

Communication from Public

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Council File No: 23-0026

Comments for Public Posting: Please see the attached letter from the UNIDAD coalition in opposition to the motion. For more information regarding our years long campaign, please see the video here:
<https://vimeo.com/778312586>



January 11, 2023

City of Los Angeles
City Council
201 N. Figueroa Street
Los Angeles, CA 90012

RE: Council File 23-0026: Appeal of Permit Denials for Proposed Luxury Hotel Development at the Bethune Library Site (Case Numbers ZA-2020-55-CU-SPR & ENV-2020-56-CE)

Dear Honorable Councilmembers,

The United Neighbors in Defense Against Displacement Coalition (UNIDAD) writes to express its strong opposition to the motion put forth by Council District 8 (**Council File 23-0026**) to veto the permit denials for the development of a luxury hotel (“the Hotel Project”), located at 3685 Vermont Avenue, and remand the matter for reconsideration to the South LA Area Planning Commission.

The Hotel Project would reside on *publicly owned land* that formerly housed the Dr. Mary McLeod Bethune Regional Branch Library.¹ Despite repeated promises from the City that the land would be used for affordable housing and other community serving purposes, the City abruptly reversed course with no explanation in 2019 when it selected the current developer, Henry Fan of Bethune Hotel Ventures, LLC (“the Developer”), to build the Hotel Project.²

However, the Developer has been unsuccessful in obtaining the necessary permits from the City’s Zoning Administrator and from the South LA Area Planning Commission, despite lengthy deliberations and careful consideration by City representatives. The Developer is attempting a third bite at the apple for a project that is roundly condemned and opposed by stakeholders in the South LA community. We respectfully request that the City Council decline to support the motion and instead allow the land to be used for beneficial community use.³

¹ The land was formerly owned by the Los Angeles Community Redevelopment Agency. In 2012, the state dissolved all Community Redevelopment Agencies across the state, requiring these local entities to sell and disburse their assets according to strict state protocols. The Bethune site is currently owned by the successor entity, the CRA/LA, but the sale of the land is subject to numerous approvals by local and state agencies and elected bodies.

² Office of Mayor Eric Garcetti, Economic and Workforce Development Department. April 1, 2019, *Request Authorization to Prepare and Execute an Exclusive Negotiating Agreement with Bethune Hotel Ventures, LLC for the City-Optioned Property Located at 3685 S. Vermont Avenue*. Accessible at: http://clkrep.lacity.org/online/docs/2014/14-0425-S9_rpt_MAYOR_04-02-2019.pdf.

³ For more information about this campaign, please see the video here: <https://vimeo.com/778312586>.

UNIDAD is a coalition of residents and organizations in South Central LA dedicated to keeping families in their homes and improving the health and economic well-being of low-income communities of color through responsible development. We recognize that structural racism linked to housing and land use policies have caused great harm to Black, Latino, Native, Asian, immigrant and low-income communities. UNIDAD works to reverse these harms by promoting healthy and equitable neighborhoods through planning and land use that is rooted in community.

I. Background

On October 21, 2021, the City Zoning Administrator held a hearing to hear the Developer's application for a Conditional Use Permit ("CUP") and Site Plan Review approval. Dozens of community residents and the local neighborhood council spoke in opposition to the Hotel Project, raising issues of gentrification, traffic, incompatibility with the local residential neighborhood and the adjacent church and daycare center, and broken promises from the City.⁴ On March 21, 2022, in a thirty-one (31) page report, the Zoning Administrator determined that the Hotel Project failed to meet the necessary standards for issuing a CUP and granting site plan review approval.

The Developer filed an appeal to the South LA Area Planning Commission, and the matter was originally heard on September 20, 2022. After three hearings in front of the Commission, as well as hours of public comment, the Commissioners denied the appeal and upheld the Zoning Administrator's findings.⁵ The motion would "remand the matter to this Commission for reconsideration" despite the intensive and careful consideration already given the case.

II. The Hotel Project Does Not Align with the City's Recent Mandates to Use Public, Surplus Land for Affordable Housing

In the past several years, the LA City Council has increasingly focused on prioritizing the development of affordable housing on city-owned, surplus land to meet the City's dire affordable housing needs.⁶

For example, in December 2019, City Council passed a motion that required the City, starting January 1, 2020, to limit the use of City-owned land that has already been "identified for housing purposes" to affordable housing development, as is the case with the Bethune site.⁷ In June 2020, the City Council requested the Chief Legislative Analyst to provide a list of surplus land available for donation to community land trusts to meet community-identified needs in Council Districts 1,

⁴ Theodore L. Irving, Associate Zoning Administrator, "Determination Letter," filed March 25, 2022, at 4-15, available at <https://planning.lacity.org/pdiscaseinfo/document/MTk5MzQ0/1823a02c-5d95-4003-95c4-258347c32f18/pdd> (hereinafter, "ZA Report").

⁵ "Letter of Determination," South Los Angeles Area Planning Commission, mailed December 21, 2022, available at <https://planning.lacity.org/pdiscaseinfo/document/MzlyNjg0/1823a02c-5d95-4003-95c4-258347c32f18/pdd>.

⁶ The City is also legally required to offer City surplus land to affordable housing developers, as well as to park and open space developers, before it can sell surplus land to private developers for the development of projects such as private hotels. See Government Code § 54220 *et seq.*

⁷ "Affordable Housing Development / Housing Development / City Owned Land Use Restriction," Motion introduced November 5, 2019, CF 19-1362. Available at https://clkrep.lacity.org/online/docs/2019/19-1362_mot_11-05-2019.pdf.

8, and 10; the Bethune site would be a prime candidate for this list.⁸ In August 2020, to address the homelessness crisis COVID-19 has exacerbated, the City Council requested a list of all publicly owned land by various agencies across the City that are suitable for supportive housing development.⁹ In October 2021, the City released a new Draft Housing Element that includes an ambitious “Public Lands Program” to create 10,000 new affordable housing units on public land and explicitly lists the Bethune site (listing its Assessor Parcel Number: 5040030905) as a candidate site to be used to achieve this goal.¹⁰ Even more recently, the newly elected Mayor has indicated her desire to use public land for the construction of desperately needed affordable housing.¹¹

In the midst of our City’s twin homelessness and housing crisis, all available resources should be marshalled towards the creation of safe and affordable housing for all. The City has repeatedly stated its commitment of using public land for public good; however, it will fail to live up to this commitment if it goes forward with the sale of the Bethune site to the Developer for the Hotel Project.

III. Conclusion

The Developer has been unable to put forward a project that complies with the City’s zoning standards, while there is significant community opposition to using the Bethune site for a luxury hotel. It is time for the City to return to the drawing board with this particular parcel and support community serving uses on public land.

On behalf of UNIDAD:

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⁸ “Surplus Property/Community Land Trust Organizations/Council Districts 1, 8, and 10.” Council File 20-0713. Available at <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-0713>.

⁹ “Assembly Bill 1486 (Ting) / Assembly Bill 1255 (Rivas) / Publicly Owned Properties / Homeless Crisis / Supportive Housing Development / COVID-19 Pandemic,” Motion introduced May 20, 2020. CF 20-0644. Available at https://clkrep.lacity.org/online/docs/2020/20-0644_mot_05-20-2020.pdf.

¹⁰ “City of Los Angeles Housing Element 2021-2029: Appendix 4.8 Potential Candidate Sites for Public Land Program,” Los Angeles City Planning Commission, October 2021. Available at <https://planning.lacity.org/odocument/aecedca9c-fc23-47f3-9fdb-9106ca54f6e7>.

¹¹ “Karen Bass for Mayor: Homelessness,” Karen Bass for Mayor (last visited Jan. 5, 2023), available at <https://karenbass.com/policies/homelessness/#build> (“Master inventories of land including city-owned and other government-owned properties that can be used to build housing are already completed or underway.... Rather than allowing these inventories to gather dust on a shelf, Bass will use them to start building.”).