

N. U. P. C. A.  
NORTH UNIVERSITY PARK COMMUNITY ASSOCIATION

May 12, 2014

Hon. Councilmember Jose Huizar, Chair

Hon. Councilmember Gilbert A. Cedillo

Hon. Councilmember Mitchell Englander

Planning and Land Use Management Committee, c/o Sharon Gin, City Clerk

City Hall, 200 North Spring Street Los Angeles, CA 90012

RE: PLUM Meeting, May 13, 2014 -  
**Agenda Items 8 (CF14-0232) and 9 (CF14-0232-S1)**

Planning Case Nos. ZA-2012-1216 (ZAA) SPR / ENV-2012-83 MND/  
DIR 2012-1217-CCMP

PROJECT LOCATION: 2003 OAK (904 West 20th St./ 2009 Oak St. / 2015 Oak St./ 2021 Oak St. / 2023-2025 Oak St. and 903-909 West 21st St.)  
Within the University Park HPOZ

VIA e-mail, Sharon.gin@lacity.org

Dear Honorable City Council Members Huizar, Cedillo and Englander,

I am writing on behalf of the North University Park Community Association (N.U.P.C.A.) to request that you UPHOLD the appeals to the above-referenced ZA case and Director's/HPOZ case, and DO NOT APPROVE the proposed Mitigated Negative Declaration.

The project as approved thus far violates good planning principles, since it places an overly-massive structure in the middle of a residential neighborhood (one that also is designated as a historic district) where it would both tower over and be far bulkier than the existing smaller-scale residential properties. The project - which if built would have 60 percent coverage of the land, and would offer minimal setbacks from neighborhood homes - also is not consistent with the adopted Preservation Plan for the University Park HPOZ, and is not consistent with the previously-adopted Urban Design Guidelines covering the same neighborhood. Just as the development community desires certainty, so does the University Park community who worked hard for many years to establish these design standards.

N.U.P.C.A. is a long-established (more than 30 years) organization whose primary mission is the conservation of the character of the University Park, North University Park and the other neighborhoods surrounding the USC campus. We have previously commented on this project as well as many other development proposals in the community, including many we have supported.

This project violates several important land use policies, including the adopted Housing Element. If you are familiar with the Housing Element, which was adopted by the City Council and then approved by the State of California; it calls for new housing initiatives to be on the City's commercial corridors, and not plunked into the middle of a historic character neighborhood developed primarily with one- and two-story 19th century and early 20th century homes.

It also violates adopted zoning policies that separate commercial uses from residential, rather than imposing an unrelated parking lot for a use (teacher parking) across the street. Moreover, the selection of RD1.5 as the defining zone for the purposes of reaching a unit count is a discretionary action in and of itself that does not reflect the actual built form and actual uses in the immediate surrounding residential neighborhood, particularly along 20th Street.

It is N.U.P.C.A.'s recollection, supported by recently-acquired LAUSD documents, that the school district acquired the parcels by eminent domain not just for "school purposes" but specifically to provide additional recreational (playground) and open space for children. The Planning Department, in part, justified its approval of this project based on the parking lot use which may never have been approved.

It is particularly troubling that the Project Description appears to have been a moving target. This was described initially as 29 units of "workforce housing" for teachers and school staff (as LAUSD's RFP requires), but then was shopped to the community as "affordable housing" for "low income tenants" (as the Applicant has described in numerous community meetings). If the latter, then there is no nexus between this project and its proposed parking for teachers at the Norwood Elementary School.

The Project was also brought forth with a "Community Learning Center" that has been described as a learning center, after school tutoring center, computer lab, meeting room, flexible office space, and so on associated with the learning programs at Norwood School; however, Applicant now states that the community room shown on plans is only for the utilization of residents - despite the LAUSD RFP requirements that it be a more public space. So which is it?

Presuming it really is the Community Learning Center utilized in the proposed Findings for the Approval of Adjustments submitted by the Applicant's consultant, then N.U.P.C.A. has an additional question: Why is there no associated Variance (or Conditional Use, we are uncertain which would be required) applied for to permit such use in a residential project in a residential zone? Has the City selected RD1.5 for the sole purpose of a unit count? Or should not this project comply with all the requirements and restrictions of a residential zone, which would not permit *by right* either a public community room with potentially 24-7 hours for non-residents, nor an offsite parking structure for the use of employees of a nearby institution.

I have personally asked the Applicant on numerous occasions why a Variance has not also been applied for to legalize these uses. This question today is NOT a last-minute query. (I attended the original LAUSD public meeting presenting the RFP, and I noted in public testimony for all those in attendance that offsite parking and a public/community use learning center would not be allowed by right on these six lots, so there is no surprise here.)

Moreover, it appears to be an abuse of discretion to even utilize the RD1.5 as the fallback zone. The immediate adjacent neighborhood is not actually built out to that level. 20th Street is basically R-2 (e.g., of the ten parcels to the west of this project, five are single family homes, four are two units within structures built originally as single family homes, and one property has four

units, again within the confines of an original single family home, for a total of 17 units or in other words an average 1.7 unit density. It is not even close to the RD1.5 level, which would have spread 40 units on these ten lots). 21st Street does have a higher average unit count as you go west BUT the immediate adjacent parcels and across-the-street buildings are also Single Family Residences (SFR), according to the Assessor's use codes.

N.U.P.C.A. also notes that in choosing RD1.5 the Department also chose to allow the buildings to straddle multiple lots. Had the more appropriate R2 zone been chosen - or at least a limitation imposed that did not allow the joining of lots - a project replacing the demolished historical housing potentially could have been designed to be compatible with the character of the surrounding neighborhood.

In any case, if one must utilize RD1.5, which based on the above is a generous granting, then adding a density bonus for a fully-affordable project that was supposed to be a teacher and staff workforce housing project (again, which exactly is it?), and then asking for relief from the RD1.5 requirements for setbacks is unwarranted.

The economics of the Project is not the issue when we discuss the conservation of a character, historic neighborhood; the compatibility of the proposed Project is what is and should be at issue. Applicant avers that because this is an Affordable Housing Project with a Density Bonus that therefore sideyard reductions may be "performed by right." Not in an Historic District. And the idea that one can compare small/lowscale sheds and garages in historic rear yards to a very massive apartment building is simply laughable. Those accessory structures cannot be used to justify the reduction of rear or side yards for a project such as this, which will specifically loom high over the adjacent homes to the west and should therefore observe all required setbacks.

Plainly and simply put: The proposed rear yards are NOT consistent with the pattern of development in the neighborhood.

In addition, the site plan with reduced setbacks then has far more than the prevailing amount of lot coverage. Other letter writers have described in detail how, in an historic district, Sanborn Maps are utilized to determine lot coverage when replacement/infill construction is proposed for what were formerly (now demolished) historical homes. But in any case, this project's physical building complex would cover nearly half of the site of the six combined lots, while the associated appropriate percentage of lot coverage should be just 35 percent, per the University Park Preservation Plan, which is the governing document.

Applicant states in the proposed Findings for Approval for the Zoning Administrator's Adjustment (last paragraph) that actually utilizing "the ZAI-imposed yards would reduce the buildable area by almost 1/3rd (sic)." And would therefore make the "project impractical and infeasible from both a design and financial standpoint." Well, yes. Indeed. That is exactly what we told LAUSD and all potential RFP responders at that long-ago meeting; that due to the restrictions inherent in a designated historic district, the program and the number of units were infeasible. This is a self-imposed hardship; no one required this Applicant to respond to the RFP.

N.U.P.C.A. requests as well that you do not approve the proposed environmental clearance, ENV-2012-88 MND, for this project. The project does not conform to the South Los Angeles Community Plan's Community Design Overlay (adopted in 1998) nor the adopted specific plan (HPOZ). Its over-bulked massing negatively impacts the local (HPOZ) University Park historic district AND the federal Twentieth Street National Register District. There are no appropriate mitigations in the proposed environmental clearance.

Specifically, Item I. Aesthetics c. the Department states that "Since the Project is an infill Project among other like developments, it will not substantially degrade the existing visual character." There are NO "like developments" in the vicinity. All of the adjacent structures along

20th Street are of a single family residence (SFR) built form; they are substantially in use as single family homes and duplexes (with 17 units total, for an average per-parcel unit count of 1.7 units density). On 21st Street there is less homogeneity of development; however, there are no structures with more than 10 units (this project proposes 29 units straddling six lots) and upon review one sees that many of these units are in a lowered profile bungalow court setting.

And, looking at X. Land Use and Planning b. where it is stated that "Since the Project will not conflict with any applicable land use plan, there will be no impact," the Department presumes that the local HPOZ Board would approve the project as meeting the requirements of the University Park Preservation Plan. The Board did NOT make that finding, and for purposes of CEQA the body of experts would be one of the determinants as to whether or not there is a conflict. Equally important, the South Los Angeles Community Plan has had a Community Design Overlay for the past 15 years covering all new commercial buildings and any proposed housing development of 5 or more units. The requirement of the CDO is that such infill development shall be compatible with and consistent with the character of its immediate neighborhood. You cannot make that finding in this case; indeed, the simple request for a reduced setback in and of itself makes this complex not consistent with nor compatible with the character of the neighborhood. (Noting that "character" is more than a design that reflects the architectural styles; it also covers the massing, height, site plan and lot coverage, and to some extent the actual use/housing unit density of the adjacent neighborhood. Specifically "character" is not defined by the zoning, which projects potential maximum units counts, but rather character is defined by actual current character.)

Finally, this Project is not compliant with the General Plan. Specifically, the City's General Plan 2006-2014 Housing Element, adopted in August 2008 by the City Council and approved by the California Department of Housing and Community Development in November 2008, expressly also indicates that the mandated additional 113,000 units citywide be located primarily on Los Angeles's many underutilized commercial corridors, and not within the city's character neighborhoods. Indeed, the Housing Element states that the City "encourages sustainable growth in higher-intensity commercial and mixed-use districts, centers and boulevards, and in proximity to transit" while "maintaining neighborhood character" in communities like University Park.

The Housing Element further states that "The location of future development will be addressed through programs that will establish greater residential capacity in centers and near transit while reducing the residential capacity in those neighborhoods where preservation of existing character is desired, such that the current zoning and residential capacity reflected in the current inventory of sites for housing will evolve and all residential development and increased residential density will be directed to desired locations."

These variations to adopted South Los Angeles Community Plan policies, if granted, would be materially detrimental to the surrounding neighborhood. N.U.P.C.A. therefore urges you to deny this request in its entirety, find ENV-2012-83 MND REC1 legally insufficient, and support the Appeal(s).

Sincerely,

Laura Meyers

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# Preservation VIDEO

HISTORIC PRESERVATION: RESEARCH / CONSULTING / ADVOCACY

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Los Angeles City Council  
Planning and Land Use Committee (PLUM)  
Hon. Councilmember Jose Huizar, Chair  
Hon. Councilmember Gilbert A. Cedillo  
Hon. Councilmember Mitchell Englander  
c/o Sharon.Gin@lacity.org  
City Hall, Room 350  
200 North Spring Street  
Los Angeles, CA 90012

PUBLIC HEARING, TUESDAY MAY 13, 2014, CITY HALL ROOM 350, 3:00PM

RE: Items: (08) ENV-2012-83 MND REC1 (DIR 2012-1217-CCMP)  
(09) ENV-2012-83 MND REC1 (ZA-2012-1216-ZAA-SPR)  
THE NORWOOD LEARNING VILLAGE / CD1  
PROJECT LOCATION: 2003 OAK Street (904 W. 20th St.) / 2009 OAK / 2015 OAK / 2021 OAK  
2023-2025 OAK & 903-909 W. 21st Street / UNIVERSITY PARK HPOZ

Honorable Committee Councilmembers,

As the appellant in these two cases I have already made exhaustive written and oral testimony to the administrative record detailing the failures of the Director of Planning and the Zoning Administrator in rendering their decisions to approve the Project which fails to comply with the University Park Historic Preservation Overlay Zone's Preservation Plan (UPPP) and how their errors thereby invalidate the Project's existing MND environmental document. I have supplied extensive documentation of the errors made by the Director and the ZA and explained the how and why the MND is now an insufficient environmental document for the Project.

I engaged in the administrative appellant process as Chair of the Adams Dockweiler Heritage Organizing Committee (A.D.H.O.C.) and on behalf of the University Park Community in the expectation that the public review process would enable the decision makers to correct the errors, and or require additional environmental review to analyze the Project's potential negative impacts to the historic setting and define possible mitigation measures. To date, unfortunately, no corrections have been made.

The City Council as the final administrative body to decide on the merits of the MND can stay the Project's approval until such time as an appropriate environmental process has been completed. I seek the support of the Council's PLUM Committee and ask

that you recommend to the Council that the issued and insufficient MND be rescinded and that a new initial study and checklist be undertaken to address the true impacts on the historic setting by the now approved Project.

As documented this is the largest ever proposed new-infill development within the University Park Historic District consisting of over 31,000 square feet occupied by six residential structures sited over a mixed-use underground parking facility for residential and public parking with the central building having a nearly 4,000 square-foot quasi-public community center. The Project is also the first and only Project in which the University Park HPOZ Board and the Director of Planning have disagreed about a project's compliance with the UPPP.

I find that this disagreement between the University Park Board and the Director (as well as with the ZA) is not grounded on any merit based objective perception of the factual record but rather by the inappropriate bias of the Planning Department to support the developers, Thomas Safran & Associates (TSA), in their quest for a project that fulfills their own mandated financial requirements. To support this Project the Director and the ZA have sacrificed their obligations as administrators of the public trust, eviscerated the University Park Preservation Plan, and undermined the integrity of the HPOZ process.

The creation by the L.A. Department of City Planning of an overriding Preservation Plan model for the City's HPOZ was in part to insure that the community, the developers, and the administrators all shared a consistency of interpretation for the applied design criteria to be compatible with the CEQA compliance as required by the Secretary of the Interior's Standards for Historic properties. The template for City's HPOZ plans was conceived to be tailored specifically to each unique local Historic District. The University Park Preservation Plan after a year of vetting and with no community opposition was adopted in 2005.

The University Park Preservation Plan has been applied by the Board and Planning Staff to all applicants equally for eight of the last nine years. However when the TSA Project was processed by the Department special handlings for this special project were applied to insure its' success. Should the City, by approving the MND, violate its' covenant with the community to protect acknowledged historic assets by allowing special privileges for special developers the result, a lack of confidence in the HPOZ process by everyone in the community.

University Park's 13-year history of a hard won successful interactions between the Board, the community and the Department will be voided. The Director's revisionist pronouncement that the University Park Plan is not a plan but a guideline may be convenient in allowing for the manipulation of the factual record but it exposes a fatal flaw in the Department's MND procedure.

CEQA compliance may, arguably, simply be met achieved if a project conforms to the whole of an objective Plan, created in depth, to define what specific actions must be taken for such conformance with CEQA. However a subjective series of guidelines which is subject to interpretation by possibly ill equipped decision makers lacks any fundamental assurance of

compliance with CEQA and therefore must require a more thorough CEQA action than a rubber-stamping Departmental approval.

It is difficult for me to evaluate which approval action, those by the Director or the ZA, is more damaging to the University Park HPOZ community. The Director proclaims the University Park HPOZ Plan is now just a guideline, which will now be interpreted by Planning Staff. Some applicants may have to submit elevations for all four-sides of a new building while others don't need more than three sides for an approval.

Meanwhile the ZA dismisses the responsibility to even consider the Project's compliance with the Plan by deferring to the Director's decision and then unceremoniously changes rear yards to side-yards, side-yards to front-yards and front-yards to side-yards, all the while ignoring historic patterns of development.

The Planning Department's individual authorities, the Office of Historic Resources and the Zoning Administrator have concluded in concert that the Project's MND justifies approval because it complies with the University Park Preservation Plan. This is a fallacy based on erroneous conclusions predicated on inaccurate and manipulated factual data.

As elected public officials I call on you to support the University Park HPOZ Board's findings and protect the future of historic neighborhoods. Please reject the Project's MND and require a new environmental review process that will examine all of the potential negative impacts of this Project.

Respectfully yours,

Jim Childs  
Historic Preservation Consultant

Cc: Councilmember.Huizar@lacity.org  
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**Jean Frost**  
**2341 Scarff Street, Los Angeles, CA 90007**

May 13, 2014

Hon. Councilmember Jose Huizar, Chair  
Hon. Councilmember Gilbert A. Cedillo  
Hon. Councilmember Mitchell Englander  
Planning and Land Use Management Committee

c/o Sharon.Gin@lacity.org

**RE: Item 8 (14-0232) and 9 (14-0232-S1)**

Oak/Norwood Project, 2003-2023 Oak Street (904 W. 20th Street, 2009, 2015, 2021, 2023-2025 Oak Street, 903-909 W. 21st Street)

ENV-2012-83 MND REC1, CASE NO. ZA-2012-1216 (ZAA) SPR / DIR 2012-1217-CCMP/  
UNIVERSITY PARK HPOZ

Honorable Committee Members:

The present proposal, and its associated MND, no matter what degree of revisionist history the planning department and the Los Angeles Unified School District may wish to apply, does not withstand any fact based analysis. Given my long history of participation in University Park and its planning policies, first with the CRA, and now with the UPHPOZ Board, the record that planning and the LAUSD would have you use to create an understanding of the issues is simply not borne out by the facts. From the condemnation of land by LAUSD to create recreational space for children, to the Urban Design Guidelines of the CRA Project Area, to today's University Park Preservation Plan, I can speak with authority and expertise because I was there.

I believe a very good development can occur here, one that meets the needs of affordable housing and the preservation goals of the community. But the misrepresentation of both history and facts has got to stop, and I pray it stops with you as our elected representatives.

First, the property in question was acquired by eminent domain and neighbors were displaced. That is the record of the Los Angeles Unified School District v. Fernando Gonzalez, Teresa Gonzalez, Fernando L. and Carmen H. Salcedo et al, Superior Court Case No. 617605.

Seventeen persons were displaced and the LAUSD in its case files and in its resolution promised "Said public use and improvements are planned and located in a manner which will be most compatible with the greatest public good and the least private injury."

We have had the private injury of a parking lot. Now the planning department is using as its baseline for environmental purposes, an asphalted parking lot that represents the dereliction of the LAUSD for the past twenty six years. The neighborhood has endured this eyesore, and the infliction of this eyesore is being used to justify a new project that does not meet the requirements of the University Park Preservation Plan (UPPP) and is out of scale with the surrounding neighborhood.

The LAUSD could have purchased a mortuary and vacant land to the north to expand its schoolyard recreational space, but the school staff analysis was that choice of expansion would be twice as expensive,



from \$800,000 to 1.8M in 1985 dollars. But in this scenario, no residents would have been displaced. And the low cost historic housing would have remained on site.

The LAUSD also failed to recognize that with the purchase of the residential parcels, the LASUSD assumed vacation of Oak Street but this did not conform to the General Plan because Oak Street is a collector street and its vacation was subsequently denied.

Now, the LAUSD has now again been presumptive: first by issuing an RFP that called for some 41 units on these parcels. There is no way that the site could legally within its zoning or community context accommodate 41 units and the LAUSD was so informed by attendees at the RFP meeting. Never the less, it proceeded with and sought an unsupportable number of units and enticed developers to bid. Now, the developer makes argument that they have already cut down the usage from 41 to 29 and they must have the 29 to proceed. I would argue that 29 should **not** be a magic number. I would argue also that LAUSD needs to make amends and make accommodations to the developer and the community to diminish its expectations of mass and mixed use parking.

The University Park HPOZ Board, from the very first meeting, said this project is too massive, particularly with Building Number 3. The HPOZ Board found that the project does not comply with the Preservation Plan. The developer's own analysis shows this. Review boards struggle to understand and make fact based decisions. The factual data is in the record and does not support Planning's conclusory arguments.

The Director of Planning by skillfully editing and arranging the data found that it does meet the Plan but a fact based analysis shows that it does not. It is clear to us that a 13,000 square foot building covering 57% of the lot does not meet the standards of the Plan. The lot coverage is excessive as illustrations in the appeals visually show. The nearby multifamily buildings are between 3,000 and 6,000 square feet, nowhere near the 13,000 of proposed building #3.

### **MND Mitigation**

The proposed MND for the project is not legally sufficient to meet the requirements of CEQA in protection of our environment. The failure, at its core, is the conclusion of the preparer that impacts "will be mitigated to a less than significant level through compliance with the Secretary of the Interiors Standards for Historical Resources by the following measures: Comply with the University Park Historic Preservation Overlay Zone preservation Zone."

Since the University Park HPOZ Board has already found that the Project does not comply with the UPPP and thereby the SISHR, the proposed mitigation fails to be sufficient. The Board decision was made after lengthy review of partial elevations, data on lot coverage, review of the subject materials, massing, scale, volume, and review of the historic pattern of development for not only the subject site but also the surrounding blocks. Given that our Board has found that the project is not in compliance with the UPPP, the significant negative impacts to the environment are not mitigated. While the Director of Planning may disagree, there is, never the less, expert opinion to the contrary. When there is a disagreement between experts, for purposes of CEQA, a higher level of review must be undertaken.

It was also a recommendation by the Board and its architect during the Preservation Plan process, that any development spanning over two parcels should require an EIR. (A suggestion planning did not take, but it does demonstrate that the Preservation Plan did contemplate standards for more than a single parcel

development, contrary to the representation made by the Director of Planning in his Recommendation Report to the SAPC applying more revisionist history.)

We understand how frustrating it must be for a developer to feel that he has already cut the unit count by 12 units and this number of 29 has been non-negotiable. This has led to an impasse and the developer has been more than willing to discuss aesthetics, but not that which is the core problem.

They have insisted on 29 units, approximately 30,000 volume of building, and 74 space mixed usage parking. The applicant asks for excessive buildable area to make their project acceptable from both "a design and financial standpoint." That does not permit their exclusion from the requirements of the Preservation Plan, which requires that development be compatible with the pattern of the known site plans of the now vacant parcels. The buildable area needs to be examined in terms of the Preservation Plan which states that the HPOZ would like to see "the relationship is of building to lot area not exceed 35%." The purported building to lot area stated by the proponents is 49%, which far exceeds this objective. And the MND failed to analyze impacts of the development on the Twentieth Street National Register District which is not even acknowledged in the MND and the initial study and checklist.

#### **Application of PF Zoning**

The ZA has however used RD1.5 zoning requirements but then, without justification, uses the PF zoning to justify an underground parking lot for school staff mixed with tenant parking. This does not, as the proponent alleges, comply with RD1.5 standards. RD1.5 standards would provide for 21 units, and not permit a mixed-use public and tenant underground parking usage. Given that this project is inherently discretionary, one cannot consider the density bonus by right in this highly sensitive environment. Everything about this development is discretionary and not by right.

The AZA in his discretionary authority applied a 1946 zoning policy allowing the six parcels to be treated as one. This arcane policy could not have envisioned the requirement of the preservation plan to retain historic patterns of development. The AZA erred in his discretion to permit the reconfiguration of the six historic parcels to be treated as one parcel, with the side yards being treated as new front yards and the rear yards being considered as side yards. It was an arbitrary and unfounded decision which violates the Preservation Plan.

#### **The Director Recommendation to SAPC**

The Director in an effort to justify his decision has attempted to diminish the authority of the University Park Preservation Plan. He states: "The Guidelines, however, are just that: Guidelines, and not standards which have the enforceability of an ordinance. Although repeatedly referred to by the Appellant as "requirements", they are in fact advisory guidelines." Nothing could be further than the truth. This is a blatant attempt by a person who was not present at the drafting of the Preservation plan, nor engaged in the year long process of public meetings, to misrepresent the purpose and intent of the Plan. And the Plan is empowered by the Preservation Ordinance and was adopted unanimously by the Planning Commission.

And we noted earlier, the Plan did contemplate development over multiple parcels, another misrepresentation by the Director. As the Director states "The Plan generally envisions small-scale development on a single lot or a small consolidation of lots. The Norwood project is the redevelopment of six lots that had been previously consolidated to one large .73 acre surface parking lot. The multi-family

typology of the Norwood project is not one contemplated by the UPPP. The plan provides guidance on new, small-scale multi-family projects, but is inadequate in addressing unanticipated Forms such as the Norwood project.” This is simply untrue. The Plan did contemplate development over multiple parcels and subjected them to the same rigorous standards as any infill developer.

### **Project Non-Conformance**

The project as proposed is not in substantial conformance with the purpose, intent and provisions of the General Plan, the community plan and any applicable specific plan. Applicable objectives of the South Community Plan requires “preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, setbacks and appearance.” (11-3)

The Norwood project fails many of the tests for compliance with the General and Community Plan, and Preservation Plan. The South Community Plan requires “Such new development should explore the existing development patterns, infrastructure, street systems, urban design , architectural features and historical resources in order to maintain community context (III-1)

### **Conclusion and Recommendation**

In its present configuration, the MND for the project is legally insufficient and relies on mitigations that do not exist in fact. The project is not compatible for a site plan in this historic area, and that unless the project is redesigned to reduce significant impacts and conform to the South Community Plan and the UPPP, an EIR should be required. The project needs to “Retain the historic relationship between buildings, and streetscape.” (Urban Design Guidelines adopted for the area in 1981.) While the developer has made progress in streetscape elements, there remain insurmountable features of this project in order to secure compliance with the UPPP and mitigate the severe and irreparable environmental damage. At the first meeting with the developer about the project, I suggested it was too big. While there are design improvements in terms of the façade, it remains substantially the same: too big, too massive, too voluminous, out of scale for the neighborhood, and includes a parking lot configuration that cannot be justified in this fragile environmental setting.

There are solutions possible: omitting the school staff parking, placing the community room underground in its place, reducing the third story volume of building 3, and reducing the rear yard lot coverage.

Such a positive solution would require that the parties, particularly the LAUSD who has imposed such harm to this neighborhood, meet and resolve the issues.

Sincerely,

Jean Frost

[indiejean@att.net](mailto:indiejean@att.net), 213 747 2526

27 St. James Park  
Los Angeles, CA 90007  
May 12, 2014

Planning and Land Use Management Committee  
City Hall  
200 North Spring Street  
Los Angeles, CA 90012

RE: Special Meeting – March 13, 2014  
Agenda Items 8 (14-0232) and 9(14-0232-S1)  
2003-2023 Oak Street  
Case No.: ZA 2012-1216 (ZAA) (SPR)-1A  
and DIR-2012-1217-CCMP-1A

Dear Committee Members

I am a 24-year resident of University Park, an extensive investor in the neighborhood, and vice chair of the University Park Historic Preservation Overlay Zone. In all three capacities I urge you to right a long-standing wrong by rejecting the Planning Department's approval of an inappropriate, excessively overscale project for 2003-2023 Oak Street, in the heart of our struggling, low-density neighborhood.

The sad history of the property is this: In 1986 the Los Angeles school district used eminent domain to seize and demolish a block-long stretch of small, 1- and 2-story residential buildings on the west side of Oak Street. Ostensibly these six buildings were taken for playground use, but instead the district paved all six lots, surrounded them with a chain-link fence, and used them for staff parking.

Now the district compounds its arrogance by partnering on a project that would grossly violate community-adopted standards for height, bulk, footprint and set-back. Those standards were upheld last year by the community's HPOZ board, which held many hours of hearings on this project before rejecting it as incompatible – on numerous grounds – with the community's Preservation Plan.

Regrettably the city's Director of Planning has ignored the HPOZ board's findings and determined that:

- A project with 49 percent lot coverage reflects the community's standard of 35 percent.
- A project of 31,571 square feet reflects the original buildings' 14,032 square feet.

- A project of 2 and 3 stories reflects a prevailing pattern of 1 and 2 stories.
- And a cherry-picked list of aberrant mid-rises justifies building this massive project on a street struggling to preserve its remaining single-family homes.

This pattern has become all too familiar in our neighborhood in recent years. Empty lots become available – through fire, illegal demolition or seizure – and projects arrive that greatly exceed the lost structures in height, massing, footprint and density. Little by little, this creeping maximization is chipping away at the low-rise, low-density character of our neighborhood – the very qualities that have drawn its residents to live here. Each proposal for a new structure is substantially larger than what is replaced.

It's time to step up and tell developers – "non-profit" or not – that their projects must be compatible with the neighborhoods they seek to join. It's time to throw your weight behind our community, to uphold our rules by upholding these appeals, and to tell the school district to come back with a plan that helps repair the wrong it has done.

Thank you for your attention.

Sincerely

Jim Robinson

-----Original Message-----

**From:** Janice Robinson [mailto:janicerobinson@ca.rr.com]

**Sent:** Monday, May 12, 2014 11:50 AM

**To:** sharon.gin@lacity.org

**Cc:** gerald.gubatan@lacity.org; councilmember.cedillo@lacity.org

**Subject:** Comments re May 13 PLUM meeting, Agenda Items 8 and 9

Councilmembers Jose Huizar, Gilbert Cedillo and Mitchell Englander

Planning and Land Use Management Committee

Re: Special Meeting May 13, 2014

Dear Councilmembers

I am writing to express my concerns regarding Agenda Items 8 and 9 of your May 13 special meeting.

The appeals before you are an attempt to uphold clearly expressed, community-determined standards in the face of an inexplicable veto by the city's planning director. I'm asking you to veto that veto, support the appeals, and return community planning to the community.

Simply put, this intrusive proposal violates standards for setbacks, footprint, height and bulk, and offers those violations as "mitigation" because the developer's earlier proposals were even worse!

University Park's standards are clearly detailed in a Preservation Plan, adopted nine years ago and available to any would-be developer, online or in person from the Planning Department. The plan was born at a series of public meetings at which residents called for preserving their neighborhood's historic character and its low-rise, low-density profile.

I was in at the plan's birth, as a founder and eight-year member of the University Park HPOZ board, and a six-year board member of its predecessor, the Community Redevelopment Agency's Project Area Committee for the Adams-Normandie 4321 neighborhood. Our HPOZ board spent more than a year consulting the community and debating the details before ultimately adopting our Preservation Plan on a unanimous vote.

Our aim was to remove uncertainty for homeowners and developers by spelling out, as precisely as possible, what the requirements are in our community and what elements of a project would not be acceptable. The process only works if people have confidence that the plan means what it says, and that all applicants will be treated equally, whatever their credentials.

This project fails to conform to clearly stated, measurable criteria, and its approval by the planning director raises serious questions about equal treatment that must be addressed.

Sincerely

Janice Robinson

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May 10, 2014

Hon. Councilmember Jose Huizar, Chair  
Hon. Councilmember Gilbert A. Cedillo  
Hon. Councilmember Mitchell Englander  
Planning and Land Use Management Committee

c/o Sharon.Gin@lacity.org

RE: Item 8 (14-0232) and 9(14-0232-S1)  
Oak/Norwood Project, 2003-2023 Oak Street (904 W. 20<sup>th</sup> Street, 2009, 2015, 2021, 2023-2025  
Oak Street, 903-909 W. 21<sup>st</sup> Street)  
ENV-2012-83 MND, CASE NO. ZA-2012-1216 (ZAA) SPR / DIR 2012-1217-CCMP/  
UNIVERSITY PARK HPOZ

Honorable Committee Members:

I am contacting you regarding to the proposed project and its Mitigated Negative Declaration "ENV-2012-83 MND" and associated DIR 2012-1217-CCMP and ZA 2012-1216 ZAA. This matter is scheduled for consideration of two appeals at the PLUM committee on May 13, 2014. As an appointed HPOZ Board member selected for my expertise in preservation, I submit that there are serious issues with the project's compliance with the University Park Preservation Plan, the standard by which all projects in the HPOZ are evaluated.

I request that you support the two appeals and deny this project because the environmental impacts of the project are neither fully identified nor addressed by the MND. More specifically, the MND concludes in Section V that there are potentially significant impacts to the historic settings and Cultural Resources **unless mitigated**. The mitigation proposed is compliance with the UP-HPOZ Preservation Plan and thereby the requirements of the Secretary of the Interior's Standards for Historic Resources (SISHR). Since the project, in my view and in the view of the HPOZ Board and other experts, is **not** in compliance with the UP Preservation Plan, the significant negative impacts to cultural resources are **not mitigated**.

The massing, setbacks, lot coverage, height and historic pattern of development are contrary to the character defining elements of the Oak Street, 21st Street, and 20th Street block faces and set a new and incompatible precedent for development in this area. The developer has cherry-picked more massive examples to support the development ignoring the basic principle of what is prevailing as defined by the Preservation Plan, identifying what are the most controlling block faces to measure what s compatible.

The AZA in his discretionary authority applied a 1946 zoning policy allowing the six parcels to be treated as one. This arcane policy could not have envisioned the requirement of the preservation plan to retain historic patterns of development. The AZA erred in his discretion to



permit the reconfiguration of the six historic parcels to be treated as one parcel, with the side yards being treated as new front yards and the rear yards being considered as side yards. It was an arbitrary and unfounded decision which violates the Preservation Plan.

The MND further exacerbates traffic and circulation issues and fails to include any comprehensive traffic study. By developing a 31,571 square foot, 29 unit, 54 bedroom apartment building with only 32 resident parking spaces will mean more demand for street parking. The provision for sharing the parking, with tenants and staff, does not conform to RD1.5 zoning. Providing 40 parking spaces for school staff leaves the question where will all the remainder of the ninety or so staff cars go? The existing surface lot is full and chain link fence proclaims "staff parking only."

The neighborhood surrounding this project already suffers tremendously from morning and afternoon traffic issues resulting from activities (drop-off / pick-up) of the four schools in the immediate area; The Gertz-Ressler HS & Richard Merkin Middle School (2023 S. Union Ave.), Downtown Value School (950 W. Washington Blvd.) & the Norwood Elementary School.

The fact that the Norwood School blocks off north-south traffic on the adjacent section of Oak St. compounds the issue as most of the traffic funnels down Toberman St. on its way to Washington Blvd. Toberman St., while allowing two travel lanes, has highly restrictive parking that only allows for eastside curb parking south of Washington Blvd. The reason for this is that Toberman St. is only 30 feet wide at this point and can only accommodate three car widths for travel and parking.

Taken into consideration with the location of the Downtown Value School located on the corner of Washington and Toberman, Toberman frequently becomes impassable, with double parked cars (from student drop-off) lowering the travel lane to one car width.... for both directions. The Norwood Learning Village project will add additional traffic to a section of the neighborhood that unfairly must live with the current situation.

Also, concerning an issue not directly related to traffic, but certainly to the viability of the project, I request that the Dept. of City Planning not ignore historic setbacks, permit a shared tenant and school staff parking configuration but rather advise the developer to conform strictly to the limitations of RD1.5 and satisfy the design guidelines outlined by the University Park HPOZ. It has also been pointed out that while the nearest adjacent zoning is RD1.5, the actual adjacent usage is far less, consisting of many single family dwellings. Further the arbitrary combination of the PF zoning as well as the RD1.5 zoning to allow for the mixed tenant and employee/public use of the parking element "because it is under the control of the LAUSD" is flawed and capricious logic.

The community and city empowered my local HPOZ in the late 1990's to hold residents to an appropriate "design envelope". While not always in my personal interest, the guidelines do indeed maintain and create buildings and structures conducive to a successful and thriving community. I welcome this development as long as the project adds more to the community than it detracts. Requiring that this project conforms to the UPHPOZ design guidelines insures that this will happen. Unfortunately, the project in its current form does not.

Please include these comments in all case files. Thank you for your time.

Sincerely,

Daniel J. Burke

*Daniel J. Burke*

James Oviatt Building  
617 South Olive Street, Suite 320  
Los Angeles, CA 90014  
Telephone: 213 833-0005

May 13, 2014



Hon. Councilmember Jose Huizar, Chair  
Hon. Councilmember Gilbert A. Cedillo  
Hon. Councilmember Mitchell Englander  
Planning and Land Use Management Committee

c/o [Sharon.Gin@lacity.org](mailto:Sharon.Gin@lacity.org)

**RE:** Item 8 (14-0232) and 9(14-0232-S1), PLUM, May 13, 2014  
Oak/Norwood Project, 2003-2023 Oak Street (904 W. 20th Street, 2009, 2015,  
2021, 2023-2025 Oak Street, 903-909 W. 21st Street)  
ENV-2012-83 MND REC 1, CASE NO. ZA-2012-1216 (ZAA) SPR / DIR  
2012-1217-CCMP/ UNIVERSITY PARK HPOZ

Dear Council members,

I am writing about this development case before you regarding the proposed infill by the developer on this property located in the University Park HPOZ and adjacent to the 20<sup>ST</sup> Street National Historic District. As an Architect with over 40 years of preservation experience; as a former Board member on two HPOZ districts (University park HPOZ 2003 through 2005 and the Miracle Mile HPOZ from 1992-1997) ; and as the co-author of the University Park HPOZ Preservation Plan, I would like to ask that you **reject** this determination for issuing a Certificate of Appropriateness by the planning department for this project.

The proposed project is entirely against what the Los Angeles HPOZ ordinance and HPOZ neighborhood zones were created by Los Angeles City Council to prevent. Currently 27 neighborhood groups throughout Los Angeles and Nationwide preservation groups have created these districts by a majority vote to control the physical, economic and environmental impacts that will occur when inappropriate development is forced onto these specific historic neighborhoods.

Each Preservation Plan was adopted by planning staff and neighborhoods to standardize City wide enforcement and to set of measureable values about what constitutes "appropriate development and change" within each of the HPOZ districts.

This development has a number of problems within its design as presented. It tries to put an appropriate "historical" façade on a non-conforming project while not meeting the underlying goals and philosophy of the HPOZ Ordinance.

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Milofsky  
and  
Michali Architects

1. This project is adjacent to a **National Register District** as well as within the boundaries of the HPOZ. This should be treated as even more stringent in its required conformance with the national Secretary of Interiors Standards and should comply completely with the guidelines of this local UP Preservation Plan. The project as presented has too many variances from the Plan, which they try to justify because of the multi-family project type and current zoning standards. The Plan applies to all infill residential and commercial projects and supersedes zoning standards where it is more restrictive.
2. This project does not meet the important **massing** standards of the plan by having two and three story high units in the rear yards, which are traditionally throughout the city and specifically in this historic district reserved for one story structures or stepped two story structures with adequate rear setbacks and open space. This project proposed 5' setbacks that now extends across the rear portion of the site for both the two story Units 2 and 6 and the three stories double Unit 3 and 4 structures. The developer has placed the highest development to the rear to disguise the project as being "two stories" on the street. This project actually has a center portion with three stories that is two lots wide if the development is placed in the front half where it belongs, which would then not meet the standards.
3. The proposed of 59% **Lot coverage** is above the 35% allowed for all types of new development in the Preservation plan. This is a critical element in any historic neighborhood. The developer is trying to cherry pick historic structures that show lot coverage above the Plans but these were known at the time of the original district boundaries and accepted as part of the district. The Plan addresses any new development standards for this specific district to enable limitations about maximum allowable lot coverage that are deliberately more restrictive than the current zoning code.
4. The project does not respect the **historic lot setback pattern** of the neighborhood. Units 3 and 4 actually extend over the historic lot lines and all "six" of the buildings are tied together into one building by the second floor corridor. The project places 12 of the 29 units in the rear yard which is also nonconforming and inappropriate result of their failure to respect the required lot coverage. All new construction is required by the Plan to respect the historic development pattern that makes this district special and unique.

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Milofsky  
and  
Michali Architects

In summary, I am asking that the Council not approve this **inappropriate** development. Your final approval will weaken the current law by skirting the HPOZ clearly stated development standards and therefore also reducing the effectiveness of the local HPOZ Boards with their great depth of experience in these approvals. This create a loophole that can be used against all HPOZ developments throughout the City where this kind of project could now occur.

Sincerely,

Thomas Michali,  
Partner  
M2A Milofsky and Michali Architects

Cc: [Councilmember.Huizar@lacity.org](mailto:Councilmember.Huizar@lacity.org)  
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May 13, 2014

Hon. Councilmember Jose Huizar, Chair  
Hon. Councilmember Gilbert A. Cedillo  
Hon. Councilmember Mitchell Englander  
Planning and Land Use Management Committee (PLUM) c/o Sharon.Gin@lacity.org

RE: Item 8 (14-0232) and 9 (14-0232-S1)  
Oak/Norwood Project, 2003-2023 Oak Street (904 W. 20th Street, 2009, 2015, 2021, 2023-2025 Oak Street, 903-909 W. 21st Street)  
ENV-2012-83 MND REC1, CASE NO. ZA-2012-1216 (ZAA) SPR / DIR 2012-1217-CCMP/  
UNIVERSITY PARK HPOZ

Honorable Councilmembers:

I am requesting that you support the appeals before you today and not certify the MND for the Oak/Norwood project. To certify would do irreparable harm to the University Park HPOZ and its residents. As one of the original Board members, I was an active participant in the development of the University Park Preservation Plan. To suggest that it is simply an advisory document, diminishes the duties and use of the Preservation Plan as defined in the HPOZ Ordinance 75891 (Section 8 – Board Powers and Duties):

*In pursuit of the purposes of this section, to render guidance and advice to any Owner or occupant on construction, demolition, Alteration, removal or relocation of any Monument or any building, structure, Landscaping, Natural Feature or lot within the Preservation Zone it administers. This guidance and advice shall be consistent with approved procedures and guidelines, and the Preservation Plan.*

It does not state that you can take these requirements and find them to be just advice that can be ignored. Planning has stated "*The Guidelines, however, are just that: Guidelines, and not standards which have the enforceability of an ordinance.*" The Ordinance itself on my reading states otherwise. The Board must give advice consistent with the Plan which the Director of Planning has in this case ignored. The Preservation Plan has provided a useful tool to review development and rehabilitation in the HPOZ. During the last thirteen years, there has been no substantial disagreement between the Director of Planning and the UP HPOZ Board until this proposed project.

For family reasons I was not able to participate in the meeting where this project was reviewed as an action item. However, because of the significance and impact of this project, I emailed the Board chair

and the planner that "... despite its many merits, I am not convinced that it meets our Preservation Plan criteria for such a residential location in the district; so I would have difficulty justifying that the Board vote to recommend." My email advised the Chair and the Planner that while not able to be present, I nevertheless did make my concerns known for the record. This was the least I could do in reviewing one of the largest development proposals, over 31,000 square feet of volume, ever to come before the Board.

I therefore request that you rescind the MND because the MND mitigation is entirely invalid: the project before you **does not comply** with the University Park Preservation Plan, the yardstick against which all proposals are measured.

As a realtor specializing in historic properties in the West Adams area, I can testify that the Preservation Plan unites the community and provides very specific expectations. It is troubling that in this case, the Director of Planning has ignored many of the community embraced standards which gives certainty to an owner, developer or prospective investor.

This particular project inserts a higher density development deeply into the low density residential blocks. This is likely to cause a negative impact on the desirability and thus the property values of nearby owner occupied properties, and therefore imperil re-investment in their restoration and improvement, thus affecting quality of life in the HPOZ.

The lack of consistent application of the Preservation Plan (which the Director's decision in this instance encourages) undermines the inherent financial stability of the neighborhood and discourages investment. A developer cannot be sure what criteria may or may not be applied. Homeowners will lack the assurance that neighboring properties will be held to certain standards to which they have adhered. Future owners may be reluctant to invest in a community that has uncertain expectations.

The Office of Historic Resources (OHR) in its recommendation to the South Area Planning Commission deliberately and without justification minimized the importance of the Preservation Plan. Confronted with a project that cannot meet the Plan, Planning is left with the choice of agreeing with the HPOZ Board and its expert findings, or taking issue with the importance of the Plan itself. It chose the latter.

The adopted Preservation Plan assures that the uniqueness of this neighborhood will be protected and local factors are folded into the preservation plan(s) template as implemented by the OHR. To not adhere to the Preservation Plan, which this project, based on the factual data, clearly does not, leaves the Planning Department with diminishing the effectiveness of the plan itself. This undermines the stability and economic growth of the community.

Approval of this project in its current form will weaken the current law by eroding established HPOZ development standards. It also nullifies the effectiveness of the local HPOZ Board with their years of expertise in application of historic standards pursuant to the Plan.

Sincerely,

A handwritten signature in black ink that reads "David Raposa". The signature is written in a cursive, flowing style.

David Raposa, Broker/Owner