

8/13/20 CPC hearing Avenue 34 full Transcript (Beta version)

22 paid callers

49 unpaid callers

Samantha Millman: Item #9 with deep appreciation to everyone who has been waiting ...um hold on one moment we have a hand raised from Dana Perlman.

Dana Perlman: Sorry, just one point um... I don't believe that that Samantha the chair gets to see this, but at least on my screen I see a Q&A at the bottom which is something that zoom provides we don't use that in our obviously in our planning commission. If someone wishes to speak, they need to go through the protocols of dialing in etc and I just want to make sure. I've seen two questions posted there. um those are we're not ignoring them but we don't get into private discussions off the record or anything that's not in front of the entire commission so whoever wants to post a question there or a comment they should be dialing in.

Samantha Millman: Thank you okay. Item #9 is case number DIR-2019-6048-TOC-SPR-WDI-1A. The environmental case number is ENV-2016-273-MND-REC1. the project is located at 134 or sorry 135 through 153 West Avenue 34 and 3401-3437 North Pasadena Avenue within Council District 1. Commissioners please note the technical modification that was submitted for item #9 it was emailed to all commissioners. Cecilia are there any day of submissions? For the record commissioners- I would like to direct you to the CPC share drive we do have day of submissions for this item for members of the public compliant day of submissions can be viewed in the shared drive by clicking on the link located at the top of the first page of the agenda thank you. Thank you at this time we will hear from city planning staff Oliver Netburn. Oliver please go ahead.

Oliver Netburn: uh good afternoon everyone Oliver Netburn with the department of City Planning. um given the uh time of day i'll try to make this presentation as quick as possible I believe we have a lot of speakers and so I want to afford them as much time and the commission to discuss the project let me share my screen with you. um, while you're doing that I will note for the record that David Ambrose has left the meeting. um, and we have a statement from uh commissioner Leung. Hold on one moment let me unmute her. Go ahead Helen.

Helen Leung: I want to state for the record that in reviewing um communications from the public on this matter I believe that the Pinyon Group is a developer on this project

and I want to note that Pinyon Group was formerly the landlord of the non-profit organization LA-MAS which employs me and as part of their annual holiday gift giving. Pinyon Group donated five thousand dollars to LA-MAS in December of 2019 and I can be unbiased in this manner so I will continue to participate.

Samantha Millman: Thank you very much Helen.

Oliver Netburn: Okay again good afternoon everyone. Oliver Netburn with the Department of City Planning. So the case that you have before you today is an appeal of a director's action for a TOC site plan review and wdi. uh the project was a TOC tier three which included two additional incentives. uh cycling review for a five-story 468 unit uh mixed-use development with 16,395 square feet of commercial space in addition uh there was the adoption of the addendum to a previously adopted mmd for a previously approved project that was slightly smaller this project is located in the Lincoln Heights area of the city of Los Angeles in the northeast community planning area. Here is an aerial view from the city map where you can see the uh 110 freeway to the north um and to the west is the gold line um and then to the east is Pasadena Avenue

Samantha Millman: I'm so sorry to interrupt you you're breaking up a little bit would it be possible for you to dial in on your cell phone to this meeting and provide your about 60 seconds. Thank you to members of the public I just think it's better if everyone can hear the staff presentation clearly followed...um, okay it sounds like Oliver has joined

Oliver Netburn: please uh make it okay [Music] okay okay okay um sorry about that everyone uh so um just to jump off from where we were before.um i was describing the surrounding area of the project site um i wanted to note across the street is an elementary school which is immediately across the Pasadena Avenues here are some photos of the existing neighborhood. the site is zoned uh high permanent queue cm uh and so it's a commercial manufacturing zone um and that's throughout the area on the western side of pasadena avenue but there is some remnant residential development and so you can see some of those here where you have some single family homes that are within the immediate area predominantly though the area is commercial commercial manufacturing area where you have warehouses and other commercial type uses here's another photo of some of the surroundings so again just to reiterate the project is a mixed-use development 468 residential units including 66 very low income units the project was proposed at a 2.5 far however for TOC is um permitted a 3:1 far um and the project has a maximum height of five stories there's a total of uh

311 parking spaces the project site the way in which it's been designed is that there is one subterranean level that encompasses the entire site and then there are three buildings which are the residential and commercial uh buildings that sit on top of that and so there's 311 parking spaces in that one subterranean level uh in addition there's uh 400 and sorry 49 152 square feet of open space here's a view of the site plan so to the right hand side of the screen is Pasadena Avenue and to the bottom of the screen is Avenue 34. um the little uh squares that you see on the right-hand side of the site are where the commercial spaces are and of the larger structures throughout the rest of the project site are where the residential uses are there is a fence that divides essentially the public open space or the public space where the commercial uses are and then the private spaces where the residents have access to and so the spaces in between the buildings are not open necessarily to the public. they are the open space that is for the use and enjoyment of the residents uh here's just a uh the ground floor plans as i said before you have your commercial over on the right-hand side which fronts along Pasadena Avenue and then you have your residential uses uh towards the center and western portions of the property here is a typical floor plan and here's a southern elevation so this is the elevation that you would see along Avenue 34. as you can see it's a fairly long building however it's been well designed with various materials colors and articulation which reduces the overall massing of the building and then here's the northern elevation of the project site this is the rear of the project site um so this would be sort of facing uh the gold line so it's not a public facing view that you would see and then this is the Pasadena Avenue uh view so again you have the ground floor you have your commercial spaces and then above that you have your residential units so i just wanted to uh you know we have submitted a staff report where we have uh discussed and responded to all of the appeal points but i just wanted to break them down and sort of synthesize them um one of the appeal points is that uh is related to Artesian Streets um so the project site fronts Pasadena Avenue and Avenue 34. um it doesn't front Artesian Street um Artesian Street is a one-way street which is southbound or goes southbound from Avenue 34. it's not a north and southbound street it's a one-way street the impacts of the project that would be most directly affected onto Artesian would be the outgoing traffic from the project site they would be able to leave on to Avenue 34 and then they would be able to get on to Artesian and have it out of the neighborhood projects are for drivers that were trying to get to the project site would not be able to use our fusion streets they would have to come around onto Pasadena Avenue. Artesian Streets a one-way street and they would not be able to use Artesian to access the project site another point was the surrounding properties um we've characterized it and i think we showed in the um the visuals here and also

the maps and the vicinity map the context of the neighborhood it is a mixed neighborhood it has commercial uses it has industrial uses it has residential uses it also has institutional school uses and so there's a very much a mixed neighborhood the appellants contend that it is a residential neighborhood. i think we've demonstrated that it is not a residential neighborhood it does have residential uses but it's not a residential neighborhood in addition uh points were made with regard to CEQA this project utilized did an addendum to a previously adopted mnd that addendum did not find any new impacts that were not previously analyzed and so there was no need to circulate the environmental document there were questions raised with regards to traffic and with regards to hazardous materials on site those have all been addressed as part of the mnd as well as indicated before the product site has a permanent Q on it and that permanent eq has environmental conditions that are applied to it and in large flooring some significance there are storm water management requirements um that are intended to address any type of hazardous materials that may be on site and that are then captured and not um uh you know dispersed throughout the rest of the neighborhood uh the last two points are general plan consistency um you know as you all know uh general blank consistency is um you know the general plan is a large document um we look to the community plan to find the most relevant related land use policies and goals and so here we did find in terms of the residential the industrial and the commercial land uses that the project was substantially consistent um and this is a unique site in that because it is a commercial manufacturing so you don't just look to the commercial land use uh goals you don't just look at them uh the manufacturing land use souls or industrial land use schools and it's also a largely residential component so you don't just look to the residential land use you have to look at all three of them and that was what we did was we looked to all three of those main typologies and found consistency with the project and those policies and goals uh and the last item uh should say lack of not laco uh lack of public hearings um the entitlement request for the TOC site interview and wdi um as part of those entitlements the only one that may warrant the hearing is deciphered interview it's not a requirement the director may call a site plan review hearing uh if they determine that there is a potential significant impact to or adverse impacts to the surrounding properties um in this case that was not the conclusion of the director and so no public hearing was held and so that was the reason why we have not had a public hearing i believe i have a slide here um that just sort of illustrates Artesians um it's actually strange even more strange than how i described because the actual roadway configuration if you look on zimas shows artesian going through um the gold line tracks but actually because the gold line tracks are there it cuts a roadway that sort of goes through private property um which is that arrow that's pointing to the south but as you can see avenue 34 is effectively a dead-

end street you can go down avenue 34 and then you can turn on artesian but again you can't go from artesian on to avenue 34 so any traffic that is intending to go eastbound on avenue 34 is coming solely from the project site or the properties directly across the street so with that the staff recommends that the commission deny the appeal and sustain the director's determined determination and then determine that the project was assessed in mitigated negative declarations env 2016 273 mnd which was adopted on august 27 2017 and then that pursuant to CEQA guidelines 15 16 16 2 and 15 16 4 as supported by the agenda dated December 2019 no major revisions are required to the mitigating negative declaration and those substantial uh no subsequent EIR or immediate declaration is required for the approval of this project and lastly that you adopt the findings here so with that i'm available for any questions you may have.

Commissioner Millman: Thank you so much Oliver. Are there any technical questions at this time commissioners okay seeing none um we are going to go ahead and hear from the applicant's representative who i believe is Andrew Brady. Andrew please let me know how much time you need here yet hello and

Andrew Brady: uh were you going to hear from the appellant first or from us first

Commissioner Millman: Oh you are absolutely right first we're going to hear from the appellant okay sure thank you um Patricia Camacho and uh Michael Hayden welcome

Patty Camacho: Hi, thank you good afternoon commissioners my name is Patty Camacho i'm a property owner across the street from this proposed project um so that's almost 500 units so it's going to be 468 units almost 500

Commissioner Millman: how much time do you need for your

Patty Camacho: oh um if we could please have minutes 15 minutes

Commissioner Millman: yes 20...15 yeah. thank you

Patty Camacho: Thank you yeah thank you okay so i'll start again. I'm a property owner across the street from the proposed project and there are 468 units almost 500 units potentially a thousand new neighbors it's one of the oldest neighborhoods in Los Angeles and there are also some other huge TOC projects which are planned within a half mile radius of this location which will further add to the pressure on existing infrastructure and resources in this area. I was also born and raised in northeast

Los Angeles i'm a mother of two sons and an educator with the school district for over 24 years so my opposition to this project comes on multiple levels so I just wanted to state that although you only see my name on this appeal i'm here representing the residential and business owners of avenue 34 avenue 33 and those in the vicinity the vicinity who will also be severely impacted by this over development. I'm also representing over 2,500 community members who signed a petition and stated various reasons for opposing this project so those pages have been submitted as documents in favor of this appeal also there are community members who sent in countless emails to state the community's concerns emails that were sent to Michelle Carter city planner before this project had even been approved and yet we received no public hearing before this one so we really feel like the concerns of our community have been ignored and as an educator i wholeheartedly represent students and parents at Hillside Elementary which is directly across the street from this project as well as the neighboring schools that will also be impacted by this project so aside from them i also represent neighbors who were not able to attend today due to work language or accessibility barriers and I truly hope that we did not lose any of our support being the last item on the agenda I did want to say that Lincoln Heights is predominantly a Latino and asian community with a median income of just over \$30,000 and the issues presented in this appeal center around the impact that this project will have on the safety of the residents of our community in lincoln heights they're including but not limited to parking traffic existing infrastructure pedestrian safety and environmental concerns and we encourage you to closely examine the documents which have been submitted for this appeal and make the appropriate changes and improvements to ensure the safety of all the residents of this community these are serious concerns which cannot be ignored you have the power to influence these decisions and i urge you to take care of the people who live here and prioritize safety over the developers profits and my neighbor Michael Henry Hayden will speak for the remainder of my time.

Michael Hayden: hi um thanks to the commission for hearing us um i i was told that i would have 15 minutes to speak can i get a confirmation of how much time i do have how much time is left on the clock?

denison for the record 11 minutes

Michael Hayden: um all right well first of all i wanted to say that this uh today's meeting which is very long is the culmination of a process that we felt has been really frustrating of our community not being heard by the city by city planning the city district has never responded to any of our emails regarding this case um that's the background in which

we're we're coming to you today um so i wanted to start by saying that this project proposes um only 311 spaces for 468 apartments and 16 square feet of retail that could be as many as 800 residents um i'm going to share this is an image of our occasion and so this gives you a visual representation of the 14 foot wide street here that the exit of their building will lead all of their passengers out of the developer suggests that most car trips exiting the building will drive towards Pasadena avenue at the far eastern end of the block this is untrue for multiple reasons most trips from this block take drivers to the i5 the 110 the 2 or San Fernando mostly easily accessible via artesian all GPS programs suggest this route um even when asking for directions from the other end of the block closer to Pasadena Avenue driving to Pasadena would mean needlessly driving around the block waiting at a stoplight and two stop signs only if it arrives at the same rail crossing that Artesian would deliver it to you in a straight shot or making a left at an intersection with no light driving a half mile out of the way to Figueroa street and then turning left again onto a busy street with multiple stoplights um so we just find that that would be absolutely um unlikely that people would actually choose to go that way um increased traffic on our kitchen will present dangers as well as to our existing neighborhood as well as to the future tenants as they will overburden this small street because artesian is the only access to this end of the block drivers often are tempted to drive the wrong way down this narrow street parking is allowed on the street and this is actively used by a mechanic shop that depends on available street parking because there's a blind curve it's not easy to see obstacles such as parked cars or pedestrians we dispute the department of transportation study that they have proposed suggests that drivers will go to Pasadena and they've presented no evidence to support their findings there are also many schools within walking distance such as Hillside Elementary across the street and Loreto School, Nightingale Middle School, Los Angeles Leadership Academy all within a few walks of this project. the pedestrian access to Loreto and Nightingale are across a pedestrian bridge that from our block is accessible by walking down Artesian street um community residents have appealed to the developer to install a parking insurance at Pasadena avenue um Pasadena avenue is a wider street than 34 or artesian two driveway entrances to the property already exist on Pasadena avenue the developers claim that this would put an undue burden on the traffic moving along Pasadena avenue but this argument doesn't hold up if their assertion that their tenants will exit the building towards Pasadena avenue rather than Artesian is true if that is the case Pasadena avenue will still suffer the same slowdown of cars exiting and entering the building at Pasadena avenue um i'm going to talk really quickly about a call for soil analysis of the subject property um okay so i want to affirm that we don't stand in opposition to the existence of this project and we especially welcome the low income units it will offer but we believe it's operating under an

environmental review that is not looked honestly at the risks posed here the ENV associated with this project was prepared in 2016 for a different developer who had different plans for the site including leaving oldest buildings intact for instance that env approved one level of underground parking but the new but all the plans we've seen and they've presented at meetings show two levels of underground parking contrary to what Andrew I mean what um Oliver Netburn just described to you guys and I have a drawing of that i could share with you um a new review should be conducted before the city allows people to work and live on this site because excavating a potentially toxic dump site next to an elementary school to build residential apartments should be conducted with more serious scrutiny than this project has so far enjoyed welch's an industrial dry cleaner operated at 3505 Pasadena avenue from 1920 to 1988. this lot borders opinions proposed project directly to the northeast um this is a map of that property um you can see those wells at the top indicated as little blue and black things circled in red here are places where they're actively um monitoring the pollution on that site welch has dumped massive quantities of harmful chemicals into the soil including pce tce cis12 dce and many others including benzene vinyl chloride acetone chloroform and toluene um these have polluted the groundwater for a hundred years the cdc warns that these highly dangerous chemicals can cause non-hodgkin's lymphoma cervical cancer liver cancer nerve damage heart damage liver damage kidney damage reproductive hormone damage respiratory damage spontaneous abortion and immune failure the primary danger is posed by inhaling evaporating vapors the sort that could be released if construction unearths contaminated soil or water um when the pollution was discovered around 1988 the levels were so dangerously high that the new owners destroyed the buildings and agreed to conduct a voluntary cleanup uh the cleanup has not closed and the monitoring of that lot will continue for many years the most recent monitoring report from 2019 confirms that can you guys see the screen here at the ground the polluted groundwater still exists at the center and southwest corner of the property bordering Pinyon's proposed property. Pinyon's environmental review confirms that the plume of chemicals in the groundwater is migrating west and then south along the railroad corridor along the western boundary of the subject property that would move the pollutants directly into pinyon's property specifically towards the western side of the lot where they plan a two-story underground parking lot a 2019 groundwater monitoring report describes the aquifer as beginning 35 feet below surface level approximately 60 feet thick generally unconfined characterized by transmissivities on the order of 250,000 gallons per day per foot so although clean up wells have been installed to the lot in the north no cleanup has been conducted on the subject property to the south and that is the direction towards which polluted groundwater has been traveling unchecked for a

hundred years there's also a well three blocks to the southwest at the corner of lacy and avenue 33. it's another red dot here on the map that's not because that used to be part of welch's site but because they fully expected the pollution to move in that direction and so they're actively monitoring that site mostly let me show you one of the most this is the most recent uh groundwater analytical results which shows elevated levels of the three most concerning chemicals um at one of the wells right next to the property and as you can see not there is a general downward trend in these in these in these numbers which suggests that the cleanup is being successful but you'll also notice that if you look back at 2014 the level of c dce was only 15 and then two years later it was at 66. same goes for other levels where you find 1.2 and then 30 just a year later that shows you that the numbers are wildly fluctuating and that every year it could be higher than the year before this is another map a graph showing the movement of levels of the pollutants on these properties i have personal concerns for my health during and after construction especially since the cleanup has all happened upstream from the direction of the flow and i think we should find out if there's dangerous pollution before construction begins not after it's released into our atmosphere this site is directly across the street from many homes by the way there are nine residences by on our block and there are three small businesses in operation so and that's just on avenue 34. so they continually try to characterize our block as mostly uh mostly commercial but i dispute that um some of the uh on this lot dates the 1920s and their demolition is likely to expose us to asbestos lead paint and wool these are the same buildings that the approved env proposed saving like most people in my neighborhood i don't have the privilege of air conditioning if i want to cool my home i need to open windows and doors and run a fan drawing in air from the street like many of my neighbors in lincoln heights i grow much of my food in a front yard garden i worry that my soil and animals may absorb pollutants that will contaminate an important part of my food source if pinyon is unaware of this history of pollution i hope they will conduct more research and testing we know that remaining how much two minutes okay we know that they conducted a soil review a few years ago because we could see the the boring equipment which was all conducted on the eastern side of the property precisely where there is likely to be the least pollution because pollution is moving towards the southwest um this is from a letter that uh Robert Deforest sent us yesterday saying that the environmental testing conducted on the project has conduct has indicated that it doesn't i'm sorry does not have hazardous materials in the soil um this is in direct contradiction to all the evidence that shows both to the north and the south on elevated levels of these dangerous pollutants and if i could speak quickly to a few other points um the surrounding infrastructure of this neighborhood is very different from Hollywood and some of the other neighborhoods that you've been hearing proposals about today um as they've told you this is

essentially a one-way street and it's bordered on one side by a train track and by by the uh an empty lot and then the river on the other side making traffic very very minimal um and i don't think that this is this is something that everybody in our neighborhood recognizes will increase congestion to a really untenable degree especially with the the burden on artesian street this one-way street it's unsafe uh pedestrians use that street um and it's right next to the subway there's a subway crossing right there um there's one of the most popular taco stands in the city is on the next block um and this community does not have enough adequate infrastructure infrastructure to accommodate the kind of immediate growth that this project would invite there are no walkable grocery stores or drugstores within walking distance the only store close adjacent to the property is an eagle marijuana the liquor store is very small thank you.

Commissioner Millman: Thank you so much that is one of the most organized uh appeals i think we have ever seen and uh your points came across very clearly thank you for that.

Michael Hayden: can i can i add one thing

Commissioner Millman: sure let's add one more minute to the clock and then we can give the applicant equal time

Michael Hayden: I just wanted to focus on this slide relates to a slide you're going to see from Andrew Brady's presentation relating to their community outreach and i'd like to point out that by their own admission and record they count talking to district 1 is one of their uh community outreaches but the community couldn't even get email responses from district one um they've only attended two neighborhood council meetings and they've missed multiple meetings we've come to those meetings hoping to speak with them hoping to hear their proposals to the solutions. and they only say things that are external to the project like oh we'll put up street signs voluntarily or we'll put in a crosswalk um without really understanding that the impact of traffic doesn't change due to those things um they've hosted one zoom call to which four neighbors appeared um we asked to host the meeting and they would not let us do that um they have offered to do another meeting um but they also said promised they would release the recording and they have not done that they will point to the fact that a website exists but it's a website that you can't find on google and it clearly didn't bring anybody to their zoom meeting um thank you for your time

Commissioner Millman: Thank you so much um at this time I would like to invite Andrew Brady on behalf of the applicant and Andrew you can have up to 16 minutes.

Andrew Brady DLA Piper: oh and before i get started we had a presentation that we submitted should should i just share screen and that works okay i'll just do that okay one second okay can you see the can you see the presentation perfect thank you okay

Commissioner Millman: so i'm going to go ahead and start time so

Andrew Brady DLA Piper: Thank you uh madam president and commissioners it's been a long meeting uh thank you for sticking with it um first and foremost we fully concur with staff's recommendations and their responses to the points raised in the appeal in their staff report to kind of address broader issues i think we've heard uh concerns earlier in the meeting and i think i see a lot of people still in the room so i think there's a more to be raised about the issues of over-densification and displacement in Lincoln Heights and we believe that these are valid concerns but we also believe that this is exactly the kind of project uh the city needs to encourage to address these concerns and you know we understand the uh neighbors across the street might not like it you know nobody likes change uh but i think we all agree that there's a dire need uh for new housing in the city and new affordable housing in the city and and that has to go somewhere and we think this is the kind of place that it should go. uh as stated by a planning staff by Oliver this is in a commercial manufacturing zone that is defined by low densities uh the appellants who spoke uh live on a street uh containing a single story warehouse and uh and single-family houses but that area is identified across the street in the cast as hybrid industrial and urban center which allows 4:1 FAR fifty thousand square feet of retail and two hundred key hotels so this is a location that's been identified as appropriate for development and densification by the city in the city's specific plan and this is in large part because as mentioned you see the north at the corner of french avenue that this is a five-minute walk from the heritage square gold line station so the project before the commission is a true transit oriented development and adds density where there is no housing and no lower density uses around it so it is avoiding over densification and displacement and critically this project would not displace anyone it is located on a commercial warehouse site that has passed its useful life which will soon be totally vacant so redeveloping the site now is important for the additional reason that it would avoid the problems that may come about as a result of having a vacant warehouse the project provides 468 new units it is not a downtown luxury project it is market rate units including 66 very low income units and that very low income level coincides with the uh median income of the Lincoln Heights community

uh the project developer could have built 19 fewer extremely low income units but instead chose to substantially increase the number of affordable units uh and to place those units in the income bracket that is uh that that matches with the surrounding community this project is also not new and this is a critical point this project uh rather a prior version of this project kind of as alluded to by the planning department was approved in 2016. it had three larger buildings it was a much larger project overall and as confirmed by the project's environmental review was much more environmentally impactful so the current version of the project uh which constitutes modifications to what was previously approved has more than double the number of affordable units the original project had 31. this project has 66 so it proposes 468 total units but of the 95 additional units over one-third of those units are affordable it does require less excavation to clarify a point earlier the prior version of this project would have excavated one level across the entire site this current version of the project preserves half the site as native soil and then does two levels of excavation over less than half the site so it is a net decrease in the total amount of excavation proposed and does not plan to excavate the whole site so ultimately results in a net reduction in excavation the project also provides these are just the facts and figures which you previously saw as mentioned before the project provides approximately 1.5 acres of landscaped public open space along Pasadena avenue uh and it's going to be an inviting area with landscaping and seating available to the public along this road Pasadena that leads to the heritage square gold line station uh the project also it has uh three buildings but it's thoughtfully designed in that the building that's closest to avenue 34 and the only adjacent residences is stepped down and so that's only a four-story building and to the prior point about the entrance off Pasadena avenue uh it it was a misstatement by the appellant um it wasn't simply that uh we decided unilaterally that we would not include access off Pasadena avenue rather that was mandated by la dot and it was not a whim of the project developer it's in accordance with city policy that uh where there is a secondary access to a building LADOT will not allow you to have your primary access off a major street so that was dictated by not by the developer here but by a city policy we also there's additional voluntary measures in the project we work with metro to include additional lighted safety signage at the rail crossing on uh on avenue 33 where where avenue 33 meets Artesian and crosses the gold line and then we also agreed for additional conditions for safety signage on artesian additional as mentioned by the appellant we also agreed to include additional crosswalks and a vision zero compliant frontage on Avenue 34. as stated the project more than doubles the amount of affordable using uh units uh proposed by the currently approved version of the project and that currently approved version of the project by the way is subject to final and unappealable approvals it could be built today on the site without any additional

discretionary approvals from the city and the project team is also committed to implement an affirmative marketing program to get the news out for these affordable units to the lincoln heights community prior to lease up uh it includes a number of sustainability features it's green point rated uh which means that it reduces uh energy it reduces energy usage is more energy efficient than the current uh stringent 2019 title 24 standards uh and a number of other uh efficiency features are incorporated into the project and uh the project did engage in substantial community outreach uh did meet with the council district have gone to the lincoln heights neighborhood council twice uh we did not miss many meetings uh there was one meeting uh where we put on the agenda not informed about it otherwise we would have been there so the statement that there were many meetings missed is also just uh you know a misstatement and we're planning on going back to the neighborhood council uh whenever they hold their next meeting i've done extensive meetings with bid members we worked with metro to include those off-site voluntary safety measures and we did hold a community meeting which we did announce online and we did announce at the neighborhood council meeting and as stated there were only four people showed up to that meeting to speak with us to address some of the points raised in the appeal um in terms of safety uh and one thing that the appellant neglected to mention anywhere in his presentation was to address the analysis conducted by the city in preparing a mitigated negative declaration and preparing an addendum did not address any of that analysis at all in fact the city incorporates uh project design features there was a full analysis of the safety of the exit of the project site the project analysis did include consideration of the fact that vehicles exiting the project would turn right on avenue 34 and left on artesian and based on the analysis conducted by the mnd and improved by the city which now cannot be challenged because it's final uh included uh an additional layer of design review by ladot to ensure safety so at final design uh this project includes both regulatory compliance which already includes full review of the site plan and the safety of vehicles exiting to and from the project and an additional layer of ladot review you heard a lot today about contamination issues and again these issues were mentioned but there was no mention whatsoever of the extensive analysis of the contamination issue discussed for the project most importantly there was no discussion whatsoever of the fact that relative to that site to the north the DTSC issued a no further action letter in 2016 meaning that that site had met all of its regulatory cleanup targets the only thing that was ongoing was a requirement for ongoing monitoring beyond that a full phase one analysis with additional soil sampling was conducted for the project as reflected in the mnd and the addendum and the conclusion of those studies were there were no recognized environmental conditions and there were no samples detected of the contaminants of concern at the neighboring site nevertheless the project does have ongoing regulatory

requirements to sample as it goes into soil disturbance activities and to appropriately treat any hazardous materials that may be found and this project also incorporates an additional layer of clearance we need to go get a building permit clearance from DTSC before we can build none of those items were mentioned uh in the appeal report in fact all of these points raised today were raised for the first time in this presentation which does uh limit our ability to respond to some of the specific issues but also in accordance with the requirements of law when somebody doesn't raise those issues in their papers and they raise them for the first time at a hearing uh less consideration needs to be given to those issues no consideration whatsoever was given by the appellant to uh to the analysis that was conducted by the city that determined that this site uh and this project would be developed appropriately so i'm just looking at my time uh i think the final point is you know again we can understand the imposition that new construction places on neighbors who live across the street from a new project and this project does increase the size and intensity of this development but this is exactly the exactly the kind of development that we need if we're going to reduce the existing pressure on neighborhoods like lincoln heights this project proposes 66 affordable units where none exists and is a true TOC project a five minute walk from the heritage square gold line station so in light of those facts uh we think that the appeal ultimately lacks merit we totally support uh staff's recommendation to deny the appeal and to allow this meritorious project to move forward a project that does nothing more than make significant improvements on a project that's already approved and can be built today so we ask the commission to look at these improvements made to this approved project uh and and to deny this appeal allow the project to go forward on one last point there were a couple technical modifications and i have not heard yet whether those modifications would be uh implemented into the project so um i think we just reserve remaining time to address any issues that come up or questions that come up with those technical modifications i believe there was a question about the wdi but i'm not clear on what that was.

Commissioner Millman: thank you um at this time before i continue commissioners we have um we have lost a couple commissioners since we last were together so commissioners Ambrose,Perlman and padilla campos has have left meaning that everyone remaining needs to remain until the end of the meeting or we will lose quorum so please do not go anywhere at this time. I'd like to go ahead and open the public testimony portion of this item each speaker who has pressed *9 will have one minute to speak. Marcos will call out the last four digits of your phone number when it is your turn. Please state your name clearly and proceed with your comment when you hear the message that states you are unmuted. If you're accessing via zoom today uh please

click the raise hand button at the bottom of your screen. Marcos will call your name when it is your turn to speak. You'll see a prompt that states the host would like you to unmute. Please click on unmute at this time um or at that time and I will have Marcos go ahead and call the public comment. Caller peter you're unmuted.

Peter: hi uh can you guys hear me?

Commissioner Millman: yes go ahead. we've lost him. Caller Diego you're unmuted. um, can we hold up for one second. um we have an issue Karen Mack needs to leave at 4 pm. um, actually she's saying she can stay never mind um because we are going to have at least it looks like 30 minutes of public comment probably 40 minutes of public comment so, um please proceed with public comment. thank you. I have found peter peter once again - you're unmuted

Peter: um so our property is at the corner of Avenue 33 between Artisan and Humboldt. It's a 150,000 foot industrial property and we've uh we've looked at the project we've met with the developers and like uh some of the other community residents we don't have a particular objection to the property in fact or to the development in fact i think it's a nice looking property um the our major issue centers around traffic parking and safety um the the uh exit to the property the logical exit through that small corner of avenue of uh Artesian is a very risky exit um to our property we've got 15 or 20 53 foot tractor trailers coming through every day across that gold line you've got in non-coveted times a few hundred kids coming across the street and then you've got the the normal parking thank you.

Commissioner Millman: sorry it goes quickly. Diego you're unmuted

Diego Zapata: Hi my name is Diego Zapata

Commissioner Millman: We lost Diego. Caller Erik you're unmuted.

Erik: Hi good afternoon my name is Erik Frydenbourg thanks to the commissioners and to Patty and Michael for your presentation today. I work adjacent to the site of proposed development on Avenue 34. I just want to speak really quickly to um to the developer's point this was something they raised in the meeting that we had neighborhood council as well which is essentially threats that they could build the project as it was previously approved and i feel like those threats come across as um as somewhat disingenuous to the idea of dialogue but I just want to I want to second the concern about the

environmental um uh possibilities uh that are um you know are raised i think regardless of the fact that there the uh the mitigating study has been done i don't think it's been significant enough so i think we need to do a for further uh environmental analysis uh more thorough more regular rigorous updated environmental review before this uh project can move forward uh thanks to the commission thank you.

Commissioner Millman: Diego, again you're unmuted go ahead.

Diego: My name is Diego Zapata I grew up and live two blocks away from Avenue 34 and i'm an alumni elementary school directly in front of this project about a hundred years ago the affluent left Lincoln Heights because of the very freeway that lies behind its proposed development now this project seeks to exploit and capitalize on a historically working class community of color by building 468 units of housing that will only serve as an agent for neighborhood displacement. Lincoln Heights has served as a home to every latino and asian immigrant diaspora since white flight. We built this neighborhood and carved lives and legacies here in a country that is actively hostile towards us. I speak for the abuelas the yeah is out here when i say that we have a right to protect our home from these deplorable projects that will only erase exploit and displace. Please reconsider the approval of this project or we will hold the commission accountable. thank you

Commissioner Millman: Caller Aaron you're unmuted

Aaron McNeill (Paid Caller): Hello i live *in the district* uh my name is Aaron McNeill and i think that it's a pretty good idea because a lot of rent is very expensive and if it can give homes to families that can't really afford it that would be cool the one thing i'm probably worried about is the traffic but if they were put in like ample traffic signs and stuff like that i think it should be okay um that's my opinion on it. thank you

Commissioner Millman: Thank you. Caller Ben you're unmuted. Ben, please unmute yourself. I will move on. Caller 7946 you're unmuted.

Anthony: Hello, my name is mark Anthony Garcia PHD student in political economy and economic development from Lincoln Heights and my grandparents currently live in that district well it's hard for many to pinpoint the root of the problem with Avenue 34 project because there are many. The project simply favors outsiders with disposable incomes with only 66 affordable housing units. I went to Sacred Heart elementary school. My graduating class and the class before it are about 70 of us and I can think of at least six other schools whose students are now between 23 and 25 years old looking

for housing in the community with no luck during a terrible job shortage. This project is not for us we need local solutions to our local problems No to Avenue 34, No to Pinyon Group, No to cronyism. Rubber stamping is not a community consent. I yield my time thank you.

Commissioner Millman: Thank you. Caller Melanie you're unmuted.

Melanie: Thank you my name is Melanie Bellomo i'm a homeowner living on Avenue 32. I'm an rvt my husband is an LA County Firefighter. We strongly oppose this project. I have a lot to say about it everyone already knows median income of the household in Lincoln Heights is \$30,000. 75% of us are renters um and you're giving 66 units to low-income housing like who is this structure for? It is not for the residents of Lincoln Heights and I wanted to talk more about this but i feel like I really need to bring up like the the dismissiveness and smugness of Andrew Brady was it maddening sir if you want to continue to threaten the residents here just saying you guys can build this if you want to you already have the permits that's not how you ingratiate yourself to a neighborhood. Your lack of respect is disgusting and please take down that picture of Flat Top behind you because you don't care about the residents of Lincoln Heights. I yield my time thank you.

Commissioner Millman: Caller Richard you're unmuted

Richard Larsen: I'm a member of the Lincoln Heights Neighborhood Council- will I get more time or am i supposed to speak...

Commissioner Millman: I'm sorry Richard we cannot hear you

Richard Larsen: My name is Richard Larsen i'm a member of the Lincoln Heights Neighborhood Council can I speak now with some additional time or should i speak later

Commissioner Millman: Let's call you at the end. Caller Jose you're unmuted.

Jose: I'm a resident of lincoln heights and I also agree with opposing the project of the luxury apartments on AVE 34 mainly because it's a slap to our faces as residents because most of us like many people have said we are low income we are making less than \$30,000 per household not per person per household so it's again a slap to the face for people to tell us that we should be okay with these luxury apartments because at the end of the day they're not for us we're not going to be able to afford them they're

not going to be made for our convenience and it's going to displace people like Andrew was saying it's not displacing people it is because bringing luxury apartments to a low-income community is going to increase rent value and all that stuff for places around and other people are going to get this place. me myself i have not been to space but i know people in lincoln heights that have been displaced so i know that this project is only going to continue to feel that displacement and I can hide i yield my time.

Commissioner Millman: Thank you. Caller Michael you're unmuted

Michael: Hi i'm a resident of lincoln heights um i'm calling today because Andrew Brady and Oliver Netburn have no idea or legitimate understanding about what displacement is or how it operates in a community. this luxury development is going to affect local businesses small businesses that are already struggling and displace long-time residents that are working class background and their kids. it's going to destroy our community and the city council if you let this move forward you are complicit in the destruction of lincoln heights and Los Angeles in general you have blood on your hands if this is allowed to continue. I yield my time thank you.

Commissioner Millman: caller 3896 you're unmuted

Eric: Hi my name is Rric again and i'm a resident of Lincoln Heights I stand with the 2500 residents in our community who are against this project i'm offended by the entitled developers they are completely disconnected with our low-income community they don't care that we're low-income we do not need luxury apartments luxury apartments displace communities and small businesses. the problem is that we have luxury development sitting empty all over the city and enough is enough. This is a historic neighborhood it needs to be protected. You are destroying our community and this project being approved despite all the community outrage is unheard of. You cannot go forward. The community has spoken i yield my time.

Commissioner Millman: Thank you. Erin you're unmuted

Erin: I'm Erin Treffery and i've lived on west avenue 34 for over 12 years and like my beautiful neighbor Patty I have been teaching for 25 years. there have been far there has been far too much evidence as you've already heard that the scope of this particular project poses a host of public safety issues. i'm deeply concerned about the construction unearthing as we've heard from Michael. what we know to be dangerous toxins it is egregious to move forward in a pandemic with no acknowledgement or

accountability to those with compromised immunity many of whom live three thirty feet from this project. the magnitude of the demolition and construction required will come at a great cost to residents businesses and schools. i implore you and the Pinyon Group rather the Pinyon Group- I apologize, to reveal the new soil samples to the north of the project along Pasadena avenue so that we can better understand why the access in egress is not located there but instead on a 14 year old thank you if i can just say instead of a 14 foot one-way street that cannot adequately accommodate a fire truck or an ambulance i'm confident that you can support us and collaborate with the developers thank you.

Commissioner Millman: thank you. caller Tom you're unmuted

Tom: hi my name is Tom Marble um my first point would be that one way in which the the new project is not um as as good as the previous project is that the previous project had two layers of parking uh two levels and the problem is when you have 468 homes uh or residences and 311 parking spaces it's especially the time of covid people are not going to be taking transit the way that they probably think it's going to happen the other thing i wanted to wonder if people have uh noticed that the the pay to pay the recent pay-to-play scandals that are occurring if this is one of those projects that you know there's if there's uh some shenanigans going on behind the scenes. i yield my time.

Commissioner Millman: caller Kat you're unmuted

Kat (Paid Caller): Hi there can you guys hear me uh that's wonderful um perfect uh i'm Kat i live near the project in **district one** um i'll keep it sweet and simple because I only have 60 seconds um yeah I feel the developers listened to the community they even hosted a network a neighborhood zoom meeting in the middle of the pandemic so i think that's a great effort thank you

Commissioner Millman: caller Brenda you're unmuted

Brenda: My name is Brenda Contreras. i'm a resident of Los Angeles this highly exploitative highly reckless and unethical plotted project is in no way the housing that lincoln heights needs this project disproportionately increases density by 70 percent lacks parking overburdens artesian street and all surrounding streets increasing traffic danger and congestion in the school zone the developers plans demonstrate no accountability for safety measures no plans to mitigate traffic to the gold line there is no

outrage or accountability to the community this type of housing does not serve the community or honor lincoln heights rich history. the development will raise the price of housing push the most vulnerable residents out and make home ownership impossible for la's middle class- overburdening a low-income neighborhood. This is class warfare and upholds white supremacy when considering the history of this land we can see that gentrification is a continuance of the genocide of brown people under the guise of property rights please do your job of serving the community and stop this reckless project. thank you.

Commissioner Millman: thank you. caller Paul you're unmuted.

Paul (Paid Caller): Hello my name is Paul i'm a native angelino and a long time resident of **District one**. i'd like to express my support for the project Avenue 34 and I hope you will as well. I believe the project significantly improved the security and safety of the community i also think that it's really important to take note that the property is going to be built um on an abandoned warehouse and not one single unit is going to be this place thank you.

Commissioner Millman: thank you. caller Ruby you're unmuted.

Ruby: hi my name is Ruby Gomez and I was born and raised and reside here in Lincoln Heights and i just want to echo the median income monthly income of household peers \$2,500 not per person and many of these households hold up to six individuals or more. commissioners i want you to consider how you and your families would get by on this amount as you feel their community's concerns today keeping this in mind this makes it 402 excluding the 56 affordable housing units apartment complex an unattainable housing option for many of lincoln heights long-term residents who continue to be displaced due to developers buying out rent-controlled properties like a game of monopoly it is not about liking change Mr. Brady it is about strategic displacement by drawing people of privilege into our community and providing a negligible amount of affordable housing in the larger larger picture of what has been lost this project has only recently been brought to my attention so I don't know where all this community outreach Pinyon claims was i think these developers need to go kick rocks with their smug attitude. this largely unaffordable proposed development quite frankly comes with a slap to the face of members of this community who fight to stay in this area and are negatively negatively impacted by the covenant. thank you

Commissioner Millman: thank you. caller Joel you're unmuted. Joel please go ahead

Joel Anderson (Paid Caller): All right hi my name is Joel Anderson I live *in the area*. um i support the project just because i know one was previously approved with um a lot less affordable housing units so i'm kind of confused where this is called luxury housing when they've increased the amount of affordable low income units compared to what is already approved so i think this is great for the community and great for affordable housing.

Commissioner Millman: thank you. caller Anna Smith you're unmuted

Anna (Paid Caller): hi so my name is Anna Smith and I just want to say that I approve the project. um i think that the new project provides more than twice the amount of affordable units of the old one. this one has 66 words the previously proposed one had 31. the new project has eliminated the original proposal intensive office use and replaced it with the much needed affordable housing units and this relieves the pressure on the current housing stock in lincoln heights especially for rent controlled units. um and it also is it has a good environmental impact as well it incorporates sustainability and energy efficiency improvements like solar thermal systems and electric vehicle charging on sites. thank you.

Commissioner Millman: thank you. caller Brandon you are muted

Brandon Hanson (Paid Caller): hi my name is Brandon Hanson. um i live just outside of downtown just *outside the area*. um i came into the call um in favor of the affordable housing units and still remain that way but definitely echo the concerns that people who actually live closer and have more information and would hope that the developers would take into account those necessary um desires that they have for increased research for safety a lot of what has been said opened my mind in those ways so thank you

Commissioner Millman: thank you caller Diana you're unmuted.

Diana: Hello my name is Diana Tran can you hear me. okay wonderful okay so i'm Diana i'm right there of lincoln heights born and raised i went to hillside less than a block away from the side there's already a problem with how the build has been advertised to us it has not been and when it has been it's been advertised as luxury apartments no one in lincoln heights has enough money to afford our own homes already much less

luxury apartment buildings especially with the covid crisis also for the affordable housing that will be in those apartments i'd like to ask what do you think is affordable housing is it three thousand dollars a month two thousand dollars the average income in lincoln heights may stay on wikipedia may say that it's thirty thousand dollars but for us it's many it's far lower my personal family income is 13 000 annually and i know many of you have a lower income multiple family and some friends have already moved from lincoln heights to other places because the rents have been rising and rising there's a disconnect in the community there's a lot of elderly who rely on government assistance a lot of young people like me who can't even work yet to help run there's like no in between also the design of the building is basic it's like a copy piece of a template of any other luxury building there are multiple people in opposition of the building such as myself. thank you

Commissioner Millman: Carla you're unmuted

Carla: I am opposed. the mnd was inadequate cal enviro screen 3.0 a state of California environmental website which seeks to address the grave injustices in terms of pollution to environmental justice communities ranks this census tract in the 99th percentile in terms of pollution burden that means only one percent of the communities in all of California are more polluted the pm 2.5 pollution is in the 93rd percentile and just diesel pollution and 85th percentile in terms of cleanups it's in the 90th percentile there are three cleanup sites next nearby the appellants have expressed a concern about pollution from the nearby site the concern is justified this project is in close proximity to the i-5 and the i-10 there will be cumulative impacts from the freeway and from construction in additional cars and traffic and the additional TOC's there is diesel pollution coming from both the i5 and the 110 the 34 four-month construction period will bring that extra time thank you it's not enough time

Commissioner Millman: thank you and to staff um if we could just let people finish their sentences I would appreciate it thank you. Melanie you're unmuted.

Melanie Smith (Paid Caller): Hi my name is Melanie Smith I live in **district one** and i'm in favor of this project. um there need to be more affordable housing especially in this day and age and in response to the concerns of the community this project developer already has agreed to implement off-site safety measures and including adding new crosswalks and signs all around the project signs.thank you for your time.

Commissioner Millman: thank you caller. here you are unmuted

Sherry: Hello my name is Sherry i have been a Lincoln Heights resident since 1982 when I was born and I believe lincoln heights does not need luxury apartments. Here in Lincoln Heights the residents of lincoln heights will not be able to benefit from any of them as they will not be able to afford luxury apartments it is disappointing that this commission is allowing a project like this to move forward without community voice we need to see a deeper commitment from this commission to the current lincoln heights residents that means we need a community we need a community benefits agreement and an increase in units designated for low-income families less than 15 percent is not enough our representatives had the community's best interests at heart and not developers. I yield my time

Commissioner Millman: thank you caller 0997 you're unmuted

Caller 0997: Hi, i'd like to just point something out to the commissioners and the difference in how people are speaking we're getting a few canned responses about electric vehicle charging as the positives and the negatives are people that have lived in this community for 20 years are part of the schools in the district and how deeply they'll be hurt by this project i think there's a massive difference between those two things those two groups of people and i'd also like to point out the developer is threatening us with building this of the the already approved building he's using that as a threat because he knows it will hurt us. if he thought it was actually good for the community he would not be threatening us with building these units it should be good for us and i'd like to say about displacement how they say this won't displace people by building on that property luxury units and a luxury apartment complex you are creating a you are just destroying a property where you could build apartments for the community that property is then lost to do better work. thank you.

Samantha Millman: caller Amren you're unmuted

Amren Saudi (Paid Caller): my name is Amren Saudi i live *near the area* of where this is going to be built. um first of all i want to say i haven't heard of any of them building for luxury apartments i've only heard of them wanting to build low income housing which i think would be great and another thing i think would be great is that they have over 200 bicycle parking spots and they're very close to the gold line which i feel like would lower the traffic at least car traffic and parking problems but it will help low-income families find homes that's all i yield my time. thank you.

Samantha Millman: caller Julia you're unmuted

Julia Schneider (Paid Caller): hi my name is Julia Schneider and i've lived in **council district one** for about eight years i support this project and i believe that lincoln heights needs more affordable housing to meet the demand for low-income families and renters who are underserved in the community and i also do support how this project was designed in terms of community and its environmentally friendly features however i do think that um that's something that every development should prioritize especially in this day and age and i think that um should remain they should remain dedicated to building for a better more sustainable world. thank you.

Samantha Millman: Nicole you're unmuted

Nicole Henderson (Paid Caller): hi i'm Nicole Henderson i live **in this area** and i wanted to also express my support for this project. these aren't luxury apartments i heard them saying that it's affordable housing units and market rate housing units which i think both would actually be great for the area there is a big need for low-income housing and the market rate units will bring in people who can actually contribute to the local businesses and help build up the community even more so. I think that the fact that they're also going to market these units to the low income um people in the area will really help out with building up the community and making sure that those people also are able to live at this development as well. um i yield my time thank you.

Samantha Millman: caller Brian you're unmuted.

Brian Apati (Paid Caller): my name is Brian Apati **I live very nearby** to the project and i absolutely support this. the project is bringing in all new housing with 66 of the units being for low income all without displacing any existing dwellings um now more than ever do we need to get more affordable housing built in la and making developers do so in exchange for density credits is the very best way to go about that. I hope you'll support this project as well thank you to the commissioners for your time.

Samantha Millman: thank you. caller Zach you're unmuted

Zach: I'm a resident and i also have a small business on Avenue 33 so i'm there a lot and I wanted to say that I agree with the idea that uh- oh i oppose the project but I

agree with the point that the of the traffic entering and exiting the facility no one is going to take Pasadena you can't take a left out of there and the light at 33 takes an insane amount of time to use super frustrating they're all going to come out that small street and at someone who's there 10 plus hours a day almost every day i have to walk my dog around that loop and to safely walk them without crossing the street i can't i have to use that little artesian cut through and it's very blind and very skinny there's no proposed sidewalk for that area not to mention the parking issue which i know has gone over and over as well as the environmental impact and also the fact that we've all waited seven hours and we're very passionate about trying to get our point across with only a minute to talk here it'd be really nice if there was a platform we could further express our concerns a little bit more developed with some more time and that's all I have to say.

Samantha Millman: Thank you Zach. Caller LC you're unmuted.

Lauren: My name is Lauren i'm a resident in Lincoln Heights um you're saying that this will be good for the community but you're hearing from the community right now majority of us saying that this is not what we want we waited until 4 p.m about 7 and a half hours to let you know what we're thinking and you're saying it's thoughtfully designed but who are these thoughts benefiting um i also think the developers are kind of giving themselves a pat on a back for 19 more units out of 468 you're giving yourself a pat on the back for 66 units out of 468 when there's so many more affordable units that could be built into this space um maybe it won't displace people immediately but it will raise prices and drive people out also the building is ugly as hell. I yield my time thank you.

Samantha Millman: Caller Ashley you're unmuted

Ashley (Paid Caller): my name is Ashley and i've lived in **district one** for eight years now I want to touch on how this project is not meant to be luxury and how they're offering affordable housing for lower income communities and how the project will be sustainable with the solar power solar thermal systems that will provide hot water and like heat to reduce fuel bills the solar thermal systems will also reduce the amount of air pollution in greenhouse gases and secondly electric vehicle charging stations will help cut down emissions and electricity costs thank you so much for your time.

Samantha Millman: thank you. caller Tana you're unmuted

Tana: thank you. I want to reiterate some things i'll try not to be too duplicating. I'm a lifelong resident of Los Angeles and I know we need more housing but I hope the commissioners will take into consideration the impact of big projects like this and what impact they're going to have on the existing neighborhood you've heard from so many residents this is going on all over Los Angeles. They're taking advantage of the TOC allowances but not out of the goodness of their hearts but in order to maximize their profits. Just because they can build 468 units with a total of 562 bedrooms but only 311 parking spaces doesn't mean they should. be allowed to do so. there should be at least 700 parking spaces there for all those cars. these are not people who are going to be taking public transportation or ride bicycles. They're going to have cars. Los Angeles is not New York City. our infrastructure has not been designed to support these dense projects.

Samantha Millman: thank you. Caller Adam you're unmuted. Adam please don't mute yourself. I will move on. caller Michael you're unmuted

Michael: Hi i'm a resident here in CD1 and i'm strongly opposed to this development I think it's pretty cruel to put forth the notion that out of 468 residences only 66 will be for very low income. And you can see their contempt for the community in their presentation pretty clear so I believe it needs to be a higher number and also this is this is nothing more than an attempt at gentrification and I just hope you can see that and also yes the design is very ugly we need some better designers. I yield my time

Samantha Millman: Thank you

Emma: Hi it's Emma Marquez and speaking from a perspective of a landlord. Let's define affordable housing because I keep hearing it and I keep hearing it over and over on York Boulevard and Avenue 56 not too long ago the East LA Planning Commission approved a project there. Those units I guarantee most of you cannot afford there's 20 of them - displaced four houses little cottages and they went three of them have already sold over one million dollars each which i guarantee you cannot afford therefore stop using that word affordable housing because it's incorrectly used now I asked the developer i'll ask anyone tell me how much you're going to rent those units for or how much you're going to sell and then we'll know that you can't afford it okay unless you're a certain professional field that maybe with those little diplomas or little things back there you can't afford it from my students i'm an educator over 35 years I guarantee these poor children will be displaced out of the very communities they belong and when this individual was saying that they're not displacing yes you are displacing because

neighboring landlords like myself we raise the rent okay so i take into consideration I don't want to do that to them.

Samantha Millman: Sorry that is your time but thank you and I know you've been with us all day thank you for your patience. Caller Megan you're unmuted.

Megan: Hi my name is Megan i'm a resident of Lincoln Heights I oppose this project. Just looking at the map saying that there's not enough residences for this to count as displacement is completely disregarding the fact that this opens the door for so much future displacement and also building something there is going to completely cut off one side of Lincoln Heights from the other. If you're going from Pasadena trying to get to the Figueroa side you have to cross through there. It doesn't take into account pedestrians - It doesn't take into account people who do take the train and it's a completely warped idea of what constitutes a residential neighborhood please don't build this building.

Samantha Millman: thank you. you're unmuted

Aiden Bearer (Paid Caller): My name is Aiden Bearer I like to rap, I live in **district one** affordable housing is rad I support avenue 34 with these bars Lincoln Heights needs some new units I support the cars. we got 66 new spots i'm all about it yo. from the rooftop yeah i'm not afraid to shout it though. 402 new market rate units to Lincoln Heights yeah i really think this project needs you. Provides public safety -more eyes on the street on site security cameras yo that makes this place for me. So please approve the project and let's hit up Lincoln Heights- affordable housing in LA hey that sounds pretty nice. good night that's all from me i had to come collect. Avenue 34 is the dopest project so i'mma catch you later- peace to the zoom call that's my 60 second rap now it's time to sign off.

Samantha Millman: Thank you for that. caller Kelsey you're unmuted.

Kelsey Edwards (Paid Caller): Hi my name is Kelsey Edwards ***i live near the project*** and i'm definitely in favor of it. uh the developers worked really hard to make sure that they've been available to the community 24/7 to listen to their ideas and their concerns about the project. Also think I think it's really great the developers worked hard to involve the neighborhood council land use committee. um they've made multiple appearances to the committee and actually they even hosted a zoom call because they were in a pandemic obviously they wanted to make sure that they were heard and addressed that their needs were being listened to they've also gone out of their way to

show their commitment to safety they've implemented things like crosswalks and proper signage to make it a safe community a safe neighborhood for the community and overall i just feel like they've demonstrated a commitment to being responsible respectful neighbors and i i think that's what we need in lincoln heights so thank you so much i appreciate it.

Samantha Millman: Thank you. Caller Stephanie you're unmuted.

Stephanie: Hi. so i strongly oppose this. The building of these apartments. Because let's get one thing clear- everyone that's saying that 66 units is enough. It is not enough and you're a part of that problem and you're a part of turning a blind eye to what's going on in Lincoln Heights which is displacement and for you commissioners if you approve this project then you again are showing that you value capitalism over the well-being of the community of Lincoln Heights which is very unacceptable and we are paying close attention to what you all are doing.

Samantha Millman: Thank you. next caller you're unmuted.

Rachel Henderson (Paid Caller): Hi my name is Rachel Henderson and I support this project. I've lived *in the area* since about 2012 and i'm supporting it just because I think it'll relieve the pressure that is currently on the housing stocking area and having new affordable market price at homes is important not just in this area but i think all areas of Los Angeles. um i like that they said that no one's gonna be displaced by building this exact project and truly I hope that the developers will work with us residents so that we can make this project good together and make it beneficial for our community.

Samantha Millman: Thank you. caller Eric you're unmuted

Eric: Hi my name is Eric and I was born and raised in Lincoln Heights I am appalled by the statements made by Andrew because the 468 luxury apartments and yes they are luxury because they don't look like anything like the apartments or houses that we have in Lincoln Heights they will increase rent prices they will indirectly displace members of the community just like I was. This place a year ago I went from paying \$800 a month to now \$1800 in the same neighborhood of lincoln heights i've been living here for 20 years since i was born and it is completely appalling that he would make these statements and to all the people that are saying that they approve of this project none of you have actually seen or lived here or been able to see what families like myself have gone through um i hope you guys don't rubber stamp this apartment. I yield my time.

Samantha Millman: Thank you. Next caller you're unmuted

Cant hear name: Hello yes my name is ...here at Lincoln Heights for 23 years I do not approve this project at this moment because like many people have said it's only 63 low-income apartments that they're providing correct and that's the bare minimum we are not here to accept the bare minimum as well there is another project that's being pushed for at the corner of this project which is in Pasadena and Figueroa so then not only will it include this project if it's done but also the other one so that will just increase the amount of people flowing through the streets and um of course the parking which is a big issue. i'm also worried about the pollution that it will create for the kids while this is being constructed and i believe they said that it would take up to three years to create um so that should be taken into consideration because it is in the front of the school. I yield my time.

Samantha Millman: Caller Adrian you're unmuted.Hello please go ahead.

Adrian Villegas (Paid Caller): Hi there my name is Adrian Villegas and I live- um I live *in the area around the project* um and I just wanted to go out and say that I am in support of the project um because the developer you know has committed to um implement an uh an affirmative marketing campaign to get the word out in the community about affordable housing and um furthermore I think that it also is um decently sustainable you know providing um providing park-like environment um and it's it's gonna provide um drought-tolerant landscaping and it's gonna include 219 new newly planted trees which I think is is is a very nice thing um it's going to be very sustainable for our environment and for the community and um it's going to come it's going to include you know like 1.5 acres of of beautifully landscaped open space for the public so I think that it is in the public's benefit and that um you know those 66 affordable housing units um are are better than what it would be without it so I yield my time thank you

Samantha Millman: Thank you. Caller Bradley you're unmuted.

Bradley: My name is Bradley Hakawa I own a small business across the street from the proposed project as well as live in the same zip code about half a mile. I grew up in Hollywood and have seen tons of these proposals that pushed out communities for the betterment of development companies who profit on luxury housing that claim a few affordable houses. change is inevitable it's great about Los Angeles but we also have to

have the chance to change consciously and considerately. We need affordable housing we need conscious housing. I urge the commissioners to make sure this project considers parking, health safety and the future of this neighborhood and its residents please don't make the same mistakes we've made all over the city.

Samantha Millman: Thank you. Caller Steve you're unmuted

Steve: yeah Steve Crouch. This is uh like blockbusting in reverse I mean it's going to just fuel gentrification it's going to have a ripple effect. I mean how can these how can these be considered affordable if the vast majority of the residents can't afford it I mean they're not they can't afford the market rate I mean so it's also that the ground pollution issue better be resolved because I mean if you approve it and then down the line a lot of people start getting cancer the city will be sued so that you need to resolve that and as far as for parking that's incomprehensible that there's so few um so few spaces I mean it's gonna be horrific this is unfair to the residents there uh you know I...I just I just don't understand that they're parking and lastly the affordable unit the affordable units of the low-income units are they um how big are they are these small little token units. Okay please answer that question thank you.

Samantha Millman: thank you. Caller 2783 you're unmuted

Marilyn: Hello my name is Marilyn Gladle. I want to first start out with this project has 66 affordable units which is misleading. I believe 222 units are single units which generally means that they are 280 sq. ft so 66 single units of affordable housing is misleading because families are not going to be able to live in those. That's a single apartment just for a single person in Los Angeles very low income is around \$34,000/ year for a single person that means a single person making \$34,000 will live in a 280 sq. ft room the project in addition to the current projects being approved at this time within a four block or so area gives us 623 units which could be as many as additional 1,500 individuals moving into a four block area that is already impacted most days with traffic there are not enough allowances for street improvements schools libraries recreation spaces or any other community improvements as these units will impact most of those living in this area including North Figueroa and Pasadena Ave, Daly St. and Ave 26. If you're building where I live the street seems to be 20 feet wide by not mandating street improvements to that small street there is really putting everyone at risk the decrease allowed through the voter improved measures jjj was a farce to Los Angeles. Everyone is interested in affordable housing but measure jjj did not openly address the extra allowances given to developers if they developed close to a metro

station by not mandating adequate partners to put additional pressure on existing resources in this area parking is limited adequate parking should be minimum of 675 parking spaces.

Samantha Millman: I want to be respectful and let people finish their sentences but if you string your sentences together and make run on sentences i'm gonna have to cut you off. i'm sorry thank you. caller 3786 you're unmuted

Leslie: Hi my name is Leslie Ruiz i am against this project I am a lifelong resident of course no one attended this meeting this is a low-income neighborhood that has does not attend at neighborhood council meetings nor do they know how to work zoom this outreach is unreasonable i am calling for my household and that tells you a lot about our community. I cannot afford a cell phone and i am a college student. This project creates displacement and it needs to be stopped. This project will not address the need for housing this is luxury housing. we are a thirty three thousand dollar hold a household income community those in favor of this project are new residents in favor of gentrification. thank you I yield my time

Samantha Millman: thank you so much. Caller Ernie you're unmuted.

Ernie: Hi my name is Ernie Walker I live in Frogtown. I've spent a lot of time in Lincoln Heights. I truly believe this is not the type of housing that Lincoln Heights needs. 66 units of low quote-unquote low-income housing is not enough to offset the harm that will be caused by the eventual displacement of long-term residents and even more concerning are the environmental effects that could result from the polluted land. At the very least there should be a lot more testing. We can do better for our community we can create much more low-income housing. Finally i'd like to note i've spent literally my entire day waiting to make comment here and most people do not have that luxury so whether it's intentional or not this is disenfranchisement for many community members who wish to voice their concern. I yield my time.

Samantha Millman: Thank you. Caller Ashley you're unmuted

Ashley (Paid Caller): Hello my name is Ashley, I reside in **district one** and i'm in favor um and appreciate that this plan takes into account um the environment the plan seems to uh provides a sustainability as it incorporates energy efficient improvements including solar system uh solar thermal system as well as electric vehicle charging which I do drive an electric vehicle and continuously am using different charging stations. I also

appreciate the fact that they will be providing over 200 planted trees and will be planting drought tolerant resistant landscaping and the elimination of office space will also uh reduce the amount of commercial traffic in the area and um that is all. I yield my time.

Samantha Millman: thank you. Caller Ace you're unmuted. Ace please unmute yourself. I will move on. Caller Mario you're unmuted

Mario: Good afternoon commission my name is Mario Guardado I was born and raised here in Los Angeles. I grew up here in Virgil Village. To touch on the developers comments about displacement in my own neighborhood there are many similar projects that promise low income housing however the rent my mother and I has tripled in the past four years with no significant increase in our own wages or improvements to our own apartment and that's a with a section 8 voucher so I stand in a solidarity with Lincoln Heights to oppose this project. Thank you.

Samantha Millman: Thank you. Caller Josh you're unmuted. Josh please unmute yourself so you can speak. Let's move on. Sophie you're unmuted

Sophie Schulman (Paid Caller): hi there uh my name is Sophie Schulman and I am a long-term long-term resident of Los Angeles. I support the project because although the area will become a little more dense, um as Andrew mentioned the project is only a five minute walk to the heritage square gold line um station so we're hopeful that people will use the train rather than driving and as someone else mentioned um a few hundred bicycle racks will be installed uh and the project will really push carpooling and ride sharing to dissuade single-person drivers uh so pollutants will go down for the community members and residents with compromised immune systems uh with that with that transportation change thank you.

Samantha Millman: Thank you. Caller Gabriel you're unmuted.

Gabriel: Hi, I live in lincoln heights and I was born and raised here and I just want to bring to attention like somebody else about the canned responses. um people who are saying that they've lived here for eight years and live in "district one" that's not how people who live in Lincoln Heights speak. Also I just want to point out the fact that everyone in this neighborhood opposes this project. Nobody has heard any kind of outreach. I live on the other side of Lincoln Heights closer to Broadway and I have not heard anything about it. I found out about this through instagram and I just want to make

sure that you understand that real people have been waiting the entire day just to speak to you. So I hope you listen to us and not fake responses that have been canned. Thank you. I yield my time.

Samantha Millman: Thank you Gabriel. Caller Merideth you're unmuted

Merideth: Hi my name is Meredeth Thies and I own a small business with a location on avenue 33 just south of Pasadena Avenue and I also work closely with several artists who live and work in the immediate neighborhood of the proposed development we're talking about on avenue 34. I strongly oppose development primarily because it seems to have little regard for the existing community of Lincoln Heights and the needs of its current residents. I also have great concerns regarding the environmental and public safety hazards that have been outlined so clearly by community members who have already spoken today. I also strongly suddenly concerns outlined with regard to the Pinyon Group's current plan as it relates to parking. um nearly 300 spots for a potential 900 residents sounds like a recipe for intolerable and unsafe traffic congestion in the immediate neighborhood.

Samantha Millman: Thank you, Caller 9001 you're unmuted. You may speak now

Ashley: My name is my name's Ashley Montelista Mendiola and i'm a lifelong resident of Lincoln Heights and I strongly oppose the apartment development as well as my neighbors who have been speaking upon this development. I don't agree. Ignoring this is just furthering the gentrification and I just can't allow this i'm sorry thank you.

Samantha Millman: Thank you. Alright Tom you're unmuted. Tom please unmute yourself. I will move on. Caller Adam you're unmuted.

Adam: My name is Adam Moskowitz. I own a small business on avenue 33 and I just wanted to second the concern about about um but more more importantly uh Michael brought up a lot of points that were rebuffed uh by Andrew that seemed like he was not just being flippant about it but not addressing those concerns head-on and sidestepping them um i i think being the best interest to actually look into some of the very specific things that Michael was saying and I just would like to say I stand in solidarity with everybody else in this community that feels like this would negatively impact them. I yield my time

Samantha Millman: thank you. caller Adam you're unmuted

Adam Bussell (Paid Caller): Hey guys my name is Adam Bussell. I live in *district one* uh and i support this project uh it seems like people seem to think that affordable and low income housing are buzzwords uh that the developers are using to sell the apartment building but but they're not it's based on a percentage of the medium uh income in Los Angeles and if you make above that you can't even apply for these units uh and so these 66 units which which is a lot more than a lot of these buildings this size that are being built and already exist in Los Angeles are critical uh for a city that has a poverty rate far higher than the national average and it's only rising uh due to the economic collapse of the covid-19 pandemic. uh it's it's an empty warehouse so 66 uh units even if attached to regularly priced uh is is a benefit for the community and for los Angeles at large thank you.

Samantha Millman: Thank you. Caller Gloria you're unmuted.

Gloria: First of all I want to say that we do need low income housing we really need low income senior housing not high rent units in this area that people can't afford in addition these additional housing units they're going to cause additional difficulties for those of us trying to access the metro station related to the traffic and all the new housing units that will be needed and the parking spaces those using house new housing units will be taking because you guys are not putting they don't have enough affordable housing or affordable parking in the structures that they're building right now this is a small metro stop and it's going to greatly be impacted i mean gosh if you have 400 people or 600 people new trying to use a small metro stop it's just not going to work for those of us that are currently using it also the the project doesn't seem to provide any community improvements and in addition the projects are going to really impact those of us in the local hills with narrow streets as many people are going to start um using the streets to cut across Figueroa and Marmion Way to try to avoid traffic creating a dangerous situation for us who live in the hills and one more point i wanted to make is that these the on and off ramps of Avenue 26 Avenue 43 are already extremely dangerous and by adding at least 623 new units new people or new units with you know god knows how many new people um is going to make these already extremely dangerous off-ramps even more dangerous. thank you.

Samantha Millman: Thank you so much. Hello go ahead

Selena: Hi, good afternoon madam president and commissioners thank you for your time my name is Selena Ortega, i'm a 30-year resident of Lincoln Heights. I am here in

complete opposition for this project there is a vast range of empirical evidence dedicated to highlighting the negative impacts of gentrification on working class communities research indicates that gentrification is institutional violence that poses serious public health concerns developers lobbyists and city officials are the facilitators of this and are well aware the median household income in Lincoln Heights is \$30,000 because of this it is evident that a 400 plus unit luxury development which is up which is going up at market rate is not geared toward housing Lincoln Heights community members it is this board's responsibility to advocate for the community they represent it is also this board's responsibility to recognize that lack of community engagement and lack of due process for this project is a form of systemic discrimination. Thank you.

Samantha Millman: Thank you. Christina you're unmuted

Christina: Hello, hi my name is Christina Cardenas. I am a lifelong resident of Lincoln Heights and I strongly strongly oppose this this projec. The amount of affordable units is definitely not high enough. There's going to have a very detrimental environmental impact and the ridiculously ridiculously small amount of parking spots is definitely not enough and this is just like the lack of due process just like trying to take advantage of the people in this community and push people out and like trying to do things backdoor um this like was not very advertised at all it was like one piece of paper put somewhere I think that's ridiculous and please just don't let these developers come over and just take over the neighborhood. The residents and the people that live here are definitely fighting against this and we don't want this development thank you.

Samantha Millman: Thank you. Caller Tina you're unmuted. Tina are you there okay let's move on. Caller Sylvia you're unmuted.

Sylvia: Okay i'm here to question the developer's use of native soil. He says he's going to plant all these new trees and all this beautiful landscape in native soil that warehouse site has nowhere has any native soil left in it. I think it's a brownfield is probably what it is and volatile chemicals which are some of the from the cleaning plant and whatever was stored in that warehouse volatile chemicals do not flow downhill they flow uphill. I'm just letting you know. And that the trees they're talking about- who's going to be caring for those trees. And as far as the rail crossing it's right be right next to- this building all these people are going to have the railroad uh the train the trains going by and even where I live in Eagle Rock you can hear the train horns all night long and so what are these... I mean I don't even know how anybody would want to pay for this kind of a project. So what i think they're doing is they're talking big with a goodie bag and getting

people all excited but when you look inside the goody bag and you find shiny useless trash. This is what you get if you listen to fancy words from these people they're just trying to pull the wool over people's eyes. Only people who live in Lincoln Heights are not stupid and they know the truth when they hear it and they're not hearing the truth.

Samantha Millman: thank you. caller Josh you're unmuted

Josh: Hi my name is Josh. I actually live on Avenue 34 directly across from this project and first of all I'd just like to say absolutely nobody knows how this is gonna be. I would like for everybody to come visit the street. Go see Artesian Street go see how small the street it is go see how small it is when the mechanic parks his cars out there. I mean to actually think that however many cars are going to be coming out of that small area is ridiculous. I would also like to say that- I mean people have been waiting to to talk to this commission for the past seven hours and more than half of you are gone. I just think that's pretty unfair- you know especially because this obviously was probably the biggest item on the list and you guys leave it for last for you know when there's half the commission gone so... I would also like to say, everyone who's come on here saying "that they approve" talking about how they're from "district one" I mean what do you mean? "District one" I literally have never heard of that. I live in Lincoln Heights. How are these people talking about "district one". I mean it literally sounds like they're reading from the script like.. just how is this affordable how do these people... Andrew Brady says that there's gonna be 66 low income and the rest and the rest are going to be...I mean market rate is not affordable how do people not understand that market rate is not affordable.

Samantha Millman: Thank you. Caller Tina you're unmuted. Please unmute yourself Tina go ahead. I will move on. Caller Elena you're unmuted.

Elena: Hi my name is Elena I was just calling because I live about two blocks from where this development would be and where I live there's already currently lots of congestion due to parking and traffic due to a working warehouse that's there and this would just contribute to that. The environmental aspects of this are also very concerning considering that the air pollution that would come from the construction would directly affect students that go to the school there that's all I have to say. I just disapprove of this project and i think that you should listen to the community residents that are loudly voicing their opinion against this project. Thank you.

Samantha Millman: Thank you. Caller Stacy you're unmuted

Stacy: Hi i'm Stacy Dawson Stearns and i'm calling to just inquire if you guys have given any deep look into Gil Cedillo's work on this and you know Huizar has 34 counts/ indictments against him and FBI investigation and there's all these unnamed people and we know how tight they are and we know that they're working in development so the fact that you guys are just kind of acting like oh yeah let's just move this on through you know people are getting evicted there's not enough low-income housing in Lincoln Heights let's just generate fly the [___] out of it and bring out a lot of rich white people again let's clog up the train station let's clog up the freeway let's clog up the parking and you know take a look at it take a look at the bid over there it's so dirty and you guys are the ones that we ask you to help us so you've got to dig in a little deeper there's so many people doing so much [___] homework out here digging up all the corrupt grime and dirt. Cedillo is in something this has been going on for three or four years at this time wait until to crack it open babes crack it open have balls.

Samantha Millman: Thank you. Listen maybe it's getting late. But we've been sitting here listening to the community for well over an hour and we have not even deliberated yet so it is painful to hear the community cast aspersions on the commission before the commission has even opened its mouth to make a single comment on this case and so I would urge you to hold that type of judgment and wait to hear what we have to say because we are sitting here listening very intently to what you have to say so please show us that same respect. Thank you. caller 3896 you're unmuted.

Jenny: Hi my name is Jenny. I just want to make a comment you know, i'm not here to disrespect anybody but anybody in the community knows that our BID and our Neighborhood Council are corrupt we all know that we all know what side they're on and we all know why these projects get you know green lighted it's the same corruption we have with our council our city council representatives and we are open to counter worms and we know that Ed Reyes, I mean ed delta beyo is next we all know this and one point i want to make is i'm against this project why is an entire demographic being excluded from this participation this is a Spanish speaking neighborhood why are they not being included that's my point that i want to make it's very important do not displace our neighborhood do not gentrify our neighborhood save our historic neighborhood thank you

Samantha Millman: Thank you. Caller Sergio you're unmuted.

Sergio Vera: Hi my name is Sergio Vera um lifelong... I grew up in Elysian Valley um not Frogtown - I won't call it that because when i grew up if you said that you had to get into some potassos but anyway um yeah i was a teacher at Lincoln High School so you know i've seen a lot of my students be been they've been displaced it's very sad and I just want to point out not only is it a Spanish speaking community it's a Chinese community as well um Helen I think you were the valedictorian at my high school John Marshall so you know how the neighborhood's changed and you know i'm almost coming to tears because it really makes me sad but proud that all these people are here fighting for their community and it just makes me very proud and i'm literally in tears right now and i just i hope this doesn't pass. Thank you

Samantha Millman: Thank you. Caller Garrett you're unmuted.

***Caller confesses to being paid**

Garrett Walker (Paid Caller): um hi my name's Garrett Walker and uh...I was originally going to be for this project but since listening to the community and all their concerns about various things including the gentrification but um a lot about the environment really like hit for me and i want that to be you know like important to you all to know and and actually for everyone that's in that community i want you all to know that i was going to be paid to be on the opposite side you know or to be for this project um i just couldn't bring myself to to not let that be known um because it would feel bad on my conscience for this project to go through and to change the neighborhood in such a drastic way not for the better in my opinion. um I... I just moved to LA in January so that i could be around like-minded people that cared about the environment and community and um so to see a community like this change would really hurt me even though i don't live close enough it to make a difference so thank you for hearing me. Thank you

Samantha Millman: Caller 5419 you're unmuted

Sara: ok my name is Sara Clendening. let me turn this down. um yeah I want to talk about some of the corruption involved in this case. The KFA website- the architects- they market this as Montecito Heights. It's not Montecito Heights it's Lincoln Heights. Cedillo told Andrew Brady and Robert Deforest to not even bother with Lincoln Heights Neighborhood Council. Cedillo is not even in town he's like on tour with Garcetti with Joe Biden. City planning never published the hearing notice on their website they just taped it on a door on one door and then mailed it to the appellant. We've collected over almost 3,000 statements from the community opposing this project. Another thing-

Michelle Carter our case manager for this case on that city the public hearing notice- she's out of town until the 17th. yeah. all right.

Samantha Millman: Thank you. Caller 0013 you're unmuted

Dave: Yes, hello this is neighbor Dave from Arroyo Seco. This is just another part and I spoke earlier at 8:30 this morning i've been on the phone ever since um this is just another uh extension of the NELA Plaza uh building that's a seven story building. This one we're talking about is slated to be 68 feet tall that's the size of a power pole go out and look up at a power pole and figure out how high that is and exactly where it's going it doesn't represent the neighborhood at all. This is sort of a cancer that's happening in this area and this is will only be stepping repeated if this is allowed to be built as is and we have 2000 signatures on the NELA Plaza which is another dog's breakfast design and guilty of the chocolate teapot that's running CD1 or whatever you want to call it the Arroyo Seco hello it's historic is obviously got some other uh form of interest and it's becoming obvious now if they're not around these numbers this uh hey are you still there?

Samantha Millman: I believe that was the last public comment. I do see a hand raised from someone who spoke already um so we're gonna go to the neighborhood council representative josh and mr hermes ehrlich uh you already spoke so we can't allow you to speak again but we will give three minutes to the neighborhood council to speak on this item

Richard Larsen: Hello my name is Richard Larsen I'm the chairman of the Lincoln Heights planning and land use committee. This is not a commercial industrial zone as Helen knows and other people that know this neighborhood. This is a casp live work area an urban innovation zone. City Planning can't have it both ways in one way you know for the immediate casp and cads around here then all of a sudden it's a manufacturing uh neighborhood and well you know you can't do that. We very much agree with the commission on the urgent need for affordable housing. I hear your sincerity, but this is not an either or decision. Why can't City Planning respond to the chair of the Lincoln Heights Neighborhood Council Planning and Land Use Committee? I wrote several emails to Michelle Carter and Los Angeles Department of Transportation and other bureaus and I got the brush off but this council is not nimby by any means nor is this an abstract kind of problem. This could have been a great project. My intention was to have our bureaucracies actually work for us. We've had some you know really good things around here they're spending \$20 Million at the animal shelter and so forth.

But this project just seems to pop up with no explanation when all the concerns were brought up about the traffic and mitigation. I reached out to LA Metro and they were far more responsive with their development team about what they could do with that intersection at 33 and Artesian. I contacted the department of transportation I got Wes Pringle who blamed the Bureau of Engineering on the traffic fiasco. Can you believe that Michelle Carter claimed this was a smaller project and thus the 2016 mmd was fine? Well this project has a bigger buildable 77.5 bigger building a 31% increase in the number of units much less parking and a 30% increase in density. I don't see any effort from Michelle to make this a better project. Again, we love the affordable housing but this is not an either/ or proposition. We can actually have a TOC project that functions as intended in the framework. Today city planning presented all the proponents talking points. What does that tell you? We had fake callers but we don't we have authentically passionate people who live here are facing these problems and this shows that there's no connectivity to our surrounding community. Our elder residents claim more things about this property was a formerly one full site it was not separated the way that it is now into the northern contaminated part in the southern part it was all one property and it was used from 1940 to 1946 as some type of a war effort perhaps i don't know they make claims about that i don't want to repeat here but it has a rail sighting and later became the gold line and then the property was scraped purchased and capped we have no idea really what's underneath the property and what's a good idea of what's on the other half i believe it's on the courtesy list but the difficulty in addressing the few points my cue my community raised were not heard we held six meetings on this project the developer attended two we tabled both times for a number of outstanding questions from our community that were not answered and also we have other very large projects we have many large projects... i don't have time? this is a community concern...i think it's unfair.

Samantha Millman: Three minutes sir i'm so sorry it goes quickly. um but we uh we thank you for your input is valuable and we hear you. it looks like we have a few more community members who uh have raised their hands to speak and then we will go to the council office. RHM you're unmuted.

RHM: I don't know if you can hear me. I'm just speaking on behalf of the community that doesn't speak english. None of this information was provided to us we simply weren't dropped off letters in the mail just a packet no one knows how to read this they were scared that they were going to be displaced they're in fear that our rents are going

to go up and there is no outreach from developers or the community or the anyone we didn't know we were all blinded by this and we found out through social media instagram and shares so there is something missing here take my time.

Samantha Millman: thank you. Caller you're unmuted.hello please go ahead.

Najne Battle (Paid Caller): Hello um my name is Najne Battle I currently live in downtown basket row I do spend a lot of time in Lincoln Heights I am aware that this is an abandoned warehouse and also looking at the previous plans I do see that the current plans are improved and will be better for the I feel like it would be better for the community even though I do understand that there are some discretions with the people that currently live there and so yeah therefore I am in favor and I yield my time.

Samantha Millman: Thank you. Micah you're unmuted.

Micah: Hi my name is Micah Sergion and I live in the El Sereno neighborhood and frequent Lincoln Heights a lot and I just wanted to state that this project's clearly not for the community and we have you know developers all over the city that aren't from LA trying to come in and build housing for their types of people which are white middle to upper class people and the people of Lincoln Heights are hard working families you know the average household size is 3.6 people that's that means a lot of households have numerous people that will not be able to afford even what's considered the low income housing so these this project is clearly luxury housing we're in the middle of an affordable housing and a homeless crisis and this project directly contributes to displacing the people this community and increasing homelessness in our city so I just hope you would consider that when considering this project. Thank you.

Samantha Millman: Thank you. Caller Steve you're unmuted.

Steve Massey (Paid Caller): oh hi this is uh Steve Massey in **district one**. I'm calling because i'm in support of this development. uh we need more housing in Los Angeles um just adding more housing especially the expansion of low-income housing that this development provides uh impacts the entire community at large uh it will impact everyone's ability uh to be able to get more housing by just having more beds in the system uh so because of that I am very much in favor of this development thank you.

Samantha Millman: That's the last public speaker we have. So i'm going to go ahead and go to the council office. Gerald thank you for joining us.

CD1 Gerald Gubatan: Thank you so much i'm Gerald Gubaton with Council District 1 and our office is here to urge the commission to address the needs of the community. CD1 is part of an older part of the city of Los Angeles. Issues like competition for limited public street parking is fierce so in this instance we have the introduction of new density into the Lincoln Heights community and our office would like to acknowledge the community concerns from the people who live and work in this neighborhood we're hearing concerns around potential impacts on vehicular traffic flow circulation public safety pedestrian safety street parking so with the introduction of new density the question becomes is the public infrastructure adequate to support this new development. I wanted to acknowledge what the appellant did bring attention to the intersection of avenue 33 and artesian street which is a location of an at grade crossing between a city roadway and the metro gold line light rail. those conditions as pointed out include a narrow street a blind corner one-way directional movement of traffic a lack of a sidewalk a train crossing and school crossing so i wanted to raise the issue and I understand and you may want to verify with staff that either the city or the applicant may have been required to consult with metro uh given the adjacency of the site to an at-grade crossing or a metro facility so you may wish to clarify with staff and confirm what type of recommendations or input may have been forwarded by metro if any uh if there are opportunities to impose requirements on off-site public improvements to enhance safety we would ask that these be memorialized as formal conditions of approval whether crosswalks safety signage vision zero type of improvements or other measures so in conclusion again we urge the commission to address community concerns and direct any appropriate actions one of the speakers talked about change changing consciously and considerately so in these issues of neighborhood change we ask you to considerately and consciously consider what's before you thank you.

Samantha Millman: Thank you so much. It looks like we have one more public comment and then after this public comment I am closing and not allowing any further public comment and we will go to staff uh to respond and then we will begin commissioner conversations. Claudia you're unmuted.

Claudia: Good afternoon i'm a longtime lifetime resident of Lincoln Heights and i just um appealed to you to please do it with a moral conscience too i'm strongly strongly against this with the the hard-working citizens of Lincoln Heights were not given proper notification and can be displaced they have fear of being displaced and it's just we just need more housing for the community not for a class that can definitely what happened here we hear you keep going oh excuse me not for not for uh not for people that can

definitely afford other housing i've just been just please um plead with you to take considerate consideration to these uh to the community and and listen to all that have called in have made wonderful points and very very valid points thank you for your time.

Samantha Millman: Thank you so much with that i'm going to go ahead and close public comments any response on this.

Oliver Netburn: yes sorry I was uh ready to be unused so uh Oliver Netburn here. uh with city planning um yes i just wanted to uh uh touch on a couple of things but then i'll let you commissioners um delve into what you think is um most important um first off i just wanted to clarify um i have described the project as having one subterranean level i meant um that there is one sort of content contiguous parking area so that the parking areas aren't three separate structures underneath three separate buildings but it's just one um one parking structure with two levels um the other point i wanted to bring up was and i think you've heard this in this project there's no displacement of people um i understand the uh the argument um about um uh you know bringing in new development and what repercussions may result from that but in this particular case there are no new or no housing development or housing units that are going to be displaced directly with regards to the soils analysis and contamination that the mnd does have a significant analysis in reporting to demonstrate that the surrounding areas and contamination have either been cleaned up or are adequately being addressed through ongoing monitoring as well the Q condition that is on the subject property has a requirement that's prior to any building permit being issued that they get approval from the appropriate state agency and so any grading that would occur prior to that grading uh occurring uh the applicant would have to get approval from the appropriate state agency um to make sure that there is no soil contamination or however it needs to be mitigated to be mitigated i also wanted to bring up the technical memos that was submitted um and that is uh addressing two conditions that were in the recommendations or in the determination letter those conditions relate to tree planting sites and so in this case we are recommending that the commission modify that condition so as to be more in line with the urban design studios tree planting guidelines and the other one is the uh solar paneling requirement in this case um the project would provide instead of 15 solar voltaic would provide 4 thermal solar the actual output of these thermal solar system would provide more energy than the 15 percent of uh solar photovoltaic and with that i would um here for any questions you may have

Samantha Millman: Thank you Oliver um so i'm gonna open it up for commission.

um and i'm gonna start with Helen and then Karen. But before we begin I think this case so clearly illustrates what happens when we have a really good land use policy in an environment where anti-displacement policy is not as robust and income inequality is rife um and I think that's the reality we find ourselves in today so um i am going to start with Helen Leung. Oh and one other thing. I want to start by apologizing deeply to this community for the amount of time that it took for us to hear this case. I don't think that any of us would have imagined that it we would have a nearly two hour delay in getting this meeting started and the cases that preceded this took far more time than i believe we estimated it was not intentional to keep this community waiting so long um but clearly we left you waiting and it is frustrating and i can hear the frustration and I am deeply sorry. So with that i'm gonna go to Helen Leung.

Commissioner Helen Leung: Thank you Samantha thank you for framing it um in the way that you did. I want to thank everyone who came out to speak today waited all day i'm especially inspired by all of you who are advocating for your community. I'm a northeast LA native raised by working class immigrants i grew up in Frogtown / Elysian Valley depending on that kind of gives away my age and that's next door to lincoln heights and i work at a community organization that serves working class families in the area i would say that i'm usually very excited about TOC projects because in many ways they're the best tool we have to create affordable housing however TOC is a citywide policy that doesn't take into consideration the context of individual neighborhoods unlike the last place i don't believe this is the right project in the right place you're gonna hear some um i might have you guys can't hear me let me know and i'll come back. um 14% affordable maybe enough if the neighborhood was full of mixed income projects this is not the case here this project will be the first one of this scale and i want to say that really matters could serve as a catalyst to accelerate market investments in a working class community and although this area may be zoned hybrid it's adjacent to residential homes the majority of whom rent Andrew makes the case that there is no direct displacement and although that is true, indirect displacement will happen to renters and we've seen that happen in nearby communities we've heard it echoed today in public comment so although i appreciate the developers who are choosing to provide very low incomes units um and the appellants who are making a case on traffic and environmental impact, to me this case before us is about our role as commissioners on the type of city all angelinos want to see and especially working-class communities of color so when we vote we're creating a precedent and when we do that i believe it should be on behalf of serving residents who have continued to invest in the community despite being historically excluded and

that is many of the voices we heard today during the hour and a half long public comment so i may be one of the few lone votes but i i **I support the the approval of this appeal and it's because I can't in good conscience continue to reinforce a system of land use that promotes a structural system of inequity and racism. I especially can't support a project that will absolutely undermine working class neighbors many of whom are already facing an unfair burden because of the pandemic.** i look forward to hearing what other commissioners have to say i also um want to thank Gerald for his comments and and I would at some point also want to hear from the developers about their response um to some of the public comment that was made. Thank you.

Commissioner Millman: Thank you. Karen-

Commissioner Karen Mack: **Well said uh commissioner Leung. um uh I don't really have much to add except to say that I get a lot of questions about how we actually do equity and to me this is a case study of how not to do equity um uh i f we have you know i don't even know how many people came and spoke but if that many of the community is coming to this meeting and saying they have not been heard then that's a problem because to me the first rule of equity is to listen to the community and what we should be striving for is community self-determination so that we all want housing but we want housing that integrates well with the existing community so to me it's a conversation and it sounds like the conversation didn't happen so i cannot support this project um uh i have to think about whether i want to support the appeal but uh yeah well i guess that's the question right dummy me i'm it's a little late and i'm a little uh my brain is a little fried but yes i i support the appeal.**

Commissioner Millman: Thank you Karen. um i...people who have worked with me know i'm a letter of the law person um and i can't make the findings to support the appeal but here's what gives me pause. i just don't think the community outreach was there and i understand that one might say it's a TOC project it's essentially by right but this is such a delicate project and it really is the first one in the neighborhood of this

scale and scope and i think that it needed to be approached with it with kid gloves right like you really needed to do your work and i just don't know that that work was done on the other hand i look at this parcel and i say so what should go here should it be a 100% affordable project do we say that we're going to continue segregating our communities so only low-income people live in this area and only high-income people live in this area no i think we need mixed income communities but we need to do it no way and we need to have policies in place that prevent displacement right do we have those policies in place i don't know this is one that makes my head spin because while i don't think i can support the appeal i hear the community and i think i'd actually like to see this item continued so that real conversations can take place and the people who are going to own and operate this project hear from the community what their concerns are and can address them in a meaningful way um i will say that i also don't think that if we were to take a vote right now with five commissioners that we would be able to act one way or another because i know that for myself i'm not yet in a place to support the appeal i want to see more community work done but i know that there are others who do support the appeal so we would probably have a failure to act and we can take a vote and suss that out but my feelings are that we're not going to be able to act on this today which is actually i think a really good thing for the community because it sounds like there were a lot of people who waited a long time to have their voices heard and had to come off what i would like to see if this continues is that at the next meeting it's the first item on the agenda so that members of this community can be heard and perhaps there can be more outreach to community in other languages so we are hearing from the whole community and not just those who speak english and can easily access us um so that's kind of where my head is at but i do want to hear from Vahid and Caroline

Commissioner Vahid: I'll go next i guess um we've talked about TOC's the issues with the TOC appeals before uh the letter of the lotus as Samantha has said is what we follow and see guidelines on how on what we can appeal and how we can appeal it a grand appeal is very narrow legally but at the same time we've also as a commission spoken up on when TOC appeals come to us it seems applicants have not done an extensive job of reaching out to the community and sometimes we'll have community input of maybe three or four people telling us that we'll have no neighborhood council input. I think in this instance Samantha is correct um there was not a sufficient amount of community output input uh and i think uh the number of stakeholders that came and spoke today speaks to that and the right decision would be to continue this but i would say i want to make a grander comment on TOC's and what Helen just said because it was something i had not thought about before that yes it is a city-wide policy but when

you look at it and in each community it's going to be different in a community like Lincoln Heights the 14% is not nearly enough um and I don't know if that's something we can address as a body or how we can address it. I know it stands out this this one time it's always that one example it stands out which is unfortunate so it it's something that we should ponder as a commission going forward when it comes to TOC's.

Commissioner ? thanks Vahid I will add community planning is what tailor fits TOC to each community because as we go through and update community plans we create tailored TOC program or base and bonus programs within those community plans um one thing i forgot to say with regard to the appeal the one aspect of the appeal that i do find without merit is the environmental having worked with property that is environmentally impacted the state agencies that oversee groundwater contamination are robust and as soon as they begin construction the state is going to make sure that they are testing and retesting that soil there's just no way for something to be built on a on a brown site um in the state of California the agencies are um overly not overly appropriately cautious about dealing with environmental remediation and impacts and so if there is one thing that i think you can take comfort in it is the various levels of agencies that protect communities from exactly this type of environmental impact in the year 2020 for construction i know that we have other examples of communities that have been really blighted by environmental injustice and you know you can look at Exide for example but when it comes to groundwater and ground contamination i think that we can feel very comfortable in the agencies that uh oversee that type of remediation and i'm going to go to Caroline

Commissioner Caroline: i just want to thank everyone for being on the call for so long i know that someone made a comment that you know half of the commission is no longer here but you know we are volunteers and we try to stay on as long as possible and unfortunately on days like this it's hard for you know everyone to be on on on the call but we want you to know that we're here and we hear you and um you know i'm in a similar position as um our president i think that i don't really find the merit for the appeal but i am taking a pause because of what the community has said today and i think it's a good time for the um applicant to really think about what it means to be in the community especially as they do more projects in the community and i think that you know hopefully we can have some kind of resolution of some sort or some compromise and i look forward to having the um the case before us again so i'm going to go ahead and make a motion to up lisa yes

Lisa Weber: Thank you president Milman this is Lisa weber for the record I just wanted to note uh for housekeeping that the last data act on this matter is August 23rd but the time has not yet run it has not yet run today and even after august 23rd we will have an opportunity to hear this at the next scheduled CPC meeting which is August 27th and that is due to the mayor's tolling order per covid 19. So we do have the ability to extend the time to act on this matter to your next scheduled meeting on the 27th.

Commissioner Millman: Thank you and so with that this is Samantha Millman i would make a motion to continue to august 27th i do think that this merits the whole commission hearing the item i want everyone to hear um from the applicant the appellant the community and for the full body of this commission to be able to weigh in this is vain course animal second uh we have a first and a second will you please call for the vote commissioner Millman yes. commissioner Khoursand yes . commissioner chill yes. commissioner Leung yes. commissioner Mack uh yes. and the motion carries. thank you I have a question um so is two weeks enough time to resolve this i think what we should probably do is tentatively continue it to august 27th let the applicants and appellants speak to staff and if it needs to be moved later then it can be moved does that mean that makes sense Lisa?

Lisa Weber: yeah yes we can do that

Commissioner Millman: okay okay i i think that's the best way to move forward so thank you to everyone for bearing with us today and for your patient commissioners thank you for hanging in until the very end please go enjoy your time with your children or significant others or both and we will see you on august 27th. We are now adjourned at 5:23 pm