Communication from Public

Name:	Jean Frost
Date Submitted:	05/20/2019 04:32 PM
Council File No:	19-0370
Comments for Public Posting:	Additional comments for May 21, 2019 Public Hearing from NANDC

NANDC
North Area Neighborhood Development Council

Re: CF19-0370, 19-0370-S1

Agenda Items 11 and 12, May 21, 2019

Honorable Members of the City Council PLUM Committee

COUNCILMEMBER MARQUEECE HARRIS-DAWSON, CHAIR
COUNCILMEMBER BOB BLUMENFIELD
COUNCILMEMBER CURREN D. PRICE, JR.
COUNCILMEMBER GILBERT A. CEDILLO
COUNCILMEMBER GREIG SMITH

The Neighborhood Council system enables civic participation for all Angelenos and serves as a voice for improving government responsiveness to local communities and their needs. We are an advisory body to the City of Los Angeles, comprised of volunteer stakeholders who are devoted to the mission of improving our communities and bringing government to us.

The Empowerment Congress North Area Neighborhood Development Council (NANDC) considered the Draft Environmental Impact Report for The Fig Project and found that the proposed demolitions cannot be supported in the context of the goals of the Community Plan and the CRA Hoover Project Area goals. NANDC strongly objects to the demolition of eight multi-family residence within the Flower Drive Historic District and, by Board motion at its meeting of November 2, 2017, urged the developer to consider an alternative that incorporates these buildings into his project design.

On November 1, 2018 the Empowerment Congress North Area Neighborhood Development Council affirmed its position and again reviewed the proposed project known as THE FIG and the FEIR issued for the project. The Board voted to maintain NANDC's opposition and efforts to retain the existing historic rent stabilized housing and support an alternative that retains the existing housing.

We believe the City of Los Angeles has erred in the entire process of developing the Final EIR. We urge the Council not to certify the EIR in the face of the factual data in the record, information that has been largely ignored. We urge the City Council to remedy the injustice and displacement of families and the failure to include in the FEIR an alternative for your consideration that would both save the rent stabilized housing, preserve a significant historic

resource and allow for the new development and the accompanying benefits. Return and recirculate the FEIR to include an adequate range of alternatives that:

- Includes the "towers" alternative that the preservation community embraced at two meetings with the developer and the Page & Turnbull architectural team [1]

- Includes an economics analysis of the feasibility of Alternative 3, which is a partial preservation alternative yet is dismissed without credible analysis of the reason for rejection

- Recognizes the environmental effect of the sign district and includes analysis of the impacts of the newly created sign district; this raise the question of how the push to develop a sign district may have prejudiced the City and drove the planning efforts to flatten the original towers proposal to four buildings

- Provides an answer in the EIR that factually demonstrates why an underground parking scenario is infeasible

- Consider impacts to the northerly section of the Flower Drive Historic District. The FEIR contains within it a view that somehow Districts are inconsequential and malleable to the aims of a developer

- Consider recent ownership changes that increase the potential for a design that can incorporate the Historic District

While the FEIR recognizes that the demolition of 8 out of the 19 RSO apartment buildings in the Flower Drive Historic District is a significant impact, it incorrectly claims this impact is unavoidable. Demolition of these resources is unnecessary as there are feasible alternatives proposed that could allow for development of needed housing and commercial uses that would incorporate these existing residential units into the Project. That is why the alternatives discussion in the FEIR is so critical. Yet in this document before you today, the towers alternative is invisible. The deck is stacked against a win/win solution. And we ask, why?

[1] The rationale for not including the tower alternative provided by the representative of the development team at the November 5 public hearing was that those preservation representatives in attendance were not able to arrive at a consensus. This is another intellectually fraudulent comment: the consensus was to preserve the Flower Drive and that a "towers" version would be supported. The record proves otherwise.

As stated in Jim Childs November 27, 2017 ADHOC letter to Planning: "At the conclusion of the second meeting I understood that there was a consensus for a proposed new Project Alternative concept, which would retain the elements of the FLOWER DRIVE HISTORIC DISTRICT, the proposed 21-story Hotel, and add a second tower for the residential components."

A curious justification for the seven stories is contained in the FEIR: that public input and the planning department decided that seven stories is more compatible that the original 21 one story tower concept of the developer. This is neither explained nor are any facts provided.

Not a single community member in in hours of testimony at two public hearings has said "seven stories is more compatible." Just where did this "public input" come from and why is it not anywhere in the record? And just what does compatibility mean? The dictionary defines it as:

"com·pat·i·bil·i·ty"

[kəmˌpadəˈbilədē]

NOUN

a state in which two things are able to exist or occur together without problems or conflict."

The FIG project is NOT compatible. There is an inherent conflict in the FIG development and the retention of the Flower Drive Historic District unless it is redesigned to respect the District.

The City made a fundamental error in judgement early in the process when it directed the developer to "pancake" his project from the original 21 story tower concept to a limit of 7 stories which then necessitated the destruction of the Flower Drive Historic District. We question how a justification for "compatibility" can ignore the genocide of an entire neighborhood. The belief that this 7 story version would be more "compatible" with the surroundings is an arbitrary decision that had no transparency and is completely unexplained in the FEIR. The original plan for the site was a 21 story tower and a "two towers" alternative needs to be considered in the EIR.

Overriding Considerations

There is no justification for a statement of overriding considerations when an alternative exists that preserves Flower Drive and diminishes impacts. The City cannot approve a project that has severe environmental impacts (which the FEIR acknowledges) when there is a feasible alternative.

"One of the alternatives arrived at which received support by the preservation community at the meeting: "The full preservation alternative is with 2 towers and underground parking, 1 residential bldg. 7 stories. Requires removal of the Flower Dr. Garages. Parking at rear rather than front (a la Biltmore)"; Project requires zone change from C21L to 2D for a height increase; they stated that the "hotel has to be on a corner." [2]

[2] Mitzi March Mogul, notes from meeting with Page & Turnbull and the developers, 11/21/2016

The Tract Map VTT-74193-2A

Tract Map approvals require that certain findings be made and in this instance those findings cannot be reasonably made. The record shows that the tract map is not in conformance with the Southeast Community Plan nor the Exposition/University Park Redevelopment Project Area, which remains a governing "specific plan" type land use overlay. The Project conflicts with multiple goals and elements of the redevelopment plan as the FEIR admits. The redevelopment plan also requires the preservation of historic resources with "special consideration."

The newly adopted Southeast Community Plan designates Flower Drive as RD1.5, a designation that was arrived at after numerous public hearings NANDC has spent many hours engaging in dialogue with planning in the creation of the current southeast and south community plans which makes the tract map proposal even more troubling. Given that this project also does not conform to either the former or newly adopted Southeast Community Plan (was R-4 and is RD1.5 zoning on Flower), nor the Redevelopment Plan, the DAA should not have granted the tract map request in its present form and not adopted the FEIR. The currently approved Tract map would annihilate Flower Drive from our neighborhood history.

In our November 27, 2017 letter to the DEIR, NANDC stated: *The Empowerment Congress North Area Neighborhood Development Council (NANDC) considered the Draft Environmental Impact Report for The Fig Project and found that the proposed demolitions cannot be supported in the context of the goals of the Community Plan and the CRA Hoover Project Area goals. NANDC strongly objects to the demolition of eight multi-family residence within the Flower Drive Historic District and, by Board motion at its meeting of November 2, 2017, urges the developer to consider an alternative that incorporates these buildings into his project design.*

In closing, we urge that PLUM support the appeals and recommend revision of the FEIR to include an alternative that retains the historic housing while allowing for the development.

Respectfully,

Jean Frost
Chair, NANDC Policy Committee
Area 3 Rep
c/o 2341 Scarff Street, LA, CA 90007
213 747 2526

Communication from Public

Name: Denise Nolan Delurgio
Date Submitted: 05/20/2019 11:57 PM
Council File No: 19-0370
Comments for Public Posting: The architecture and landscaping at the neighborhood called Flower Drive first attracted my attention in 1960. As a student on scholarship at SC I rode two buses to get to school and home. On my route was this vision of a perfect housing community. It has continued to attract my attention on the many reasons to be in the area. I was thrilled when it received the designations that should prevent the destruction of any part of this community. Historic Preservation must mean something in governing Los Angeles. We don't have much worth preserving to begin with! So don't permit developers to destroy what remains. Please vote down the Dlower Drive Agena Items #s 11 and 12. 19-0370 and 19-0370-S1 Thank you.

Communication from Public

Name: Esther Gertrude Haylock, Esq.
Date Submitted: 05/21/2019 02:03 AM
Council File No: 19-0370
Comments for Public Posting:

Esther Gertrude Haylock, Esq.
Mr. & Mrs. Merlin Norman Haylock
3915 ½ Flower Drive, Los Angeles, CA. 90037

May 21, 2019

Chair Harris-Dawson,
Honorable Members of the Planning and Land Use Management Committee
Los Angeles City Council
Attn: Rita Moreno, Committee Clerk - clerk.plumcommittee@lacity.org
200 N. Spring Street, Rm 375, Los Angeles, CA 90012

RE: The Fig Project – Council File Nos. 19-0370 and 19-0370-S1, to be heard by the PLUM Committee on May 21, 2019

Dear Chair Harris-Dawson and Honorable Committee Members,

I am an attorney and the daughter of Mr. & Mrs. Merlin Haylock, (a "Tenant") of one of the multifamily residential buildings currently located on the Project Site and designated a "contributor" to the Flower Drive Historic District, specifically unit 3915 ½.

The purpose of this letter is simply to notify you that there has been no agreement by this Tenant to waive any rights under the Rent Stabilization Ordinance and therefore, we respectfully request this committee maintain the full language, without revisions, of conditions: (**Q) Qualified Condition A.8. Rent Stabilization Ordinance** and (**T) Tentative Classification Removal Condition 16.Covenant**, because three of these buildings shall be relocated and if the unit(s) were to be offered for rent, said Tenant would have a right to invoke return with the RSO authorities under LAMC Section(s) 151.26 and 151.27.

The Mitigation Monitoring Program includes Measure C-3, which states:

> "Seven of the eight multifamily residential buildings currently located on the Project Site are designated contributors to the Flower Drive Historic District. **At least three of the seven contributors shall be relocated** to a suitable and appropriately zoned site or sites within 5 miles of the Project Site, to the satisfaction of the Planning Department. The **relocation of at least three contributors shall be completed prior to the issuance of a final certificate** of occupancy for the Project. [CPC-2016-2658-VZC-HD-CU-MCUP-ZAD-SPR EXHIBIT B - Mitigation Monitoring Program]

Therefore, these two conditions ensure HCIDLA retains full authority to enforce the LAMC:

Tentative Classification Removal Condition 16.Covenant

> "Prior to the issuance of any permits relative to this matter, an agreement concerning all the information contained in these conditions shall be recorded by the property owner in the County Recorder's Office. The agreement **shall run with the land and shall be binding on any subsequent owners, heirs or assigns. . ."**

Qualified Condition of Approval A.8. Rent Stabilization Ordinance.

a. The project shall comply with any tenant relocation requirements established by HCIDLA. **Enforcement shall be the responsibility of HCIDLA.**

b. The applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency binding the applicant and any successor in interest to provide tenant relocation assistance and establish a relocation program in a manner consistent with Section 47.07 of the Los Angeles Municipal Code relating to demolition. The covenant and agreement shall be executed and recorded within 10 days after the expiration of the appeal period (and final action thereon) and a copy provided to each eligible tenant within five days of recordation of the covenant and agreement.

c. Within 10 days after the time to appeal has expired, the applicant shall execute and record a Covenant and Agreement (Planning Department General Form CP-6770) in a form satisfactory to the Advisory Agency **binding the applicant and any successor in interest to the affirmative duty to abide by all provisions of the Rental Stabilization Ordinance.**

Thank you for consideration of this request.

Sincerely,

Esther G. Haylock

Esther G. Haylock, on behalf of Mr. & Mrs. Haylock

cc: Milena Zasadzien, City Planner, Major Projects
HCIDLA; Rent Division - Landlord Declarations