

Date: 1-26-10

Submitted in plum Committee

Council File No: 10-0017 L 10-0017-51

Item No.: 12-213

Submitted by Appellant

Honorable Councilmen

I want to thank you for allowing the community to address your committee and for considering this matter before you.

I would like to remind the committee that first and foremost, SB1818 is an affordable housing ordinance intended to raise the number of affordable units in the City of Los Angeles. The proposed project results in a **net loss** of affordable housing. The present properties had 51 rent controlled units and the proposed project has 146 units, 12 of which will be affordable housing. The project results in a net loss of 39 affordable units to the City housing stock. At this rate, if all the SB1818 projects follow this rate of return, SB1818 will produce a net loss of affordable housing by approximately 76%. If the City truly wants to increase the affordable housing stock this is not a good plan. The community is not against affordable housing. We have lived next door to it for over 20 years. We are against over densification that neither fits within in the character and scale of the community nor the limits of the infrastructure and in fact, decreases affordable housing stock.

The community realizes development will occur on these two properties. As a matter of fact, that will be preferable to the blighted condition the former owner and the bank has kept one of the two properties. I requested Dale Thrush have the property abated in Feb of last year and made the same request of Jim Dantona last April. The property remains a fire hazard and a magnet for nefarious activities of truant students cutting class. The caveat the community requests is the new development **fit within the confines of what the present infrastructure will reasonably tolerate and to follow the Specific Plan.** The community has a reasonable expectation that the rules will be the same for all developers and the applicable law will not be an ever unclear, moving target. The community expects the Planning Department to defend it's interests as vociferously as the developers' and be unbiased in its recommendations.

To that end, the Community asserts there is an obvious problem with the underlying zoning and the properties are an obvious AB283 miss. This must be corrected to determine the correct underlying zoning and the accurate "by right" number of units.

A full EIR is required for this project based on the errors and inadequacy of the traffic report. The Hirsch/Green traffic report admits that it did not address the "operation of the individual site access scenarios, adequacy of individual parking supplies or internal circulation." LADOT also did not address these issues. These are precisely the specific elements that impact and impede traffic flow and create an incredible safety hazard on Magnolia Blvd. There is no provision to accommodate on site refuse pick up or emergency vehicle access. There is no evacuation plan that has been created to alleviate danger to the greater community in the event of fire or earthquake emergency when density is increased 3 to 7 times on a substandard secondary highway. It is the reason a full and impartial study must be conducted of the entire Magnolia corridor, not just three "selected" projects. Both traffic reports failed to address the two closest intersections Radford/ Magnolia and Morella/Magnolia. They are land locked intersections and cannot be mitigated. Although the traffic counts were reported to be taken on an "ordinary work day that did not contain a holiday and while school was in session," they were also taken when the three projects studied were empty. However, the Hirsch/Green report and the LADOT report

credited traffic counts for these empty units. In addition, Hirsch/Green and LADOT credited another 10% for the use of the Orange and Red Lines. There is no empirical data to support these reductions and use of the Red Line still would require local intersections to be used to gain access to the Red Line. The LADOT report took another 10% reduction to traffic counts relying on cut through traffic into the single family neighborhood south of Magnolia. This neighborhood has no sidewalks and pedestrians, bicyclists, dog walkers, mothers with carriages and vehicles all use the street. The professional traffic report commissioned by the community sites that the traffic counts have been under reported by 67% and mitigations to Laurel/Magnolia, Ben/Magnolia, and Colfax/Magnolia are inadequate. Even with specious reduced traffic counts and reduced peak hour trips generated, four of the six intersections studied will remain at a LOS of F. The worst Level of Service that is measured. For these reasons alone a full EIR or denial of the project should be required but there are even more environmental issues.

The professional Shade/Shadow study proved this project violates the CEQA thresholds for sun sensitive recreational land uses of neighboring properties. There is a lack of sufficient water supplies for current residents and a rationing program has been instituted. There is extreme stress to all aspects of the infrastructure: traffic, roads, water mains, sink holes, sewage capacity and storm drainage are all issues that must be solved. The wisdom of tripling the density of property must be thoughtfully examined and considered in light of these grave environmental issues.

Please give judicious consideration to these issues and all the legal issues in our appeals that would allow you to make legal findings to deny this project before you make your recommendation to the full City Council.

We sincerely appreciate your consideration.

Respectfully,

Dale Liebowitz Neglia