.

In fact, because the project is not mixed use, it is not in compliance with Sec. 503.4 as it is not compatible with the commercial uses in the vicinity. In addition, by its 100% residential nature, the project specifically does not promote the vast majority of the objectives of the Plan, including Community Image and Vision, Economic Revitalization and Job Creation, Development of Tourist Oriented Facilities, Social Services and Community Recreation Facilities, Diversification of Retail and Entertainment Activities, Historic Preservation and Promotion of Cultural Heritage, Public Improvements and Amenities, and Port Involvement and Participation in Community Revitalization.

Thus, the conclusion in the administrative review that the project conforms to the objectives of the Pacific Corridor Redevelopment Plan and thus complies with Sec. 503.4 is in error and the gross errors in writing mixed use development rather than residential development directly contribute to that error.

Also, page 3 - 4 of the form, questions 504.1, 504.2, 504.3, 507, 508, 511, 513, 514, 515, 520, 521 and 522 are in error. Below is an excerpt from the original appeal document, which details the substantial evidence showing non-compliance with these sections of the form, which have many of the same requirements as for the redevelopment plan.

The Site Plan Review Findings are in error and the SPR entitlement cannot be approved.

Not only does the project not conform to the San Pedro Community Plan and the goals of the CPIO (see attached CPIO-Purposes + CPIO-Design Guidelines, which among other things appears to require a corner entrance), but the Determination letter does not in any way address the Pacific Corridor Redevelopment Plan, which is valid until 2033, nor does it conform to its detailed standards and guidelines.

Links to the Pacific Corridor Redevelopment Plan:

<https://planning.lacity.org/plans-policies/overlays/pacific-corridors>

https://planning.lacity.org/odocument/1e917a9c-2851-407d-b664-20d60d67e439/PacificCorridor_DFD.pdf

The project clearly violates the Pacific Corridor Redevelopment Plan Vision Statement:

San Pedro is a stable community that provides a high quality of life for its residents -- one that builds upon its distinct natural beauty, rich cultural heritage, and proximity to the Port and waterfront, while retaining the community's small town feel for multiple generations of San Pedrans.

It has been proven throughout this Appeal that *"The project is NOT in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan..."* and in addition the Pacific Corridor Redevelopment Plan was not even considered or listed in the CPC Determination.

In addition, re. Land Use Element – San Pedro Community Plan, the Determination letter erroneously states that *"the proposed project aligns with the intent of the 2017 San Pedro Community Plan."*

See following excerpts from the San Pedro Community Plan and explanation of violations (a – f):

- a. RE: Page F-7 Goal LU3: Multi-family residential neighborhoods with a mix of ownership and rental units that are well-designed, safe, provide amenities for residents, and exhibit the architectural characteristics and qualities that distinguish San Pedro.

There is not a mix of ownership and rental units in this project as per Goal LU3. Also, the project, a generic contemporary-style urban infill design, in no way exhibits the architectural characteristics and qualities that distinguish San Pedro.

- b. RE: Page F-7 Policy LU3.1: Neighborhood stability. Stabilize and improve existing multi-family residential neighborhoods, allowing for growth in areas where there are sufficient public infrastructure and services and where quality of life can be maintained or improved.

The project's size is grossly out of sync with the surrounding neighborhood and it will shade adjacent residents' homes for much of the day, reducing their quality of life. The public infrastructure on Pacific, including utilities, is outdated and insufficient. The project does not provide for any infrastructure upgrades for water, sewer, streets, power or cable. There is also insufficient public transportation as the bus schedules are too infrequent to qualify the area as a Transit Oriented Community (TOC). The project

also does not qualify for a parking reduction under AB 744 as it is not located within one-half mile of a major transit stop--as per PRC 21155 and 21064.3, major transit stop means a site containing any of the following: (a) existing rail or bus rapid transit station, (b) a ferry terminal served by either a bus or rail transit service, (c) the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. The TOC map, as indicated by the Council District 15 office, is incorrect in that it identifies Transit -Oriented Hubs in San Pedro in areas that in fact do not qualify as such.

Residents' quality of life will not be maintained or improved but rather degraded.

- c. RE: Page F-7 Policy LU3.3: Equitable housing distribution. Provide an equitable distribution of housing types for all income groups throughout San Pedro's multi-family neighborhoods and promote mixed-income developments rather than creating concentrations of below-market-rate housing.*

The project does not provide Equitable Housing Distribution. The project provides almost 90% market rate housing in a working-class neighborhood with a median household income of \$29,650. (includes Census Tract Block Groups 297110-2 and 296901-1)

The average rent for an apartment in Los Angeles is \$2,524/month or \$30,288/year. Average local residents' entire gross income would not cover the rent in this development. And the cheapest comparable new apartments in San Pedro are \$2,000 per month or \$24,000/year - approximately 83% of the entire annual income of local residents.

Although the project succeeds in not "creating concentrations of below-market-rate housing" it is not even remotely an Equitable Housing Distribution of housing types for all income groups. Based on median incomes, it is nearly 90% unaffordable for local residents, which in fact creates an Inequitable Distribution of market-rate housing and discriminates against lower income residents.

- d. RE: Policy LU3.6: Amenities. Include amenities for residents such as on-site recreational facilities, community meeting spaces, and useable private and/or public open space in new multi-family development.*

The project reduces amenities rather than providing them. There are no on-site recreational facilities or community meeting spaces for the general public in this project. Additionally, the open space in this development has been reduced from 10,950 square feet to 8,381 square feet (20%) and setback requirements have also been reduced. This development will eliminate an entire block of commercially zoned public space and offers no usable public open space in the plans, effectively destroying opportunities for prosperity and engagement for the community.

- e. *RE: Page F-7 – Summary--The project is for the construction of a new mixed-income multi-family residential development...*

As specified above [RE: Page F-7 Policy LU3.3: Equitable housing distribution] the project is almost 90% market-rate and is not reasonably proportioned to be considered 'mixed-income.' The project largely excludes San Pedro's community members because local residents, based on their median income, will not be able to afford the units. It is a high-income multi-family residential development, with a minimal number of affordable units.

- f. *RE: Page F-7 - Summary --As shown in Exhibit "A" and Finding No. 4 below, the Project will provide design features and landscaping improvements to enhance the visual quality of the area.*

The project is not consistent with the visual or historical character of the area. Its 'design features' include a grey low-maintenance material that spans almost the entire block. The generic contemporary-style facade design violates the Design Guidelines of the San Pedro Community Plan and Pacific Corridor Redevelopment Plan that specifies: "ensuring that new development is consistent with the visual character of San Pedro and enhance the community's overall image."

There is no specific street/sidewalk/frontal landscaping delineated in the project proposal. There are no retail stores as required in the Pacific Corridor Redevelopment Plan, so the project will disrupt and discourage retail continuity and eliminate opportunity for small business.

The height will block out sunrise and sunset views, significantly decreasing the natural beauty essential to the visual quality of the area.

The project will create a grey retail-free block with no landscaping specified but will in fact remove 30 trees from the streetscape. The visual quality of the area will not be enhanced.

Also, the Site Plan Review approval necessarily relies on the project site plan included in Exhibit A of the Staff Recommendation Report. Several of the site plan pages, as well as renderings provided to the Community and to City Planning and the CPC, are inaccurate in that they purport to show Grand Avenue as located directly adjacent to the west side of the project.

The plans and renderings for this project that were provided to the community, the City and the CPC are materially in error and misleading and must be corrected, and a re-hearing is necessary.

The City has erred and abused its discretion in approving the Site Plan Review, which includes review of all Plans, the L.A. General Plan, the San Pedro Community Plan and the Pacific Corridor Redevelopment Plan.

Armbruster and the applicant err in stating that the project qualifies for an administrative review re. the Pacific Corridor Redevelopment Plan.

A Redevelopment Plan Project Compliance entitlement is required, and this project must not move forward in the approval process until that is processed and unless that is approved.

Sincerely,

Robin Rudisill, on behalf of Appellant
Citizens Protecting San Pedro