



SOUTH LOS ANGELES AREA PLANNING COMMISSION

200 North Spring Street, Room 272, Los Angeles, California, 90012-4801, (213) 978-1300

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LETTER OF DETERMINATION

MAILING DATE: MAY 15 2020

Case No. DIR-2018-3204-SPR-SPP-1A

Council District: 10 – Wesson, Jr.

CEQA: ENV-2018-3205-SE

Plan Area: West Adams – Baldwin Hills-Leimert

Project Site: 3650-3700 South Crenshaw Boulevard; 3450-3500 Obama Boulevard

Applicant Mark Gabay, District Square, LLC
Representative: Stacey Brenner

Appellant No. 1: Crenshaw Subway Coalition & Damien Goodmon

Appellant No. 2: Lori Higgins, Mueller Trust

At its meeting of **November 19, 2019**, the South Los Angeles Area Planning Commission took the actions below in conjunction with the disapproval of the following Project:

The construction of approximately 648,157 square foot mixed-used building containing 577 residential units and 93,016 square feet of commercial floor area with 934 parking spaces in a 75-foot tall, six-story building. The Project massing consists of a basement level that includes the residential parking, a two-story podium that includes parking and commercial space and five building blocks of residential units arranged into five-story parallel structures. The building will contain 74 studio units, 240 one-bedroom units, 242 two-bedroom units, and 21 three-bedroom units.

1. **Granted** the appeals and **overturned** the Planning Director's determination dated June 28, 2019 to approve, pursuant to Section 11.5.7 of the Los Angeles Municipal Code (LAMC) a Project Compliance Review for the construction, use and maintenance of a six story, 75-foot tall mixed use project that contains approximately 648,157 square feet of Floor Area on an approximately 288,990 square foot vacant site including 577 dwellings units, 93,016 square feet of commercial uses and 934 parking spaces in one subterranean level and one ground floor level in the C2-2D-SP Zone within Subarea A of the Crenshaw Corridor Specific Plan; and to approve, pursuant to Section 16.05 of the LAMC, a Site Plan Review for a residential development resulting in a net increase of 50 units or more and a development that results in an increase of 50,000 square feet of non-residential floor area; and
2. **Adopted** the attached findings as amended by the Commission.

This action was taken by the following vote:

Moved: Anderson
Seconded: Willis
Ayes: Bates, Stern
Absent: Orozco

Vote: 4 – 0



Irene Gonzalez for:

Etta Armstrong, Commission Executive Assistant I
South Los Angeles Area Planning Commission

Fiscal Impact Statement: There is no General Fund impact as administrative costs are recovered through fees.

Effective Date/Appeals: The decision of the South Los Angeles Area Planning Commission is final upon the mailing date of this letter, and it is not further appealable.

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

Attachments: Summary of Public Testimony, Summary of Commission Deliberation, Amended Findings

cc: Michelle Singh, Senior City Planner
Steve Garcia, City Planning Associate

SUMMARY OF PUBLIC TESTIMONY

Appellant Damien Goodmon, on behalf of the Crenshaw Subway Coalition, expressed concerns of displacement of existing residents, including the displacement of lower-income residents most likely to use public transit as a main form of transportation. He challenged the California Environmental Quality Act (CEQA) Statutory Exemption by arguing that the Project was not consistent with the Southern California Association of Government's (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) due to the lack of affordable housing and displacement of transit-dependent riders.

Albert Lord, a representative from the Office of Councilmember Wesson, cited that although there has been long time disinvestment in the community, this project does not help build up the existing community. He recalled that District Square was originally designed to be a retail center and the current iteration of the Project needs affordable housing. The Project as proposed would force out longtime residents.

Appellant Lori Higgins, expressed concerns about the Project's size and expressed a desire to see the Project scaled back and see the Project encompass the community and local culture.

Applicant's representative Todd Nelson reiterated that the site is currently vacant and the proposed Project is a mixed-use transit-oriented development that will serve stations on two Metro lines. He stated that the Project meets all local zoning policies and the Project is smaller than what the zoning allows. He reiterated that although no affordable housing was required for the Project, the developer will offer 11% (63 units) for workforce housing for 30 years. He stated that there is no evidence that displacement would happen and the requested entitlements do not require affordable housing.

Clint Simmons, member of the Land Use Commission for West Adams Neighborhood Council, shared that the neighborhood council voted against the Project. He claimed there are no provisions for people in the neighborhood and thinks there will be displacement.

Steven Meeks, member of the West Adams Neighborhood Council, expressed concern regarding the economic impact of the Project and that it needs more provisions for low-income people.

Veronica Sansce, a resident of the community for 30 years, is against the Project and wants more affordable units in the development.

Gina Fields, a member of the Empower Congress West Neighborhood Council, wants to preserve the culture and neighborhood and does not want to be priced out. She advocated for anti-displacement zones.

Leslie Graham, member of West Adams Neighborhood Council, advocated that housing at district square needs to be more affordable, there should be a larger setback and the Project should provide a large green area for the public.

Robbie Davis, member of Park Mesa Heights Community Council, cites homelessness as a huge problem in the community.

SUMMARY OF COMMISSION DELIBERATION

Commission President Bates requested a continuation of the meeting, with Commissioner Stern seconding. The purpose of the desired continuation was to allow the Commission an opportunity to make sure the record clearly reflected the "specific adverse impact" based on objective, identified written public health and safety standards as outlined in the Housing Accountability Act.

Applicant's representative Todd Nelson did not agree to a continuation.

Commissioner Willis opposed the Project on the basis that it will not provide housing at levels affordable to existing residents, therefore the Project is not in conformance with local plans.

Commissioner Anderson opposed the Project on the basis that it would not bring high-quality job-generating uses, therefore the Project is not in conformance with local plans.

Commissioner Stern opposed the Project on the basis that it does not create a compatible and harmonious relationship between residential and commercial development, therefore the Project is not in conformance with local plans.

The Commission voted 4-0 to deny the Project.

FINDINGS

As amended by the South Los Angeles Area Planning Commission on November 19, 2019

1. **Project Permit Denial Findings.** Pursuant to Section 11.5.7 of the of the Municipal Code, the Project does NOT incorporate mitigation measures, monitoring measures when necessary, or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the project, to the extent physically feasible.

The Project requested a Statutory Exemption that precluded the project from mitigation measures, monitoring measures, or alternatives if it met the criteria of California Senate Bill (SB) 743 and Public Resources Code (PRC) Section 21155.4. In order to qualify for the SB 743 Statutory Exemption, the Project must be consistent with the applicable policies specified for the project area by the Southern California Association of Governments' (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

SB 743 Statutory Exemption

The Project does not qualify for a Statutory Exemption pursuant to California Senate Bill (SB) 743 or Public Resources Code (PRC) Section 21155.4 because it is inconsistent with the applicable policies specified for the project area by the Southern California Association of Governments' (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), including:

2016 RTP/SCS Land Use Strategies Combating Gentrification and Displacement.

Jurisdictions in the SCAG region should continue to be sensitive to the possibility of gentrification and work to employ strategies to mitigate its potential negative community impacts.

The RTP/SCS also states,

Affordability is becoming a significant issue in many communities, particularly in urban areas after the implementation of a new rail line, transit station or other major public investment. Housing unaffordability can undermine the overall goals of the RTP/SCS because it can contribute to suburban sprawl, longer job commutes and higher greenhouse gas emissions.

The South Los Angeles Area Planning Commission found that the Project would not combat gentrification and displacement and was therefore inconsistent with the applicable policies specified for the project area by the Southern California Association of Governments' (SCAG) 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (2016 RTP/SCS Land Use Strategies). Because the Director approved the SB 743 exemption, no mitigation measures, monitoring measures or alternatives were identified in the environmental review of the Project. As concluded by the South Los Angeles Area Planning Commission, the project insufficiently met the criteria of the SB 743 exemption and therefore the Director erred in his decision. Therefore, the Project does not qualify for a Statutory Exemption and thus has not undergone the appropriate level of CEQA review – this finding cannot be made in the affirmative.

2. **Site Plan Review Denial Findings.** Pursuant to Section 16.05 F of the Municipal Code, 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

The Project does NOT consist of an arrangement of buildings and structures (including height, bulk and setbacks), off-street parking facilities, load areas, lighting, landscaping, trash collections, and other such pertinent improvements, which is or will be compatible with existing and future developments on adjacent properties, and neighboring properties.

Framework Element

The Citywide General Plan Framework Element is a guide for communities to implement growth and development policies by providing a comprehensive long-range view of the City as a whole. The Element establishes categories of land use -- Neighborhood District, Community Center, Regional Center, Downtown Center, and Mixed-Use Boulevard - that are broadly described by ranges of intensity/density, heights, and lists of typical uses. The definitions reflect a range of land use possibilities found in the City's already diverse urban, suburban, and rural land use patterns.

The Citywide General Plan Framework text defines policies related to growth and includes policies for land use, housing, urban form/neighborhood design, open space/conservation, economic development, transportation, and infrastructure/public services. The proposed Project would not be in conformance with the objectives and policies of the Framework as described below.

Objective 3.4. Distribution of Land Use: Encourage new multi-family residential, retail commercial, and office development in the City's neighborhood districts, community, regional, and downtown centers as well as along primary transit corridors/boulevards, while at the same time conserving existing neighborhoods and related districts.

Policy 3.4.1. Conserve existing stable residential neighborhoods and lower-intensity commercial districts and encourage the majority of new commercial and mixed-use (integrated commercial and residential) development to be located (a) in a network of neighborhood districts, community, regional, and downtown centers, (b) in proximity to rail and bus transit stations and corridors, and (c) along the City's major boulevards, referred to as districts, centers, and mixed-use boulevards, in accordance with the Framework Long-Range Land Use Diagram.

Objective 3.10: Reinforce existing and encourage the development of new regional centers that accommodate a broad range of uses that serve, provide job opportunities, and are accessible to the region, are compatible with adjacent land uses, and are developed to enhance urban lifestyles.

The project site is a 288,990 square-foot irregular-shaped site in the C2-2D-SP Zone within Subarea A of the Crenshaw Corridor Specific Plan and the West Adams-Baldwin Hills-Leimert Community Plan area. The General Plan designates the subject site with Community Commercial land uses with corresponding zones of CR, C1.5, C2, C4, R3, R4, RAS3, and RAS4. As defined in the General Plan, Community Commercial uses consist of larger cultural facilities (museums, libraries, etc.), and similar community-

oriented uses characterized by high activity, commercial overnight accommodations and small offices, and inclusion of small parks and other community-oriented activity facilities.

Chapter 3 of the Framework Element further defines community centers as the following:

Two types of community centers are identified:

1. A multi-use, non-residential center that encourages the development of professional offices, hotels, cultural and entertainment facilities, in addition to the neighborhood-oriented uses.
2. A mixed-use center that encourages the development of housing in concert with the multi-use commercial uses. Within the centers, the joint development of public and private facilities, e.g., elementary school grades, libraries, or public cultural facilities, in multi-use developments is encouraged.

The proposed Project includes the construction, use, and maintenance of an approximately 648,157 square-foot mixed-used building containing 577 residential units and 93,016 square-feet of commercial floor area with 959 automobile parking spaces in a 75-foot tall, six-story building. The project site, located at the southeast intersection of Obama Boulevard and Crenshaw Boulevard, sits at a prominent location within the West Adams-Baldwin Hills-Leimert Community Plan area. The proposed Project does not provide cultural facilities or other community-oriented facilities, nor does it propose professional offices or other high-quality job-generating uses. The proposed Project is therefore not consistent with the policies and objectives of the General Plan and the Community Commercial land use designation.

West Adams-Baldwin Hills-Leimert Community Plan

The West Adams-Baldwin Hills-Leimert Community Plan text includes the following relevant land use objectives and policies:

Goal LU2: A community that preserves, conserves and enhances the varied and distinct residential character, scale and integrity of existing single-family neighborhoods.

Policy LU2-1 Protect Neighborhoods. Strive to protect existing single-family and low density residential neighborhoods from encroachment by higher density residential and other incompatible uses. (P67, P76, P151)

Policy LU2-4 Analyze Impacts. Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in residential densities are proposed. (P68 , P130 , P131 ,P133, P135)

Policy LU6-1 Neighborhood Continuity. Strive to maintain neighborhood continuity by targeting new proposed affordable housing to serve existing residents and be designed to complement established neighborhood character. (P87)

Goal LU7-2 Context Sensitive Housing. Encourage development parameters that ensure multi-family designated lands provide for adequate housing that is contextually sensitive to desirable prevailing neighborhood character. (P66, P9, P122)

Goal LU7-6 Community Engagement. Sponsors of new development projects should initiate early and frequent communication with community residents.

Goal LU8-3 Analyze Impacts. Consider factors such as neighborhood character and identity, compatibility of land uses, impact on livability, impacts on services and public facilities, and impacts on traffic levels when changes in multi-family residential densities are proposed. (P134, P132, P133)

Goal LU14: A community that conserves, enhances and regenerates its distinctive "main street" character by promoting continued pedestrian orientation of commercial areas.

Goal LU17: A community that promotes context sensitive projects that reinforce established neighborhood character.

Crenshaw Boulevard serves as the neighborhood's "main street" and is zoned C2-2D-SP throughout the immediate vicinity. The commercial zones are separated from the residential zones by local streets and alleys. The block east of Crenshaw Boulevard, between Obama Boulevard to the north and Coliseum Street to the south, where the Project site is located is the only block in the immediate vicinity that is immediately adjacent to residential zones and uses with no local streets or alleys bifurcating zones. The properties immediately adjacent to the east are zoned R1-1 with a designated land use of Low II Residential and improved with one-story, single-family homes built in 1941, and range in size from 1,203 square-feet to 2,150 square-feet. The construction, use, and maintenance of a six-story, 75-foot tall mixed-use project that contains approximately 648,157 square feet of Floor Area including 577 dwelling units, 93,016 square-feet of commercial uses and 934 parking spaces is not consistent with the scale and integrity of existing single-family neighborhoods and is not consistent with the existing pattern of development. As proposed, the mixed-use Project is much greater in scale and intensity than any existing development in the immediate area including the one-story, single-family homes immediately adjacent to the east of the project. Therefore, the Project as proposed fails to protect the immediately adjacent single-family neighborhood to the east (Goal LU2, Policy LU-1) nor is the Project as proposed contextually sensitive to desirable prevailing neighborhood character (Goal LU7-2, Goal LU17).

The proposed Project is not consistent with the General Plan's objectives and policies in that it does not provide cultural facilities or other community-oriented facilities, nor does it propose professional offices or other high-quality job-generating uses (Chapter 3 of the Framework Element). The proposed Project is not consistent with the West Adams-Baldwin Hills-Leimert Community Plan's objectives and policies in that it does not maintain neighborhood continuity by including affordable housing to serve existing residents, nor is it contextually sensitive to desirable prevailing neighborhood character (Goal LU7-2, Goal LU17). The proposed Project does not create a compatible and harmonious relationship between residential and commercial development, nor does it reflect the land use patterns, trends and uses in the immediate area (Goal LU2, Policy LU-1) and therefore does not further the intent, purposes and objectives of the General Plan or the West Adams-Baldwin Hills-Leimert Community Plan.