

VIA EMAIL AND PERSONAL DELIVERY

February 26, 2019

Hon. Gil Cedillo, Chair
Hon. Paul Krekorian, Vice-Chair
Hon. Marqueece Harris-Dawson, Member
Housing Committee of the Los Angeles City Council
c/o Holly L. Wolcott, City Clerk
Office of the City Clerk
200 N. Spring Street
Los Angeles, California 90012-1780
Email: CityClerk@lacity.org

***Re: Project 456 West 9th Street San Pedro;
Case No. ADM-2018-5752-DB-SIP;
Council File # 15-0450/S1***

Dear Honorable Members:

This law firm has been retained by a neighborhood group and land owners in the vicinity of 456 West 9th Street San Pedro, California to address deficiencies in the above-referenced project (“the Project”). Building low-income and very low-income housing in the City of Los Angeles is a laudable goal, but it cannot come at the cost of depriving neighbors of necessary parking. Nor can it come at the cost of disregarding existing zoning requirements. Unfortunately, the Project does both.

Numerous establishments, including an elderly care facility and a charter high school, rely on the existing parking spaces at 456 West 9th Street to serve the downtown San Pedro community. There are currently 133 parking units on City-owned land. Those spaces are used for elderly care, educating high school students, serving the area’s business needs, and by nearby residents. The contemplated Project, however, will have just 107 parking spaces, of which, 48 spaces will be available on a first come first served basis. This reduction is unreasonable and will impose substantial burdens on the San Pedro Downtown Business Community. Paragraph 15 of the Planning Commission’s January 18, 2019 letter of determination states City departments “shall resolve the status of any parking assessments with affected San Pedro businesses and institutions . . .” Plainly, the City is aware of the serious parking problem, yet to date, City officials have done nothing to “resolve” the issue.

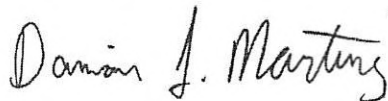
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Moreover, equally concerning, is that the Project contains two “off menu” concessions that reduce the required 9-foot side yards on the west and east sides of the Project to 0 feet. Under the Los Angeles Municipal Code, an “on menu” concession of up to a 20% reduction in the side yards is allowed. *See* LAMC 12.22(f). The Project, by contrast, exceeds those reasonable limitations and allows on “off menu” waiver of *any* side yard space on the west and east sides. The January 18, 2019 Planning Commission’s letter of determination fails to provide adequate findings to justify these wholesale waivers of the existing standard.

These concessions will have an adverse impact on the public health and safety of the physical environment. *See e.g.* California Govt. Code § 65915(d)(1)(B). The letter of determination states “There is no evidence in the record that the proposed density bonus incentive(s) will have a specific adverse impact.” But this observation is substantively meaningless. The Project has been expedited under Government Code § 65913.4, so there has not been a complete record prepared in the first place. The record would not be so limited had the Planning Commission taken the time to properly consider the adverse impacts.

On behalf of our clients, we respectfully request a vote on the Project be delayed by 45 days to allow time for further evaluation of the Project’s adverse effects. The record should be more fully developed. Government Code § 65913.4 (S.B. 35) allows for expedited approval of low-income housing projects that meet *objective* criteria. But the Project falls far short of meeting that standard.

Sincerely yours,



Damian J. Martinez
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