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## **VIA ELECTRONIC SUBMITTAL**

Honorable Marqueece Harris-Dawson, Chair  
Planning and Land Use Management Committee  
Los Angeles City Council  
City Hall, Room 1010  
200 N. Spring Street Los Angeles, CA 90012

**Re: CEQA Appeal of ENV-2019-7139-CE at 2345-2421 S. Santa Fe Ave.;  
Related Case No. ZA-2019-7192-ZAD**

Honorable Chair Harris-Dawson and PLUM Committee Members:

This firm represents Concerned Citizens for Santa Fe Arts Colony (“Association”) on a pro-bono basis in its appeal of the Class 32 Categorical Exemption approved for the proposed conversion of an existing warehouse to 18 Joint Living and Work Quarters (“JLWQs”) and 24 parking spaces (“Project”). The Project fails to meet the findings for a Class 32 Categorical Exemption because it is inconsistent with applicable general plan policies and zoning designations, as it introduces high-cost dwelling units and contributes to gentrification of the community while failing to provide affordable dwelling units required by prior entitlements. Furthermore, the Project is subject to exceptions which preclude the use of a Categorical Exemption because the Project, properly defined to include sequential conversions to JLWQs on the Project site through multiple piecemealed approvals, results in cumulative land use compatibility impacts. Furthermore, the Project is subject to another exception precluding use of the Categorical Exemption because there is a reasonable possibility the Project will have a significant effect on the environment due to unusual circumstances, specifically the Project’s location in a rapidly gentrifying neighborhood substantially surrounded by heavy manufacturing uses. The Association respectfully requests that the City Council grant the appeal and disapprove the Categorical Exemption.

**I. The Project is Does Not Meet the Findings for a Class 32 Exemption**

**A. The Project is Inconsistent with General Plan Policies and Applicable Zoning Regulations.**

The City’s finding that the Project is consistent with the applicable general plan designation and zoning regulations lacks foundation because the Project fails to ensure compliance with prior approvals requiring an affordable set-aside. The Project site is zoned M3-1-RIO which does not permit dwelling units by-right.<sup>1</sup> The Project was historically developed in a segmented manner through a series of discretionary approvals since 1986 including Case Numbers ZA-86-0404-CUZ, ZA-2011-2074-ZAD and ZA-86-0404-CUZ-PA1. The first approval authorizing conversion of the industrial warehouse to JLWQs described the *project itself* as the addition of 52 artist-in-residence units – all of which “will be low- and moderate-income units starting at \$404 to \$606 per month.”<sup>2</sup> In addition, the Community Redevelopment Agency, with jurisdiction over the Project, obligating the Applicant to maintain affordable units before its land use authority was transferred to the City Planning Department.<sup>3</sup> As such, the City Planning Department maintains responsibility for enforcing all land use obligations of the former Community Redevelopment Agency – *including the obligation to monitor and enforce affordability conditions.*

The “applicable zoning regulations” in this case include compliance with conditions of approval for still-applicable entitlements requiring provision of affordable units. The Project does not propose a *de novo* approval of all 75 JLWQs on site to erase prior affordability conditions, but rather requests approval for only the *additional* 18 JLWQs. Thus, the Project remains bound by *all* conditions of approval for prior entitlements.<sup>4</sup>

Likewise, the Project fails to comply with applicable zoning regulations because it fails to provide parking in compliance with the required Letters of Determination. The instant approval, ZA-2019-7192-ZAD, included Condition of Approval 9 which provides: “A minimum of 18 automobile parking spaces shall be provided for the 18 Joint Living and Work Quarters being proposed.” However, Condition of Approval 7 to Case No. ZA-2011-2074-ZAD – still in full force for the Project – require a minimum of 75 parking spaces for only 57 JLWQs. Because the Project requires 18 parking spaces *in addition to* the 75 spaces already required by the Conditions of Approval, the Project in fact requires 93 parking spaces. Therefore, the Project fails to comply with the applicable zoning regulations because the prior entitlement approving 57 JLWQs required all 75 on-site parking spaces. The site has no surplus parking which is not already required by Condition of Approval 9. Therefore, it is impossible for the Project to have

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<sup>1</sup> LAMC Section 12.20-A(1)(a).

<sup>2</sup> Letter of Determination for Case No. ZA-0404-CUZ, p. 4.

<sup>3</sup> Ordinance No. 186,325.

<sup>4</sup> The accelerating gentrification of the community is of paramount concern to the Association. The Applicant will pursue all remedies to correct Applicant’s unlawful attempts to shirk its obligations to provide affordable units, including challenging the validity of the Project’s Certificate of Occupancy as an error and abuse of discretion.

building permits issued for it while also complying with applicable zoning regulations in prior entitlements.

**II. The Project is Subject to Exceptions Precluding Use of a Categorical Exemption**

**A. The Project Results in Cumulative Impacts.**

The Project is disqualified from using the Class 32 Categorical Exemption because the Project and successive related projects would result in cumulative impacts. In particular, the Project improperly piecemealed conversion of the warehouse into four separate discretionary approvals with the effect of circumventing environmental review by qualifying each portion for an exemption. Properly defined, the Project would result in addition of 75 JLWQs to the Project site with substantial traffic, air quality and land use compatibility impacts.

**B. There is a Reasonable Possibility the Project Will Cause Significant Effects Due to Unusual Circumstances**

The Project introduces dwelling units onto a site Zoned M3 (Heavy Industrial) and designated Heavy Manufacturing in the Central City North Community Plan. Due to its location in a high-intensity industrial zone, the Project site is surrounded by incompatible industrial uses including warehouses and even a concrete recycling plant immediately west of the Project site. The concrete recycling plant, located at 2145 E. 25<sup>th</sup> Street, is separated from the Project site by only a 30-foot private street also utilized by adjacent industrial uses. The Project therefore results in substantial land use inconsistencies due to the unusual circumstance of approving dwelling units in an M3 Zone.

I may be contacted at 310-982-1760 or at [jamie.hall@channellawgroup.com](mailto:jamie.hall@channellawgroup.com) if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall". The signature is fluid and cursive, with the first name "Jamie" being the most prominent part.

Jamie T. Hall