

Communication from Public

Name: Andrew Lowe

Date Submitted: 04/20/2023 05:16 PM

Council File No: 22-0617

Comments for Public Posting: My name is Andy Lowe, I am the Director of Production for East West Players, @ the Historic Union Church building, now the Union Center for the Arts at 120 Judge John Aiso St. we share this facility with LA Artcore, that runs a Gallery in the Lobby, Tuesday Night Cafe is celebrating 25 years, the longest running AAPI Open Mic, Visual Communications not only cares for a treasure trove of cultural archives documenting the AAPI Movement, but also hosts the LA Asian Pacific Film Festival, the largest of its kind in the nation. And of course East West Players the first AAPI Theatre company founded in 1965 marking the beginning of the Asian American theatre movement, and inspiring the founding of some 60 odd currently operating AAPI theatre throughout United States, as well as Asian Diaspora theatre companies in Canada, the UK, Australia and New Zealand. As of March, we just marked the 100th anniversary since the building was erected as the first Japanese American Church in the nation. It also marked the 25th Anniversary since Little Tokyo Service Center led the effort to preserve the building in to a successful adaptive reuse of a historic site, as a partnership with community invested Arts. As you know, our sector has faced difficult times. With so much loss at the entry level, the onus has fallen heavily on midsize institutions such as ours to serve as gateways for artists and craftspeople entering the industry. But with cost increases, and the continued threat of a shutdown due to outbreak. the cost liabilities in live production are extensive. LA has the largest creative economy in the world, in a state that represents the largest sub national economy in the US & the world. That includes theatre... More productions of plays and musicals, happen here than in any other city. According to a report commissioned by the Center for Cultural Innovation, LA supports more than five times as many performing artists (actors, directors, producers) than New York! And with that in mind, it is important that we think of how we sustain communities that nurture and feed into creative industries. Long before Everything Everywhere All at Once could sweep an Oscars, young actors John Cho, Daniel Dae Kim, & Amy Hill were cutting their teeth on EWP's stage. Filmmakers like Justin Lin held his castings at the offices of VC. Our arts destinations are economic drivers that have increased sustaining visitor-ship for LT businesses as we have

watched the community grow up around us these past 25 years. They also continue to uphold the narratives, heritage, & discourse relevant to a community under attack in the wake of renewed AAPI Hate. Arts trade in empathy, more important now than ever, as educators cite more difficulty in socialization for youths emerging from home schooling, isolation and lockdown. With all this in mind we stand in support of the Downtown LA Community Plan. We also ask that with these coming plans you keep in mind, ensuring affordable & accessible spaces for artists to live & work. Policies & funds that will enable creative incubation and long term sustainability. That revenue generated by visitor-ship for cultural destinations like public parking or commercial filming can be made available for reinvestment in non profits, and locally based entry level artists and local creatives. Only through continued investment at the roots will we see fruit and blossoms flourish.

EW P

EAST WEST PLAYERS

(213) 625-7000

eastwestplayers.org

120 Judge John Aiso St.
Los Angeles, CA 90012

Snehal Desai
Producing Artistic Director

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ARTISTIC DIRECTORS

EMERITI

Mako (d.)

Nobu McCarthy (d.)

Tim Dang

4/20/2023

To whom it May Concern,

My name is Andy Lowe, I am the Director of Production for East West Players, @ the Historic Union Church building, now the Union Center for the Arts at 120 Judge John Aiso St.

we share this facility with LA Artcore, that runs a Gallery in the Lobby, Tuesday Night Cafe is celebrating 25 years, the longest running AAPI Open Mic, Visual Communications not only cares for a treasure trove of cultural archives documenting the AAPI Movement, but also hosts the LA Asian Pacific Film Festival, the largest of its kind in the nation.

And of course East West Players the first AAPI Theatre company founded in 1965 marking the beginning of the Asian American theatre movement, and inspiring the founding of some 60 odd currently operating AAPI theatre throughout United States, as well as Asian Diaspora theatre companies in Canada, the UK, Australia and New Zealand.

As of March, we just marked the 100th anniversary since the building was erected as the first Japanese American Church in the nation. It also marked the 25th Anniversary since Little Tokyo Service Center led the effort to preserve the building in to a successful adaptive reuse of a historic site, as a partnership with community invested Arts.

As you know, our sector has faced difficult times, Ever decreasing public funding for since the 80's More recently, Dramatic losses due to shutdowns after COVID 19, Changes & limitations for in person events, Looming recession has affected public philanthropy, Rising rents have seen the shuttering of small performance venues, & Indie movie houses like the DT Independent. Costs of production have increased due to rampant inflation, supply chain failures, lumber and material costs increasing 100-200% Laws such as AB5 may have increased living wages for established artists and craftsmen, but as so much more infrastructure is now required to shoulder production, under cutting creative entrepreneurship, & independent arts production which served as a major showcase and proving ground for entry level creatives.

With so much loss at the entry level, the onus has fallen heavily on midsize institutions such as ours to serve as gateways. Weve seen 3 years of college & conservatory graduates who saw no hands on, or in person training in technical, craft & physical production fields due to remote learning. Actors who were trying to build performance craft over Zoom. And the cost of a shutdown due to outbreak of a production can be crippling.

EWP

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ARTISTIC DIRECTORS

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Mako (d.)

Nobu McCarthy (d.)

Tim Dang

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Long before Everything Everywhere All at Once could sweep an Oscars, young actors John Cho, Daniel Dae Kim, & Amy Hill were cutting their teeth on EWP's stage.

Filmmakers like Justin Lin held his castings at the offices of VC.

In the mid 1940's, Little Tokyo was home to Bronzville, African American speakeasies & breakfast clubs hosted the likes of Charlie Parker & Miles Davis setting off what came to be West Coast Jazz or "the Cool Blues" movement.

LT was home to the Atomic Cafe, a centering point for The Punk Rock movement in the 1970/80's,

Nisei week has been preserving community traditions since 1934,

And In 2006 EWP hosted the first national convening of Asian Diaspora theatres in history with approx 80 Producing entities represented from around the world, leading to the founding of the national Consortium of Asian American Theatre & Artists.

Our arts destinations are economic drivers that have increased sustaining visitor-ship for LT businesses as we have watched the community grow up around us these past 25 years. They also continue to uphold the narratives, heritage, & discourse relevant to a community under attack in the wake of renewed AAPI Hate. Arts trade in empathy, more important now than ever, as educators cite more difficulty in socialization for youths emerging from home schooling, isolation and lockdown.

With all this in mind we stand in support of the Downtown LA Community Plan. We also ask that with these coming plans you keep in mind, ensuring affordable & accessible spaces for artists to live & work. Policies & funds that will enable creative incubation and long term sustainability. That revenue generated by visitor-ship for cultural destinations like public parking or commercial filming can be made available for reinvestment in non profits, and locally based entry level artists and local creatives.

Only through continued investment at the roots will we see fruit and blossoms flourish.

Sincerely



Andy Lowe

EWP



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Los Angeles, CA 90012

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ARTISTIC DIRECTORS EMERITI

Mako (d.)
Nobu McCarthy (d.)
Tim Dang

Director of Production

Communication from Public

Name: Avalon Igawa

Date Submitted: 04/20/2023 05:28 PM

Council File No: 22-0617

Comments for Public Posting: RE: [CF 22-0617] – Downtown LA Community Plan Update 2040 Dear Councilmembers, I submit this letter in support of the Central City United (CCU) Coalition’s comments and policy recommendations that would ensure that the Downtown LA Community Plan will promote equity and justice throughout downtown. I also share CCU’s appreciation for the Planning Department and the City Planning Commission for their role in drafting and advancing a plan that incorporates many of the community-centered policy recommendations put forth by CCU. CCU is multi-neighborhood coalition led by Little Tokyo Service Center (LTSC), the Los Angeles Community Action Network (LA CAN), and the Southeast Asian Community Alliance (SEACA), as key organizations embedded in Little Tokyo, Skid Row, and Chinatown, along with Public Counsel. CCU formed to lift up the voices and concerns of Downtown’s poorest and most vulnerable residents and stakeholders in the community plan update process. As the City continues to grapple with institutional racism and structural injustice, I applaud the Department of City Planning for acknowledging the deep harms that past land use and planning policies have inflicted on low-income communities and communities of color. Now, as the City commits to repairing these harms, the Community Plans are a tool to do just that. As the framework for growth, development and investment in Downtown for years to come, this Plan must center the needs and priorities of those communities that have been most harmed. To advance an even more inclusive and equitable Downtown Community Plan, I ask the City to adopt the following changes recommended by CCU, and to approve and pass the Plan by May 12. Any delay not only creates uncertainty, but puts us in violation of state housing law, preventing us from addressing the housing crisis that plagues our city. Adopt the graduated affordable housing program recommended by the Department of City Planning. Ensure that new affordable housing created by the Plan is actually located in the Downtown LA Community Plan Area. Require mixed-income projects to utilize Schedule 6 rents for affordable units. Include a new Program creating a Displacement Impact Analysis. Require replacement of Acutely Low, Extremely Low and Very Low-Income units at the same or lower affordability level and apply this requirement across all projects. Include on-site

affordable housing in all Adaptive Reuse projects. Expand IX1 to reflect the true boundaries of the Skid Row neighborhood. Expand Community Facilities incentives to support street vendors and Small Legacy Businesses. Prevent displacement and promote good garment manufacturing jobs. Create stronger standards for hotel development review. *** The Downtown Community Plan presents an important and timely opportunity to establish a framework for equitable growth and a just recovery. If done right, this Plan can protect current low-income and houseless Downtown residents, create new opportunities for safe and affordable housing, open the economy to low-income entrepreneurs, and establish a model for equitable community planning. Thank you for considering these recommendations and please reach out with any questions. Thank you.

Communication from Public

Name: UNIDAD Coalition (United Neighbors In Defense Against Displacement)

Date Submitted: 04/20/2023 11:28 AM

Council File No: 22-0617

Comments for Public Posting: Please see the attached letter, from the United Neighbors in Defense Against Displacement Coalition (UNIDAD), in support of the Central City United (CCU) Coalition's comments and policy recommendations that would ensure that the Downtown LA Community Plan will promote equity and justice throughout downtown.



April 20, 2023

Los Angeles City Council
Planning and Land Use Management Committee
200 N. Spring Street
Los Angeles, CA 90012

Delivered via electronic mail.

RE: [CF 22-0617] – Downtown LA Community Plan Update 2040

Dear Councilmembers,

The United Neighbors in Defense Against Displacement Coalition (UNIDAD) submits this letter in support of the Central City United (CCU) Coalition's comments and policy recommendations that would ensure that the Downtown LA Community Plan will promote equity and justice throughout downtown. We also share CCU's appreciation for the Planning Department and the City Planning Commission for their role in drafting and advancing a plan that incorporates many of the community-centered policy recommendations put forth by CCU.

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, policing, land use and employment 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.

CCU is multi-neighborhood coalition led by Little Tokyo Service Center (LTSC), the Los Angeles Community Action Network (LA CAN), and the Southeast Asian Community Alliance (SEACA), as key organizations embedded in Little Tokyo, Skid Row, and Chinatown, along with Public Counsel. CCU formed to lift up the voices and concerns of Downtown's poorest and most vulnerable residents and stakeholders in the community plan update process.

As the City continues to grapple with institutional racism and structural injustice, we applaud the Department of City Planning for acknowledging the deep harms that past land use and planning policies have inflicted on low-income communities and communities of color. Now, as the City commits to repairing these harms, the Community Plans are a tool to do just that. As the framework for growth, development and investment in Downtown for years to come, this Plan must center the needs and priorities of those communities that have been most harmed.

To advance an even more inclusive and equitable Downtown Community Plan, we ask the City to adopt the following changes recommended by CCU, and to approve and pass the Plan by May 12. Any delay not only creates uncertainty, but puts us in violation of state housing law, preventing us from addressing the housing crisis that plagues our city.

1. **Adopt the graduated affordable housing program recommended by the Department of City Planning.**
2. **Ensure that new affordable housing created by the Plan is actually located in the Downtown LA Community Plan Area.**
3. **Require mixed-income projects to utilize Schedule 6 rents for affordable units.**
4. **Include a new Program creating a Displacement Impact Analysis.**
5. **Require replacement of Acutely Low, Extremely Low and Very Low-Income units at the same or lower affordability level and apply this requirement across all projects.**
6. **Include on-site affordable housing in all Adaptive Reuse projects.**
7. **Expand IX1 to reflect the true boundaries of the Skid Row neighborhood.**
8. **Expand Community Facilities incentives to support street vendors and Small Legacy Businesses.**
9. **Prevent displacement and promote good garment manufacturing jobs.**
10. **Create stronger standards for hotel development review.**

The Downtown Community Plan presents an important and timely opportunity to establish a framework for equitable growth and a just recovery. If done right, this Plan can protect current low-income and houseless Downtown residents, create new opportunities for safe and affordable housing, open the economy to low-income entrepreneurs, and establish a model for equitable community planning. Thank you for considering these recommendations and please reach out with any questions.

Sincerely,

UNIDAD Steering Committee

Community Development Technologies Center (CD Tech)

Esperanza Community Housing

Strategic Actions for a Just Economy (SAJE)

Tenemos que Reclamar y Unidos Salvar la Tierra-South LA (Trust LA)

Communication from Public

Name: Jessica Hencier
Date Submitted: 04/20/2023 11:44 AM
Council File No: 22-0617
Comments for Public Posting: Please find attached the Chinatown Stakeholder's letter and public comment to Council File 22-0617 - Downtown Los Angeles Community Plan Update 2040



Chinatown Stakeholders

Cathay Bank*Central Plaza/LA Chinatown
Corporation*Chunsan Plaza*
Mandarin Plaza*Moy Family Properties

c/o Summit Western LLC, 970 North
Broadway,
Suite 111, Los Angeles, CA 90012

April 20, 2023

Councilmember Marqueece Harris-Dawson, Chair
Planning and Land Use Management Committee
Los Angeles City Council
City Hall
200 North Spring Street, Room 450
Los Angeles, CA 90012
Via email: clerk.plumcommittee@lacity.org

Re: Downtown Los Angeles Community Plan Update 2040 – Comments on April 24, 2023 PLUM Agenda Item #XX, (Council File 22-0617, CPC-2017-432-CPU, ENV-2017-433-EIR)

Dear Councilmember Harris-Dawson and Honorable members of the Planning and Land Use Management Committee,

We are writing to ask that the PLUM Committee hold back the provisions of the DTLA 2040 Plan that would perpetuate the sharp economic decline of Los Angeles Chinatown, the once-prosperous center of the Chinese American community that now (like many other historic Chinatowns in the U.S.) is at risk of losing its social and economic reason for being. The draconian reduction in F.A.R. proposed for some parts of Chinatown from 6:1 to 2:1 and other Chinatown-specific provisions are likely to discourage new development without creating the new affordable

housing units needed by the community. The Chinatown Stakeholders include business owners, property owners and community members who cumulatively have over 350 years of ownership and experience in Los Angeles' Chinatown (the "Chinatown Stakeholders"). We have reviewed the September 2022 Draft DTLA 2040 Plan ("Draft Plan") and the associated Final Environmental Impact Report ("FEIR"). We have also reviewed the September 2022 Director of Planning's Memo to the PLUM Committee ("Director's Report") and the September 2022 Staff Recommendation Report as prepared by the Los Angeles Department of City Planning ("Staff Report").

Chinatown Stakeholder Recommended Changes to the Updated Draft Plan Regarding Chinatown

Planned limits on maximum building height and floor area, weakness of the Community Implementation Overlay (CPIO) Community Benefits Program to promote affordable housing, and blunt and overly procedural historic preservation tools without sufficient height and FAR to make projects economically sustainable will severely impair the future growth potential of Chinatown and lead Chinatown into stagnation while nearby Downtown areas flourish. Based on this understanding and our collective experience in Chinatown and review of the Draft Plan we recommend the following changes:

- Base FAR and Height Limits
 - Raise Base FAR for the MN1 and DM2 Form Districts to 6:1 from 2:1 to increase the economic feasibility of future development projects in Chinatown.
 - Remove height limits in the MN1 and DM5 Form Districts.
- Community Plan Implementation Overlay (CPIO) Community Benefits Program
 - Remove 2-bedroom unit requirement in Chinatown for development projects utilizing the CPIO Community Benefits Program to avoid further exacerbating economic infeasibility.
- Historic Preservation
 - Remove Chinatown from the Subarea D for Historic Preservation to avoid creating a redundant additional hurdle to development in Chinatown. Historic and potentially historic sites in Chinatown have

already been identified in Survey LA and Historic Places LA, which are already subject to Historic Preservation Review.

Building Height, FAR Limits and Affordable Housing

As we have stated in our previous letters to the Department of City Planning and City Planning Commission¹, we are strongly opposed to the downzoning of Chinatown from the current 6:1 FAR to 2:1 FAR and the associated height limits, especially the MN1 Form District's proposed base height of 3 stories and maximum height of 5 stories. The small increase in Base FAR to 3:1 for the MN1 and DM2 Form Districts studied in the September 2022 Director's Report does not go far enough to make development feasible in Chinatown. We therefore urge your Committee to either incorporate the changes that we have proposed or withhold the Chinatown provisions of the Draft Plan. This significant reduction in allowable floor area and height will dramatically lower property values and will curtail any efforts to develop property in the central part of Chinatown. The Staff recommendations are based upon a very unrealistic view of the Chinatown real estate market.

The September 2022 Staff Report justifies the downzoning of Chinatown by arguing that past development patterns and current market conditions should dictate allowable height and FAR for future development, stating that recent development projects in the area have not utilized the currently available 6:1 FAR and are generally 6-story wood frame construction. While some recent projects in Chinatown have been at a lower FAR and height, that is not true for the most recently approved and proposed projects, some that have gone through the entitlement process and some that are currently preparing applications. For example, the project located at 942 N. Broadway (called "Harmony") has been approved at 7.35:1 FAR and 23 stories. The September 2022 Staff Report characterized this project's utilization of the Density Bonus program as a "small FAR increase", however that was potentially a "small increase" between the presently allowed 6:1 FAR and proposed 7.35:1 FAR, based on the currently zoning. The increase between 2:1 base FAR proposed by the Plan and Harmony's 7.35:1 FAR is a very large increase (a difference of 5.35:1 FAR). The Draft Plan's proposed downzoning would render projects like the Harmony project economically infeasible.

¹ December 3, 2020 Letter to Los Angeles Department of City Planning (Exhibit A); June 14, 2021 Letter to the City Planning Commission (Exhibit B); September 20, 2021 Letter to the City Planning Commission (Exhibit C)

The September 2022 Staff Report states that it is necessary to reduce base FAR artificially low to 2:1, because otherwise retaining the base FAR of 6:1 may dissuade development projects from participation in the proposed Downtown Community Benefits Program. The Harmony project was subject to a base FAR of 6:1 and it did result in both the production of new market rate and affordable housing units. The proposed downzoning will result in zero community benefits and zero new housing units in Chinatown because it will dissuade development altogether. We object to the use of current market analysis as the basis for future market conditions in the Chinatown area.

Artificially lowering FAR to force applicants to use the proposed CPIO Community Benefits Program to seek a feasible FAR for their projects will not produce new housing and will halt all future development in Chinatown at a time when we are seeing transformational projects come online, like the Harmony project mentioned above, especially considering the need for economic recovery after the COVID-19 pandemic. This effect would be very similar to the Cornfield Arroyo Seco Specific Plan (“CASP”) where we have seen almost no development since its inception. This proposed downzoning represents a serious decrease in property values and development potential and will negatively impact economic development of Chinatown.

The September 2022 Staff Report states that downzoning to the MN1 Form District “...is recommended along four discrete blocks, the application of which is informed by stakeholder’s desire to prioritize preservation and low scale development within the core of Chinatown.” Lowering height and FAR and capping possible density through height and FAR limitations is a weak, harmful way to preserve Chinatown’s traditional character. Development does not preclude preservation and there are several other existing preservation tools in place and proposed by the Plan to ensure preservation of cultural and historic resources in Chinatown. Utilization of these preservation tools without artificial limits on FAR and height establishes proper protocols for reviewing impacts on cultural and historic resources while still allowing for feasible projects without curbing economic development in the area.

The Chinatown Stakeholders urge that the height and FAR restrictions for Chinatown be removed from the Draft Plan and that current FAR and unlimited height be restored.

Requirement that 30% of the Residential Units be Two-Bedroom or More Units

The CPIO Community Benefits Program includes a provision that a minimum of 30% of the total dwelling units for an eligible Housing Development in the Chinatown area shall be two bedrooms or greater. While the goal of this provision is a noble one to ensure development of new affordable units for families, it will have the opposite effect by further adding financial burden on new development projects. Much like the artificially lowering of FAR and Height to extract community benefits, this provision will result in zero community benefits and zero new housing units in Chinatown because it will dissuade development altogether by rendering it financially infeasible.

Historic Preservation and Project Review in Chinatown

Subarea D of the CPIO describes a “Historic Preservation Subarea” that would apply to areas within the Plan including the central area of Chinatown. The CPIO states that these are “neighborhoods that have an abundance of historically and architecturally significant buildings,” yet none of these areas are within Historic Preservation Overlay Zones (HPOZs), and there are few nominated or designated buildings in Chinatown. Additionally, any individual site with eligibility is already well-covered through the City’s prior historic surveys (such as Survey LA) and the Citywide demolition restrictions which ensure that no structure over 50 years old can be demolished without notice to the community.

Moreover, the CPIO states that:

“Within Subarea D, a ‘Project’ shall mean any activity that requires the issuance of a building, grading, demolition, or change of use permit on any site that is an Eligible Historic Resource, unless the work consists solely of interior work such as tenant improvements or interior rehabilitation/repair.”

As an example, this suggests that even minor changes such as opening a rooftop bar/restaurant with a shade structure would require lengthy CPIO review and Office of Historic Resources review, and it would also likely require a CEQA clearance.

This additional CPIO review adds unwarranted regulatory burdens for both applicants and the City Planning Department and transforms otherwise ministerial permits into discretionary approvals that would require CEQA Clearance, which is counter to the Draft Plan’s goals.

Conclusion

We strongly urge the Los Angeles City Council Planning and Land Use Management Committee to reject these proposed zoning regulations and abandon the Staff recommendations for Chinatown. These recommendations include extreme downzoning of Chinatown through overzealous FAR and Height limits, requiring 30% of all units be two-bedroom units in projects utilizing the CPIO Community Benefits Program, and adding Chinatown into Subarea D of the CPIO that includes an overbearing and unnecessary historic preservation review process. Furthermore, the economic and market assumptions of the Draft Plan and FEIR are outdated and should be rejected. Your Committee should recommend to the City Council that the reductions in height and FAR and the proposed CPIO Community Benefits Program as they relate to Chinatown be removed or withhold the provisions in the DTLA 2040 Plan that pertain to Chinatown. We appreciate your time and consideration.

Sincerely,

Representing Cathay Bank (Owner of Cathay Bancorp's original corporate headquarters at 777 North Broadway):

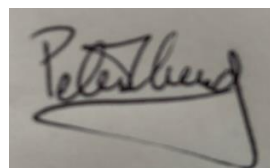
MAY CHAN



Senior Vice President, General Counsel, and Secretary

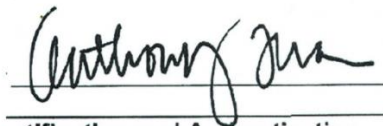
Representing KTWK Corporation (Owner of the Chunsan Plaza shopping center):

PETER CHENG



Representing L.A. Chinatown Corporation (Owner of Central Plaza):

TONY QUON



Board Member

JASON FUJIMOTO



Board Member

(Also representing Moy and Associates)

Representing Summit Western LLC (Owner of Mandarin Plaza):

MARTIN LEE



Co-Managing Member

(Also former City of Los Angeles Affordable Housing Commissioner)

SCOTT LEE



Co-Managing Member

MICHAEL WOO



Co-Managing Member

(Also former L.A. City Planning Commissioner and L.A. City Councilmember)

Attachments:

Exhibit A: December 3, 2020 Letter to Los Angeles Department of City Planning

Exhibit B: June 14, 2021 Letter to the City Planning Commission

Exhibit C: September 20, 2021 Letter to the City Planning Commission

CC:

Kidada Malloy, Planning Deputy, Office of Councilmember Marqueece Harris-Dawson

Paola Bassignana, Planning Director, Office of Councilmember Monica Rodriguez

Dylan Sittig, Planning Deputy, Office of Councilmember Katy Yaroslavsky

Dan Rosales, Planning Director, Office of Councilmember John Lee

Hakeem Parke-Davis, Planning Deputy, Office of Councilmember Heather Hutt

Vince Bertoni, Director of Planning, Department of City Planning

Exhibit A

CHINATOWN STAKEHOLDERS

c/o Summit Western Limited, LLC 970 North Broadway, Suite 111, Los Angeles, CA 90012

December 3, 2020

Brittany Arceneaux, City Planner
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 667
Los Angeles, CA 90012
Via email: brittany.arceneaux@lacity.org

Re: Comments on ENV-2017-433-EIR: DTLA 2040 Draft Environmental Impact Report (DEIR)

Dear Ms. Arceneaux,

We are writing this letter as longtime Chinatown Stakeholders (“Chinatown Stakeholders”) including business owners, property owners and community members who cumulatively have over 350 years of ownership and experience in Los Angeles’ Chinatown.¹ We have reviewed the Draft DTLA 2040 Plan (“Plan”) and the associated Draft Environmental Impact Report (“DEIR”). The following commentary represents the Chinatown Stakeholders’ feedback on the Plan based on our collective experience and vision for the Chinatown area.

In general, the Chinatown Stakeholders have interest in property in two areas including Chinatown East and Chinatown West¹. Within the Chinatown East area, the first area of interest is the central part of Chinatown near the intersection of Alpine Street and Broadway. The second area of interest is the northern part of Chinatown closer to the Los Angeles State Historic Park. Within the Chinatown West area, the area of interest is the northern part of Chinatown near the intersection of Yale Street and Bernard Street.

Chinatown History and Background

The changing role of Los Angeles’ Chinatown in relation to the rest of DTLA and the San Gabriel Valley provides a useful background for planning the next 20 years of Chinatown’s development. Once the social, cultural, and economic center of L.A.’s Chinese American community, Chinatown has evolved over the past 50 years. Many Chinese-oriented restaurants, businesses, and community institutions have followed the ethnic Chinese population moving eastward to the San Gabriel Valley, although some continue to locate in Chinatown. As an example, Cathay Bank has since relocated its corporate

¹ Per the DTLA 2040 Plan, Chinatown East is an area approximately bounded by Ord Street, Hill Street, N. Spring Street and LA State Historic Park. Chinatown West is defined as the area approximately bounded by Cesar E. Chavez Avenue, Hill Street, 110 Freeway and Bernard Street.

headquarters to El Monte because most of its customers and employees reside in the San Gabriel Valley. At the same time, adjacent and nearby areas of downtown such as Bunker Hill, South Park, the Arts District, and Little Tokyo have attracted a housing boom generating a downtown residential population that has fueled demand for restaurants, cultural facilities, and other resident-serving services. The downtown housing boom has largely passed Chinatown by. However, filling the vacuum left by the departure of traditional Chinese businesses and organizations, new uses have emerged in Chinatown such as innovative food and retail entrepreneurs, art galleries, and architecture and design businesses. And there are signs that the demand for downtown housing is spilling over into Chinatown. This has led to proposals for new residential projects serving both Chinese and non-Chinese residents.

Many of the Chinatowns in other U.S. cities have stagnated and lost their economic vitality as a result of demographic changes, even in the face of development activity in adjacent or nearby areas. The fundamental challenge for L.A. Chinatown is how to maintain its neighborhood character and serve a wide range of community needs while generating a level of new economic activity that can sustain the community.

A More Balanced Approach to Planning Chinatown's Future

City Planning has an important role in creating a framework for guiding future development in Chinatown. It can deploy planning tools that provide incentives that encourage outcomes that it deems positive or constraints that discourage outcomes that it deems negative. But if the overall planning framework fails to strike the right balance or equilibrium of tools, the desired goals for Chinatown's future will not materialize.

A first step would be to avoid doing harm. Chinatown was largely bypassed by previous waves of new residential development in and around Downtown Los Angeles. In the Cornfield Arroyo Seco Plan ("CASP") adopted in 2013, City Planning attempted to promote infill development in the CASP area but also sought to limit the percentage of residential space in the floor area of new projects. This may have had the unintended effect of discouraging new development even at a time when other parts of DTLA were experiencing a development boom. The only project within the CASP area that has been approved (1457 N. Main St., with 244 live/work units) since adoption of CASP moved forward only as a result of the Central Area Planning Commission granting (in May 2020) an exemption from CASP's limitation of residential uses not exceeding 15 percent of the floor area. The City Council subsequently approved Councilmember Cedillo's motion (Council File No. 13-0078-S2) directing City Planning to review the land use incentives in CASP to determine whether they had the net effect of discouraging the production of mixed-income housing.

In addition to the 1457 N. Main St. project that obtained an exemption from CASP, there are at least two other projects (Buena Vista project, formerly known as Elysian Park Lofts, located above L.A. State Historic Park and the College Station project at the corner of North Spring and College Streets adjacent to the Gold Line station) asked to be excluded from the CASP area in order to avoid CASP restrictions. This additional evidence of other projects that were ready to proceed – but did not want to be covered by the restrictions of CASP – comprise additional evidence that there are components in CASP that were discouraging projects ready to proceed.

While City Planning is conducting its study of CASP's real-world impact on housing production, it would not make sense to adopt overly prescriptive restrictions in another DTLA neighborhood that might also result in unintended consequences discouraging new housing at a time when the city and the region continue to fall further behind current and future housing demand.

Building Height and FAR Limits

In order to enable Chinatown to do its part to fulfill City and Regional housing targets, restore allowable height and FAR.

The Plan proposes reductions in Floor Area Ratio ("FAR") and building height for much of the Chinatown and Chinatown West areas. We believe that these FAR and building height limits represent significant downzoning that is entirely too restrictive and will lead to negative consequences for the future development of Chinatown.

This is especially true for the area generally bounded by Bernard Street, Yale Street, Ord Street, 110 Freeway and Broadway that is proposed to be within the MN1 Form District which would allow a base FAR of 2:1 and maximum height of 3 stories, and which can only be increased up to 6:1 FAR and 5 stories maximum through the Plan's Public Benefits Program.

The Plan's proposed reductions in height and FAR are some of the main tools proposed to preserve Chinatown's neighborhood character. But height and FAR reductions comprise a very blunt and inexact tool that may not achieve the intended goal. The reductions in height and FAR would needlessly inhibit new projects on sites that are not historically or culturally significant.

We are concerned that the base 2:1 FAR and 3-story height restrictions would result in more fast-food restaurants, strip malls, and other buildings accompanied by surface parking lots, which is inconsistent with Chinatown's historical legacy as a walkable, mixed-use neighborhood that respects historic context. The small size of many lots in Chinatown already constrains their development potential. The Plan could easily revert our neighborhood back to the lack of amenities and absence of pedestrian activity of the 1970s.

We firmly believe that the proposed zoning for the Chinatown East and Chinatown West areas should allow a base FAR of 6:1 and height limited only by FAR. Allowing a base FAR of 6:1 and height limited only by FAR would encourage new mixed-use development (including much needed housing as outlined in the Southern California Association of Government's Regional Housing Needs Assessment). This new development would help maintain sufficient density to support the mix of local businesses that make the Chinatown neighborhood function as a pedestrian friendly district where daily errands can be performed without a car.

Parking

Do not count above-ground parking (which may be necessary to make a project economically viable) towards the allowable floor area for projects. Ensure pedestrian orientation by requiring active ground floor uses in projects incorporating above-ground parking.

Although the Plan eliminates minimum parking requirements for the Plan area, above ground parking will be counted towards a project's allowable floor area. This has major implications for the Chinatown area where the Plan proposes an extremely low base FAR of 2:1 in many parts of the neighborhood. Subterranean parking is not always feasible in many cases in an area like Chinatown where excavation can be complicated by geological and/or archaeological factors. In Chinatown, where the Plan greatly limits FAR, above ground parking should not count towards FAR. Counting above ground parking towards FAR, while also greatly limiting FAR in Chinatown, would impede the future development potential in the area by rendering projects infeasible.

We recommend that above-ground parking should not count toward project FAR in the Chinatown area if it is screened and/or adaptable for future reuse and projects include active ground floor uses. This marries good urban design principles with a financially viable means of providing parking.

Design Restrictions

Remove mandating area-wide design requirements.

The Plan would create highly specific design requirements for buildings in the Plan area, including Chinatown. We believe that these design standards are far too prescriptive in the long run will limit creative approaches to design and architecture and put a damper on future development.

Limits on Hotel Rooms

Remove an arbitrary restriction on hotel rooms that could discourage new hotel development in Chinatown.

The Plan arbitrarily limit hotels by their number of rooms, specifically to a maximum 49 rooms in the Chinatown area. We propose that hotel room limits be removed from the Plan since we believe they are antithetical to strengthening DTLA's role as a major visitor destination, including the Chinatown area.

Tenant Size Limitations

Remove arbitrary restriction on new commercial spaces that could deter businesses or community-serving facilities that would benefit the Chinatown community.

The Plan currently proposes various size limitations on commercial establishments throughout DTLA, including a 1,500 square foot limit in parts of Chinatown and a 5,000 square foot limit in other parts of Chinatown. The intent of these limitations seems to be to preserve these areas for small businesses, and/or achieve a small-scale business look and feel. We believe these are blunt policy tools that could negatively impact neighborhoods and exclude potentially desirable businesses. For instance, even the smallest grocery stores typically require 7,500 to 10,000 square feet of space, but these limitations would preclude them, despite a strong need for grocery stores in Chinatown. The tenant size limitations would also preclude banquet style restaurants and other uses such as Chinese goods emporium shopping stores. The proposed tenant size limitations could also preclude desirable uses from locating in Chinatown such as a museum annex, food hall, or creative office or studio space.

Instead of limiting the size of commercial spaces in Chinatown buildings, the Plan should consider other ways to encourage desired outcomes.

Affordable Housing

Incentivize new affordable housing in Chinatown by raising the base FAR for new projects.

Currently as proposed, the Plan would allow mixed income residential projects in the Chinatown area and would not impose an affordable housing requirement in new residential projects unless a project chooses to utilize the Plan's proposed Public Benefits Program to increase allowable height and FAR. We understand that some community groups would like the Plan to implement inclusionary affordable housing requirements to by-right projects in Chinatown prior to utilizing the Public Benefits Program so as to protect low income individuals and families in Chinatown from displacement. While we understand that these community groups' intention is to expand housing affordability and avoid displacement, the outcome of requiring affordable housing in by-right projects in Chinatown prior to the use of the Public Benefits Program is unrealistic and unfeasible.

Additionally, a baseline inclusionary affordable housing requirement for by-right projects, especially in an area like Chinatown where FAR is proposed to be extremely limited, will further exacerbate the issue of financial feasibility of future development in the area. That is to say that the proposed extremely low base FAR in Chinatown, plus a baseline inclusionary affordable housing requirement, would render project costs too expensive with not enough incentive to develop. This will lead to net zero new housing units, both low income and market rate units, and would not help alleviate the housing shortage or affordability crisis facing our city and Chinatown specifically. Accordingly, we firmly believe that the Plan should remain unchanged for Chinatown in terms of allowing market rate housing prior to use of the Plan's Public Benefit Program and only imposing inclusionary affordable housing requirements for projects utilizing the Public Benefits Program and/or seeking development incentives. This, in addition to increasing the allowable base FAR, will ensure the feasibility of producing housing in the future in Chinatown.

COVID-19 Pandemic Impacts

The COVID-19 pandemic has impacted every aspect of our lives and world. While every industry will continue to be impacted, the hospitality, retail and real estate subsectors have been decimated with no clear end in sight. And longer term, subsectors such as office and industrial real estate will be affected by changes in where people work and changes in supply chain; so, surely usage and design of physical spaces will alter as we learn more about the pandemic. Consequently, it would not be in the community's best interest for City Planning to prescribe design and uses based on pre-COVID-19 assumptions.

Conclusion

For the reasons stated above, the Chinatown Stakeholders do not support the Plan as currently proposed. Planned limits on maximum building height and floor area, above ground parking counting as floor area, overly prescriptive design restrictions, hotel room restrictions, tenant size limitations, and potential inclusionary affordable housing requirements without sufficient density to make

projects economically sustainable will severely impair the future growth potential of Chinatown and lead Chinatown into stagnation while nearby Downtown areas flourish.

Because the DTLA 2040 Plan could have such pervasive impact on the physical reality of Chinatown over the next 20 years, it is imperative to further expand City Planning's outreach efforts to include a wider range of stakeholders including more of the property owners and business owners who provide the jobs, business opportunities, and housing that constitute Chinatown today. We would be happy to help City Planning further extend its Chinatown outreach efforts.

We strongly urge the Los Angeles Department of City Planning to reconsider these proposed zoning regulations in the Chinatown area and instead consider the alternatives outlined in this letter. We appreciate your time and consideration.

Sincerely,

DocuSigned by:

May Chan

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MAY CHAN

Senior Vice President, General Counsel
and Secretary
Cathay Bank

DocuSigned by:

Peter Cheng

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PETER CHENG

Chief Financial Officer
KTKW Limited

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President and Board Member
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for Triac Development Corp.
Co-Managing Member
Summit Western Limited, LLC

cc: Los Angeles City Councilmember Gil Cedillo, 1st District (via email)
Signatories (via email)

ⁱ **Chinatown Stakeholders**

Cathay Bank – Cathay Bank, the first Southern California bank founded by Chinese Americans, built its original corporate headquarters on North Broadway, and continues to own and use the building (777 North Broadway; constructed in 1965) as its corporate headquarters and L.A. Chinatown branch office.

KTWK Limited – Owner of Chunsan Plaza shopping center (750 North Hill Street; constructed in the 1960's) that extends from North Broadway to North Hill Street, adjacent to the Cathay Bank property.

L.A. Chinatown Corporation – Owner of the historic New Chinatown Central Plaza established in 1938 (an area approximately bounded by Broadway, Hill Street, Bamboo Lane and College Street) and parking lot located at 419 West College Street .

Moy and Associates - Owner of the buildings located at 946 Yale Street (built in 1961), 736-742 North Broadway (built in 1964), 415 Alpine Street (built in 1977) and 800 North Hill Street (built in 1979).

Summit Western Limited, LLC – Owner of Mandarin Plaza shopping center and Golden Dragon Restaurant property (and adjacent parking lot) located at 970-1000 North Broadway and 950-960 North Broadway, respectively. Both buildings were completed in 1972.



Chinatown Stakeholders

Cathay Bank*Central Plaza/LA Chinatown
Corporation*Chunsan Plaza*
Mandarin Plaza*Moy Family Properties

c/o Summit Western LLC, 970 North
Broadway,
Suite 111, Los Angeles, CA 90012

June 14, 2021

Samantha Millman, President
City Planning Commission
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 667
Los Angeles, CA 90012
Via email: cpc@lacity.org

**Re: DTLA 2040 Draft Community Plan Update - Comments on June 17, 2021 CPC Agenda
Item #6, (CPC-2017-432-CPU, ENV-2017-433-EIR)**

Dear President Millman and Honorable Commissioners:

We are writing as longtime Chinatown Stakeholders including business owners, property owners and community members who cumulatively have over 350 years of ownership and experience in Los Angeles' Chinatown. In general, the Chinatown Stakeholders have interest in property in two areas including Chinatown East and Chinatown West¹. Within the Chinatown East area, the first area of interest is the central part of Chinatown near the intersection of Alpine Street and

¹ Per the DTLA 2040 Plan, Chinatown East is an area approximately bounded by Ord Street, Hill Street, N. Spring Street and LA State Historic Park. Chinatown West is defined as the area approximately bounded by Cesar E. Chavez Avenue, Hill Street, 110 Freeway and Bernard Street.

Broadway Street. The second area of interest is the northern part of Chinatown closer to the Los Angeles State Historic Park.

We have reviewed the June 2021 Draft DTLA 2040 Plan (“Updated Draft Plan”) and the associated Draft Environmental Impact Report (“DEIR”). While we recognize the hard work of the City Planning staff in developing the DTLA 2040 Plan, we believe that the provisions relating to the Chinatown sub-area are fundamentally misguided. They underestimate the tenuous economic reality of the Chinatown real estate market, and would gamble recklessly with Chinatown's future. Specifically, singling-out Chinatown for severe downzoning (Chinatown would be the only sub-area in which Regional Center Commercial parcels currently allowed a 6:1 FAR would be downzoned to 2:1 FAR) could cripple Chinatown's nascent efforts to arrest the economic decline that has doomed once-popular restaurants such as Empress Pavilion and has led to the closure of all of the Chinese supermarkets.

The threat to Chinatown represented by the DTLA 2040 Plan has brought together a rare coalition of Chinatown groups that do not always see eye-to-eye, but have united to oppose the staff's proposal to lower the base FAR for major commercial parcels in Chinatown to 2:1 FAR. As they have become aware of the staff's recommendations, the following groups recently have gone on record to oppose the DTLA 2040 Plan's downzoning provisions for Chinatown:

- **The Historic Cultural North Neighborhood Council.**
- **The Chinese Consolidated Benevolent Association (CCBA)**, the umbrella organization representing 27 traditional Chinese family associations and social service and nonprofit community organizations serving Chinatown.
- **The Chinese American Citizens Alliance (CACA), Los Angeles Lodge**, the local chapter of the nation's oldest Asian American civil rights organization.

These are in addition to the **Chinese Chamber of Commerce** and the **Chinatown Business Improvement District** that previously took positions opposing the downzoning provisions of the DTLA 2040 Plan.

A summary of our recommendations as Chinatown Stakeholders may be found **highlighted in yellow** starting at the top of page 5.

Chinatown History and Background

The changing role of L.A. Chinatown in relation to the rest of DTLA and the San Gabriel Valley provides a useful background for planning the next 20 years of Chinatown's development. Once the social, cultural, and economic center of L.A.'s Chinese American community, Chinatown has evolved over the past 50 years. Many Chinese-oriented restaurants, businesses, and community institutions have followed the ethnic Chinese population moving eastward to the San Gabriel Valley, although some continue to locate in Chinatown. At the same time, adjacent and nearby areas of downtown such as Bunker Hill, South Park, the Arts District, and Little Tokyo have attracted a housing boom generating a downtown residential population that has fueled demand for restaurants, cultural facilities, specialty retail stores and other resident-serving enterprises.

The downtown housing boom has largely passed Chinatown by. However, filling the vacuum left by the departure of traditional Chinese businesses and organizations, new uses have emerged in Chinatown such as innovative food and retail entrepreneurs, art galleries, and architecture and design studios. And there are signs that the demand for downtown housing is spilling over into Chinatown. This has led to proposals for new residential projects serving both Chinese and non-Chinese residents.

Many of the Chinatowns in other U.S. cities have stagnated and lost their economic vitality as a result of demographic changes, even in the face of development activity in adjacent or nearby areas. The fundamental challenge for L.A. Chinatown is how to maintain its neighborhood character and serve a wide range of community needs while generating a level of new economic activity that can sustain the community.

A More Balanced Approach to Planning Chinatown's Future

The City Planning Department has an important role in creating a framework for guiding future development in Chinatown. It can deploy planning tools to provide incentives which encourage outcomes that it deems positive or constraints which discourage outcomes that it deems negative. But if the overall planning framework fails to strike the right balance or equilibrium of tools, the desired goals for Chinatown's future will not materialize.

A first step would be to avoid doing harm. Chinatown was largely bypassed by previous waves of new residential development in and around Downtown Los Angeles. In the Cornfield – Arroyo Seco Specific Plan ("CASP") adopted in 2013, City Planning attempted to promote infill development in the CASP area but also sought to limit the percentage of residential space in the floor area of new projects. This had the unintended effect of discouraging new development even at a time when other parts of the Central City were experiencing a development boom. The only project within the CASP area that has been approved since adoption of CASP (1457 N. Main St., with 244 live/work units) moved forward only as a result of the Central Area Planning Commission granting (in May 2020) an exception from CASP's limitation of residential uses not exceeding 15 percent of the floor area. The City Council subsequently approved Councilmember Cedillo's motion (Council File No. 13-0078-S2) directing City Planning to review the land use incentives in CASP to determine whether they had the net effect of discouraging the production of mixed-income housing.

In addition to the 1457 N. Main St. project, there are at least two other projects (Elysian Park Lofts located above L.A. State Historic Park and the College Station project at the corner of North Spring and College Streets adjacent to the Gold Line station) where the developers asked to be excluded from the CASP area in order to avoid the CASP restrictions. This additional evidence of other projects that were ready to proceed – but did not want to be covered by the restrictions of the CASP – provide additional evidence that the CASP was discouraging projects that were ready to proceed.

While the City Planning Department is conducting its study of the CASP's real-world impact on housing production, it would not make sense to adopt overly prescriptive restrictions in another Central City neighborhood that might also result in unintended consequences of discouraging

new housing development at a time when we continue to fall further behind current and future housing demand.

Changes to Draft Plan Between Summer 2020 and Fall 2020

The Summer 2020 Draft of the Plan largely kept Chinatown's existing base FARs intact at 6:1 in alignment with the current Regional Center Commercial designation for this area and in consideration of its proximity to regional transit and employment centers, including the Chinatown Gold Line Station and Union Station. However, in the Fall 2020 Draft of the Plan the Chinatown area was downzoned to a base FAR of 2:1 a stunning 2/3 reduction in the base FAR. This base density of FAR of 2:1 remains in the Updated Draft Plan, with a 6:1 FAR achievable only through maximum utilization of the Plan's Community Benefits Program.

The following case study sheds light on the dramatic negative effects of this downzoning on development potential and property value in Chinatown. We reviewed a potential development site in Chinatown that is proposed to be within the very restrictive MN1 Form District of the Plan. This site is approximately 28,000 square feet of lot area and located in TOC Tier 3 due to proximity to the Chinatown Gold Line station.

Based on this site's current C2-2 zoning, a base FAR of 6:1, approximately 140 dwelling units and unlimited height could be achieved. Utilizing TOC Tier 3, the site would be eligible for a 50% FAR increase and 70% density increase, resulting in a 9:1 FAR and approximately 238 dwelling units, including either 24 extremely low income, 34 very low income, or 55 low income restricted affordable dwelling units.

Under the Plan's proposed MN1 Form District zoning, the site could achieve a base FAR of 2:1, approximately 59 dwelling units and height would be limited to 3 stories. Utilizing Tier 1 of the Plan's Community Benefits Program would result in a FAR of 2.7:1, 5 stories and approximately 80 dwelling units, including either 5 deeply low income, 7 extremely low income, 9 very low income, or 16 low-income units. Utilizing Tier 2, the site could achieve an additional maximum FAR of 6:1 and a total density of approximately 176 dwelling units including either 17 deeply low income, 22 extremely low income, 28 very low income or 49 low income units. However, given the maximum height of 5 stories, it is potentially infeasible to fit all 176 potential dwelling units within the allowable development envelope proposed by the Plan.

When comparing the maximum development potential under TOC Tier 3 and Tier 2 of the Community Benefits Program under this case study, the proposed downzoning of this site and forced utilization of the Community Benefits Program to restore existing FAR allowed would result in a potential loss of 62 total dwelling units and within that either 2 extremely low income, 6 very low income, or 6 low income units.

We believe this proposed downzoning is a misguided attempt to create more affordable housing and serve as a blanket tool for historic preservation in Chinatown. This is important to note as

the Summer 2020 Draft is more in alignment with the Stakeholders' recommendations as listed below.

Recommended Changes to the Updated Draft Plan Regarding Chinatown

Based on our collective experience in Chinatown and review of the Draft Plan we recommend the following changes:

- **Base FAR and Height Limits**
 - Raise Base FAR for the MN1 and DM2 Form Districts to 6:1 from 2:1 to increase the economic feasibility of future development projects in Chinatown.
 - Remove height limits in the MN1 and DM5 Form Districts.
- **CPIO Community Benefits Program**
 - To reflect the proven success for the City's Transit Oriented Communities (TOC) program, increase Tier 1 FAR bonus for the CPIO Community Benefits Program from 40% to 50% (the current bonus provided for Tier 3).
 - Remove 2-bedroom unit requirement in Chinatown for development projects utilizing the CPIO Community Benefits Program to avoid further exacerbating economic infeasibility.
- **Historic Preservation**
 - Remove Chinatown from the Subarea D for Historic Preservation to avoid creating a redundant additional hurdle to development in Chinatown. Historic and potentially historic sites in Chinatown have already been identified in Survey LA and Historic Places LA, which are already subject to Historic Preservation Review.
 - Add Subarea A.3 for the CPIO Community Benefits Program into the Transfer of Development Rights for Historic Properties

Building Height and FAR Limits

In order to enable Chinatown to do its part to fulfill City and Regional housing targets, increase allowable base height and FAR.

The Updated Draft Plan proposes reductions in Floor Area Ratio ("FAR") and building height for much of the Chinatown area that is currently designated Regional Center Commercial by the current Community Plan. We believe that these FAR and building height limits represent significant downzoning and subsequent loss of property value that is entirely too restrictive and will lead to negative consequences for the future development of Chinatown.

Although it pertains to a different area of DTLA, it is worth noting the discussion of taking away property rights on page A-17 of the DTLA 2040 City Planning Commission Staff Report in this context. Regarding the proposed zoning approach for Skid Row and the consideration of the boundaries for a prohibition on market rate and mixed-income development in that area, it states

that the rationale for not expanding that prohibition west or north is that it “would amount to a reversion of development rights that are currently available.”² Here too in Chinatown, the Updated Draft Plan amounts to a reversion of development rights that are currently available.

This is especially true for the area generally bounded by Bernard Street, Yale Street, Alpine Street and Broadway Street that is proposed to be within the MN1 Form District which would allow a base FAR of only 2:1 and maximum height of 3 stories, and which can only be increased up to 6:1 FAR and 5 stories maximum through the Plan’s Community Benefits Program. This is also true for the two blocks bounded by Alpine Street, Hill Street, Ord Street and Broadway Street. Although these two blocks were recently moved out of the MN1 Form District and into the DM2 Form District, the DM2 Form District would also limit base FAR to 2:1 with a maximum up to 8.5:1 through the Community Benefits Program. Height is not as severely limited within these two DM2-zoned blocks as the MN1-zoned blocks, however the severe reduction in base FAR will amount to a limitation that will reduce property values and restrict future development.

The Plan’s proposed reductions in height and FAR are some of the main tools proposed to preserve Chinatown’s neighborhood character. But height and FAR reductions comprise a very blunt and inexact tool that may not achieve the intended goal. The reductions in height and FAR would needlessly inhibit new projects on sites that are not historically or culturally significant. This is further exacerbated by the recent addition of the CPIO Subarea D for Historic Preservation which will require discretionary historic review for any project in the core area of Chinatown. Our feedback on Subarea D is further discussed in the next section.

We are concerned that the base 2:1 FAR and 3-story height restrictions would result in more fast-food restaurants, strip malls, and other buildings accompanied by surface parking lots, which is inconsistent with Chinatown’s historical legacy as a walkable, mixed-use neighborhood that respects historic context. The proposed height restrictions also could produce the unintended effect of encouraging developers to maximize their FAR within the new restrictions by reducing ground floor open space. The small size of many lots in Chinatown already constrains their development potential. The Plan could easily revert our neighborhood back to the lack of amenities and absence of pedestrian activity of the 1970s.

This decision to downzone central Chinatown could also result in no development at all due to the constraints on financial feasibility, similar to the effects of the CASP described above. **The November 2020 economic analysis prepared by HR&A Advisors for the City Planning Department found that the proposed zoning for Chinatown does not result in financially feasible projects.**³ Ultimately, constraining development as is proposed, jeopardizes project feasibility, and if projects cannot be built the public benefits that are envisioned in the plan and desired by DTLA stakeholders will not materialize. Reducing the base FAR will result in less density near transit and will also result in reduced property value since the development potential of this area will be reduced. Less ability to develop densely, in conjunction with a loss in property value,

² https://planning.lacity.org/odocument/04ca2a68-c5fd-4a26-90c2-8128910239f7/DRAFT_DTLA_CPC_Staff_Recommendation_Report.pdf

³ https://planning.lacity.org/odocument/89341d11-a3a9-4a21-96f2-f04471468872/Benefits_Program_Analysis_Summary.pdf

will disincentivize new development in Chinatown. We believe this proposed downzoning is incongruous for a transit-oriented area like Chinatown that is currently designated Regional Center Commercial.

We firmly believe that the proposed zoning for the Chinatown area should allow a base FAR of at minimum 6:1 and height limited only by FAR, as this would encourage new mixed-use development (including much needed housing as outlined in the Southern California Association of Government's Regional Housing Needs Assessment). This new development would help maintain sufficient density to support the mix of local businesses that make the Chinatown neighborhood function as a pedestrian friendly district where daily errands can be performed without a car.

Affordable Housing

Incentivize new affordable housing in Chinatown by raising the Tier 1 Community Benefits Program FAR bonus, in addition to increasing the Base FAR.

We support the intent of the Community Benefits System to realize more on-site public benefits, especially affordable housing, but propose changes that would make it more usable and a better framework for delivering new housing affordable to all income levels.

The Level 1 bonus for the provision of affordable housing was increased from 35 percent to 40 percent. However, this is an insignificant increase, and we believe this bonus percentage should be greater still to be in alignment with the highest tiers of the successful Transit Oriented Communities (TOC) Program and considering the economic analysis prepared for the Department of City Planning by HR&A Advisors⁴.

Level 1 of the DTLA 2040 Community Benefits System is essentially aligned with Tier 1 of the TOC Program which is the lowest TOC tier and toward the lower end of the City's affordable housing incentive programs. However, most of Chinatown falls within TOC Tier 3, which provide a 50 percent FAR bonus. As such, Level 1 of the DTLA 2040 Community Benefits System should be at minimum aligned with the highest TOC tiers, thus allowing a 50 percent FAR bonus in Chinatown.

Historic Preservation and Project Review in Chinatown

Subarea D of the CPIO is a new addition to the proposed plan released in early June 2021 that has not been thoroughly vetted. It describes a "Historic Preservation Subarea" that would apply to areas within the Plan including the central area of Chinatown. The CPIO states that these are "neighborhoods that have an abundance of historically and architecturally significant buildings," yet none of these areas are within Historic Preservation Overlay Zones (HPOZs), and there are few nominated or designated buildings in Chinatown. Additionally, any individual site with eligibility is already well-covered through the City's prior historic surveys (such as Survey LA) and

⁴ https://planning.lacity.org/odocument/89341d11-a3a9-4a21-96f2-f04471468872/Benefits_Program_Analysis_Summary.pdf

the Citywide demolition restrictions which ensure that no structure over 50 years old can be demolished without notice to the community.

Moreover, the CPIO states that “Within Subarea D, a ‘Project’ shall mean any activity that requires the issuance of a building, grading, demolition, or change of use permit on any site that is an Eligible Historic Resource, unless the work consists solely of interior work such as tenant improvements or interior rehabilitation/repair.” As an example, this suggests that even minor changes such as opening a rooftop bar/restaurant with a shade structure would require lengthy CPIO review and Office of Historic Resources review, and it would also likely require a CEQA clearance.

This CPIO layer adds unwarranted regulatory burdens for both applicants and the City Planning Department and transforms otherwise ministerial permits into discretionary approvals that would require CEQA Clearance, which is counter to the plan’s goals.

Historic Preservation is not the opposite of height and density. They can coexist well and bolster each other. The City should expand the Transfer of Development Rights for Historic Preservation pursuant to LAMC Chapter 1A Section 9.3.5 to Subarea A.3 to include Chinatown. This would allow transfer of floor area rights between historic receiver sites to new development sites that are not affecting historic structures. Limiting this to only the Arts District Subarea A.2 is neither reasonable nor equitable and all areas within the Plan area including Chinatown should be able to utilize the Transfer of Development Rights program.

Conclusion

The Chinatown Stakeholders first wrote to City Planning staff to express our concerns with the November 2020 version of the DTLA 2040 Plan in a letter dated December 3, 2020. Now, after reviewing the most recently revised version of the DTLA 2040 Plan, we continue our opposition for the reasons explained above. Planned limits on maximum building height and floor area, weakness of the Community Benefits Program to promote affordable housing, and blunt and overly procedural historic preservation tools without sufficient density to make projects economically sustainable will severely impair the future growth potential of Chinatown and lead Chinatown into stagnation while nearby Downtown areas flourish.

Because the DTLA 2040 Plan could have such a pervasive impact on the physical reality of Chinatown over the next 20 years, it is imperative to further expand City Planning Department’s outreach efforts to include a wider range of stakeholders including more of the property owners and business owners who provide the jobs, business opportunities, and housing that constitute Chinatown today. We would be happy to help City Planning Department further extend its Chinatown outreach efforts.

Given the precarious economic development situation in Chinatown in context of the recent impacts of the COVID-19 pandemic, the Stakeholders believe that the Department of City Planning should not be so quick to push through the Plan that was drafted outside of this context without first fully understanding how the proposed Plan may interplay with the new economic reality of Chinatown and our city overall. The existing TOC program serves as the best tool the

City has for producing more housing at all levels, including affordable housing. The Stakeholders believe that the Department of City Planning should reconsider the structure of the Plan and the CPIO Community Benefits program and embrace the success of the TOC program instead of replacing the TOC program with the new untested approach in the DTLA 2040 Plan.

We strongly urge the Los Angeles City Planning Commission to reconsider these proposed zoning regulations in the Chinatown area and instead adopt the alternatives outlined in this letter. We appreciate your time and consideration.

Sincerely,

Representing Cathay Bank (Owner of Cathay Bancorp's original corporate headquarters at 777 North Broadway):

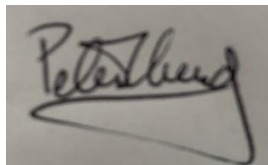
MAY CHAN



Senior Vice President, General Counsel, and Secretary

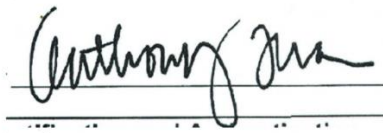
Representing KTWK Corporation (Owner of the Chunsan Plaza shopping center):

PETER CHENG



Representing L.A. Chinatown Corporation (Owner of Central Plaza):

TONY QUON



Board Member

JASON FUJIMOTO



Board Member

(Also representing Moy and Associates)

Representing Summit Western LLC (Owner of Mandarin Plaza):

MARTIN LEE



Co-Managing Member

(Also former City of Los Angeles Affordable Housing Commissioner)

SCOTT LEE



Co-Managing Member

MICHAEL WOO



Co-Managing Member

(Also former L.A. City Planning Commissioner and City Councilmember)



Chinatown Stakeholders

Cathay Bank*Central Plaza/LA Chinatown
Corporation*Chunsan Plaza*
Mandarin Plaza*Moy Family Properties

c/o Summit Western LLC, 970 North
Broadway,
Suite 111, Los Angeles, CA 90012

September 20, 2021

Samantha Millman, President
City Planning Commission
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 667
Los Angeles, CA 90012
Via email: cpc@lacity.org

**Re: DTLA 2040 Draft Community Plan Update - Comments on September 23, 2021
CPC Agenda Item #7, (CPC-2017-432-CPU, ENV-2017-433-EIR)**

Dear President Millman and Honorable Commissioners,

We are writing as longtime Chinatown Stakeholders including business owners, property owners and community members who cumulatively have over 350 years of ownership and experience in Los Angeles' Chinatown (the "Chinatown Stakeholders"). We have reviewed the June 2021 Draft DTLA 2040 Plan ("Plan") and the associated Draft Environmental Impact Report ("DEIR"). We have also reviewed the August 26, 2021 Supplemental Recommendation Report ("Staff Report").

As we stated at your public hearing on June 17, 2021, **we are strongly opposed to the downzoning of Chinatown from the current 6:1 FAR to 2:1 FAR and the associated height limit of 5 stories. We therefore urge your Commission to either incorporate the changes that we have proposed or withhold the Chinatown provisions of the DTLA 2040 Plan.** This significant reduction in allowable density and height will dramatically lower property values and will curtail any efforts to develop property in the central part of Chinatown.

Unfortunately, the Staff Report does not address the Chinatown Stakeholders concerns that were previously stated in our June 14, 2021 letter to your Commission. Planned limits on maximum building height and floor area, weakness of the Community Benefits Program to promote affordable housing, and blunt and overly procedural historic preservation tools without sufficient height and FAR to make projects economically sustainable will severely impair the future growth potential of Chinatown and lead Chinatown into stagnation while nearby Downtown areas flourish. **The Staff recommendations are based upon a very unrealistic view of the Chinatown real estate market.**

The Staff Report justifies the downzoning of Chinatown by arguing that past development patterns and current market conditions should dictate allowable height and FAR for future development, stating that recent development projects in the area have not utilized the currently available 6:1 FAR and are generally 6-story wood frame construction. While some recent projects in Chinatown have been at a lower FAR and height, that is not true for the most recently approved and proposed projects, some that have gone through the entitlement process and some that are currently preparing applications. For example, the project located at 942 N. Broadway (called “Harmony”) has been approved at 7.35:1 FAR and 23 stories. The Staff Report characterized this project’s utilization of the Density Bonus program as a “small FAR increase”, however that was potentially a “small increase” between the presently allowed 6:1 FAR and proposed 7.35:1 FAR, based on the currently zoning. The increase between 2:1 base FAR proposed by the Plan and Harmony’s 7.35:1 FAR is a very large increase (a difference of 5.35:1 FAR). The Plan’s proposed downzoning would render projects like the Harmony project economically infeasible.

The Staff Report states that it is necessary to reduce base FAR artificially low to 2:1, because otherwise retaining the base FAR of 6:1 may dissuade development projects from participation in the proposed Downtown Community Benefits Program. The Harmony project was subject to a base FAR of 6:1 and it did result in

both the production of new market rate and affordable housing units. **The proposed downzoning will result in zero community benefits and zero new housing units in Chinatown because it will dissuade development altogether. We object to the use of outdated market analysis as the basis for future market conditions in the Chinatown area.**

Artificially lowering FAR to force applicants to use the proposed Downtown Community Benefits Program to seek a feasible FAR for their projects will not produce new housing and will halt all future development in Chinatown at a time when we are seeing transformational projects come online, like the Harmony project mentioned above. This effect would be very similar to the Cornfield Arroyo Seco Specific Plan (“CASP”) where we have seen almost no development since its inception. This proposed downzoning represents a serious decrease in property values and development potential and will negatively impact economic development of Chinatown.

Furthermore, the Staff Report states that the market analysis of the proposed 5-story height limits in parts of Chinatown (carried out by the economic consulting firm known as HR&A) presents feasibility challenges for future development. In a November 13, 2020 Memorandum to the City Planning Department which summarizes its supplemental analysis of the economic feasibility of the proposed downzoning in Chinatown, HR&A states that:

“HR&A has found that the prototype in Chinatown is not feasible with proposed height restrictions of 5 stories. No bonus can support a feasible residual land value with affordable units.”¹

HR&A did find that market rate housing production and affordable housing production in Chinatown would be feasible at a higher FAR, no height limits and lower inclusionary affordable requirements. However, the Staff Report *still* recommends the height limitation and downzoning in this area as a tool to preserve cultural and historic resources despite that fact that their own studies show it would make future development infeasible.

Lowering height and density is a weak, harmful way to preserve Chinatown’s traditional character. Development does not preclude preservation and there are several other existing preservation tools in place and proposed by the Plan to ensure preservation of cultural and historic resources in Chinatown. Utilization of these preservation tools without artificial limits on FAR and height establishes

¹ November 13, 2020 HR&A Memorandum to Los Angeles City Planning Department

proper protocols for reviewing impacts on cultural and historic resources while still allowing for feasible projects without curbing economic development in the area.

The Chinatown Stakeholders urge that the height and FAR restrictions for Chinatown be removed from the Plan, that current FAR and unlimited height is restored, and that Chinatown is included in the Transfer of Development Rights program for historic resources.

We strongly urge the Los Angeles City Planning Commission to reject these proposed zoning regulations and abandon the Staff recommendations for Chinatown. The Commissioners should undo the reductions in height and FAR and the proposed Base and Bonus system as they relate to Chinatown or withhold the provisions in the DTLA 2040 Plan that pertain to Chinatown. We appreciate your time and consideration.

Sincerely,

Representing Cathay Bank (Owner of Cathay Bancorp's original corporate headquarters at 777 North Broadway):

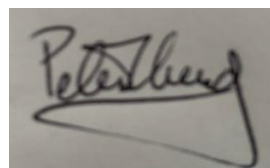
MAY CHAN



Senior Vice President, General Counsel, and Secretary


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PETER CHENG



Representing L.A. Chinatown Corporation (Owner of Central Plaza):

TONY QUON

A handwritten signature in black ink, appearing to read "Anthony Quon", written over a horizontal line.

Board Member

JASON FUJIMOTO

A stylized handwritten signature in black ink, likely reading "Jason Fujimoto".

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MARTIN LEE

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(Also former City of Los Angeles Affordable Housing Commissioner)

SCOTT LEE

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Co-Managing Member

MICHAEL WOO

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Co-Managing Member

(Also former L.A. City Planning Commissioner and L.A. City Councilmember)