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Los Angeles Planning Department
200 N. Spring Street, Room 621
Los Angeles, CA 90012

CPC 2006-8043-GPA-ZC-SP-DA

Thank you for the opportunity to respond to the application of BDC Ponte Vista Partners LLC (developers) for a General Plan Amendment to change the designation of 26900 South Western from “Low Residential” and “Open Space” to “Medium” density residential land use, the establishment of the Ponte Vista at San Pedro Specific Plan and Zone Change to a Specific Plan Zone, and a Development Agreement with the City. I am writing to urge you to reject all of the proposed applications and changes.

Gail Goldberg has said, quite correctly, that “zoning has to mean something.” This property was zoned R-1 and Open Space as a result of a thoughtful community discussion in the development of the Community Plan. It should not be changed outside of the Community Plan process.

The proposed project is not consistent with the City’s General Plan and the Harbor City-Wilmington Community Plan

The Project is not consistent with Policy 5.2.3 of the City’s General Plan which provides, as general guidance, for four stories over parking **within 1,500 feet of grade separated fixed rail transit stations** and two-stories over parking within 750 feet of a **major bus corridor**. The majority of the specific plan is for four stories or 55 feet to the ceiling of the highest floor, over parking. Not only is the project not near a fixed rail transit station, but contrary to statements made by the developer, Western Avenue is not even a “major bus corridor.” Further, it is clear that the height limitation is designed to allow five or six stories raising the possibility that the applicant (and/or subsequent developer) is planning to apply for a density bonus.

The proposed specific plan appears to be a back door attempt to amend the Community Plan by a developer, rather than as the result of a thoughtful community process. In fact, after many months of discussion and thoughtful consideration, Councilwoman Hahn’s Community Advisory Community on Ponte Vista (CAC) concluded that “...a project of this size and density and in this location would subject the surrounding community to a significant traffic increase, and that even with the required mitigation it would seriously impact the quality of life in the area.” In the end, the members of the CAC could not “present an alternative housing project that could demonstrate a reasonable balance in regard to environmental issues... and economic issues ...the

majority of the committee believes that at this time the density of the property should not exceed the number of units allowed under the current single-family zoning.”

Any changes to the zoning should be made through the community plan update process during which all land use options should be examined and the best use determined by the community.

Although this property is physically located in San Pedro, it falls within the Wilmington-Harbor City Community Plan. It should be noted that both the Northwest San Pedro Neighborhood Council and the CAC recommended that the boundary be changed to move the subject property into the San Pedro Community Plan area “so that a more timely planning review can be undertaken as part of the current San Pedro Plan update.” It should be noted that the Planning Departments staff suggested this to the neighborhood council and the CAC, and has indicated it would take this area into account as it proceeded with the update of the San Pedro Community Plan update.

The Wilmington-Harbor City is based on three premises:

1. Limiting residential densities to the prevailing density of nearby neighborhoods,
2. Monitoring of population growth and infrastructure improvements through the City’s **Annual Report on Growth and Infrastructure** with a report of the City Planning Commission every five years on the Wilmington-Harbor City Community following Plan adoption, and
3. If this monitoring finds that population in the Plan area is occurring faster than projected, and that infrastructure resource capacities are threatened, particularly critical resources such as water and sewage; and that there is not a clear commitment to at least begin the necessary improvements within twelve months; then building controls should be put into effect, until the land use designations and corresponding zoning are revised to limit development. (Wilmington-Harbor City Plan, p. III-1).”

The proposed specific plan does not comply with any of these requirements and includes none of these safeguards. The City has not updated its “Annual Report on Growth and Infrastructure” since the 1986-88 report, ten years ago.

Some of the specific inconsistencies with the Community Plan are as follows:

- Policy 1-1.2 says zoning should “protect existing single family residential neighborhoods from new, out of scale development”. The project would bring a minimum of 1850 four story [or higher] condos and 100 three story connected townhouses to an area consisting primarily of single family homes (about 2500 single family homes directly across from the project) and single

family homes plus lower density two story townhouses (13.4 per acre) to the south.

- Policy 1-1.5 requires new development to “maintain at least 67% of the designated residential lands for single family uses.” Further, the Plan designates residential lands to reflect this ratio. The proposed project would reduce the percent designated for single family use.
- Objective 1-2 admonishes the City “to locate new housing in a manner which reduces vehicular trips and makes it accessible to services and facilities”. Policy 1-2.1 requires the City to “locate higher residential densities near commercial centers and major transit routes, where public service facilities, utilities, and topography will accommodate this development”. In spite of the bald-faced assertions to the contrary, the applicant’s area is not on major transit routes and not within walking distance to commercial centers. The walled nature of the community means that shoppers will get in their cars and drive onto Western Avenue in order to access even the closest supermarket. Please pull Metro bus routes and look at the real bus access to the site.
- Objective 15-1.1 is to “Maintain a satisfactory LOS for streets and highways that should not exceed LOS “D” for Major Highways, Secondary Highways, and Collector Streets. If existing levels of service are LOS “E” or LOS “F” on a portion of a highway or collector street, then the level of service for future growth should be maintained at LOS “E”. This does not appear to be the case. Of the 52 intersections impacted by this project, 23 would remain at Level of Service “F” after the proposed mitigations. (see attached diagram as prepared by Bill Pope based on the FEIR diagram).
- Objective 15-2.1 states that “No increase in density and intensity shall be effectuated by zone change...or subdivision unless it is determined that the transportation system can accommodate the increased traffic generated by the project.” As shown in the attached diagram and further discussed below, the existing system cannot accommodate the increase in traffic.

The proposed project is not consistent with Compass Growth Vision Principles

The first Compass Principle is to “Improve mobility for all residents...[and] encourage transportation investments and land use decisions that are mutually supportive” In fact, this project, with its massive size and in this location, will *slow* traffic and *reduce* mobility for everyone using the Western Avenue corridor.

Transit oriented development may reduce the number of automobile trips used by residents. However, this is not a transit oriented area. It is miles away from any rapid transit line (the nearest one being the blue line in Long Beach) and has very limited bus

service. Because of San Pedro's remote location, going by bus from Western Ave to popular shopping areas (such as the Del Amo Mall, downtown Long Beach or the Shops at Palos Verdes), or to employment centers, usually requires one or more transfers. Buses do not run often enough for residents accustomed to their private automobiles. Residents are auto-oriented and there has been little or no success in weaning them away from their cars. Residents wanting to take the "Freeway Flyer", limited as it is, to downtown Los Angeles, must still drive on Western Avenue to access the Park and Ride facility located on Harbor Blvd.

The developer's purchase of a DASH bus will not provide any significant traffic relief, nor is there any commitment by DOT to fund its operation. According to DOT, the DASH bus currently serving San Pedro is not generating sufficient revenue. In examining the route of this bus, it became clear that one of the difficulties is the fact that destinations within San Pedro are very spread out thus requiring longer routes than those currently accepted by DOT and resulting in reduced frequency of service. Additionally, DOT has stated that because of the hills, DASH busses using cleaner fuels cannot serve the project area. The primary shopping areas [other than groceries] are outside San Pedro and would not be included on the route proposed by the applicant.

In order for the DASH bus to be considered as part of traffic mitigation, the development agreement should contain language committing the homeowner's association to funding the DASH bus in perpetuity and the DASH should be required to transport students from the development to and from the local public elementary, middle, and secondary schools, and to transport residents to churches, pharmacies, restaurants, post office, recreation facilities, and all other amenities typically used by families. A minimum number of daily trips and minimum route should also be required.

The proposed specific plan is not consistent with the following smart growth principles (from the Smart Growth Network)¹:

- "Create A Range of Housing Opportunities and Choices : Providing quality housing for people of all income levels is an integral component in any smart growth strategy."

While the proposed project purports to provide a range of housing opportunities, it does not provide any housing for persons making under \$71,000 per year. Furthermore, all of the "workforce housing" described in the FEIR is between 600 and 850 square feet. In addition to the high sales prices, when compared to the cost per square foot of other available housing in the area, homeowners will be stuck with HOA dues of at least \$450 per month.²

- "Create Walkable Neighborhoods; Walkable communities are desirable places to

¹ www.smartgrowth.org/about/principles/default.asp?res=1024

² FEIR Pge III-40

live, work, learn, worship and play, and therefore a key component of smart growth.”

The applicant’s plan does not include places to work, learn, worship, has minimal recreation amenities, a maximum of 10,000 square feet set aside for commercial development, and no place for children to play.

- “Encourage Community and Stakeholder Collaboration: Growth can create great places to live, work and play -- if it responds to a community’s own sense of how and where it wants to grow.”

The project ignores the community’s own sense of how and where it wants to grow. The Community Plan Update process for San Pedro, combined with the Community Redevelopment Agency’s Community Advisory Committee, is reaching a consensus that growth should be concentrated in downtown San Pedro in order to create a walkable neighborhood where people can live, work, and play. Downtown San Pedro has the best nexus to our limited mass transit and provides the best setting for smart growth. The proposed project directly conflicts with this plan.

- “Foster Distinctive, Attractive Communities with a Strong Sense of Place: Smart growth encourages communities to craft a vision and set standards for development and construction which respond to community values of architectural beauty and distinctiveness, as well as expanded choices in housing and transportation.”

The proposed project’s architectural standards are not consistent with the surrounding community and *are not the result of **any** community vision setting process.*

- “Mix Land Uses: Smart growth supports the integration of mixed land uses into communities *as a critical component of achieving better places to live.*”

According to a memo and data provided by the Planning Department to the CAC, San Pedro does not need housing to meet the needs of the local job market, that it is a **net exporter** of workers. Rather, San Pedro needs more local jobs for local, existing residents. What this means is that, if this project is built, more traffic will be commuting to jobs elsewhere. In other words, this proposed project does nothing to address this Smart growth principle.

- “Preserve Open Space, Farmland, Natural Beauty and Critical Environmental

Areas: Open space preservation supports smart growth goals by bolstering local economies, preserving critical environmental areas, improving our communities quality of life, and guiding new growth into existing communities.”

For all practical purposes the entire 61.5 is currently open space. In fact, 15 acres of it are currently zoned Open Space. The proposed project would transform this from open space to dense housing. According to the Development Agreement, approximately 5.9 acres is to be used for park and recreation purposes. This is the area for which the developer has entered into an agreement with Eastview Little League for what appears to be their exclusive use. There are approximately 4.5 acres consisting of the “Project’s central green and waterscape concourse” which shall “be open to the general public for use from 9:00 am to 6:00 pm, ***in accordance with the policies and procedures adopted by the Ponte Vista Homeowners Association***” (emphasis added), so it appears that the proposed plan would reduce the current 15 acres zoned open space to approximately 10.4 acres with limited public access.

- “Provide a Variety of Transportation Choices: Providing people with more choices in housing, shopping, communities, and transportation is a key aim of smart growth.”

As discussed above, the proposed project does NOT really provide a variety of transportation choices. In fact, the Harbor City-Wilmington Community cites “congestion from through traffic from outside the community” and “inadequate automobile alternatives such as rail, improved bus service...” as issues.

- “Strengthen and Direct Development Towards Existing Communities: Smart growth directs development towards existing communities already served by infrastructure, seeking to utilize the resources that existing neighborhoods offer, and conserve open space and irreplaceable natural resources on the urban fringe.”

The proposed project will actually detract from the community’s attempt to create smart growth in downtown San Pedro while depleting the amount of open space in the area of the project.

It is impossible to fully mitigate the traffic impacts

The subject property is uniquely located in an area that does not, and CANNOT, have a connected street grid.

<San Pedro is located on a peninsula. There are only four ways out of town (other than by boat): Over the Vincent Thomas Bridge, the access to which is a funnel, up the Harbor (110) Freeway, Gaffey, or Western Avenue.

<The subject property is located on Western Avenue, surrounded on two sides by the Navy Fuel Depot and across the street from Green Hills Memorial Park. The fourth side is fully developed. As a result there is no way around this section of Western Avenue.

<In the event of an emergency it is highly likely that one or more of these roadways will not be available. In the event of a terrorist attack on the Port, the bridge may be down; in the event of a terrorist attack and/or earthquake the fuel tanks and/or Conoco Phillips Refinery located on Gaffey may explode, closing both Gaffey and the 110 Freeway and/or there could be an incident at the Navy Fuel Tanks located at the corner of Western and Palos Verdes closing Western as an exit.

<The situation on Western is further complicated by the presence of Green Hills Memorial Park. San Pedro is known for its lengthy funeral processions along Western into Green Hills. These come both from the South and the North. During a funeral procession, all other traffic comes to a virtual standstill. So what will happen when residents try to exit Ponte Vista during this time period? What if an emergency vehicle needs to get into Ponte Vista?

<As shown on the Traffic Volume sheets, the “peak hours” for Western Avenue are actually 7:00 am until 6:00 pm on weekdays with the very highest numbers being between 2:00 pm and 5:00 pm. This is no surprise to local residents. One of the difficulties with Western is that it is the lifeline for 17 schools. As shown on the attached map, the following schools are accessed by the portion of Western that lies between Summerland and Palos Verdes Drive North: LAUSD Schools: Park Western Elementary, Taper Ave. Elementary, Crestwood Elementary, Dodson Middle School, San Pedro High School, Narbonne High School, Cooper High School, and the San Pedro Science Center; Palos Verdes Schools: Dapplegray Elementary, Miraleste Middle School, and Palos Verdes High School; and Parochial/Private Schools: Mary Star Elementary, Holy Trinity, Christ Lutheran, Trinity Lutheran, Mary Star High School, and Rolling Hills Prep School.

In San Pedro, virtually no children (with the exception of some of the Dodson students) walk to or from school. They are all driven. This can be seen when you drive past the schools at beginning and ending times. I have verified these observations through conversations with school staff. Due to San Pedro's unique multi-generation extended families, many of the individuals picking up children in the afternoon are aunts, uncles, and grandparents (think "active seniors"). Each trip to drop off or pick up a child is actually two trips, resulting in four vehicle trips per student per day.

<In its FEIR, the applicant increased its per-unit daily vehicle rate by 40%, from four per day to almost six per day. This means 10,000 trips per day added to the 37,000 per day on Western, an increase of 27%. However, the 10,000 trips per day appear to be an undercount and illustrate one of the major flaws in the way traffic impacts are evaluated in Los Angeles. The City allows a developer to use the *average* in a classification range, paying no attention to whether some other point in the range is appropriate. In this case, the range for condominiums goes to 11.79 per unit per day. It does not appear that the City has done any analysis to determine the correct point in the range. Due to its location (as described herein) and the lack of mixed use, residents will have to drive virtually everywhere. Most likely, the project will add significantly more than 27% to the ADT on Western, and this will increase even further (by as much as 60%) if a density bonus is used.

<A similar problem exists when the applicant uses a midpoint for determining peak hour traffic. The developer predicts .44 vehicles per unit during the peak AM hour, only about 27% of the high end of the range of 1.61 per unit. Although the FEIR notes "on average, households in the City of Los Angeles include 1.46 workers which translates to 2847 cars going to work in the morning (to say nothing of the cars delivering children to school). How is it possible that only 633 will travel during the peak hour? That's only 22% of the cars. Does this mean that there will be nearly five hours of peak traffic in the morning and five hours in the afternoon, coming home? That's just not possible!

<The project will also have an adverse impact on North Gaffey Street, the other way out of town. We anticipate that North Gaffey will see a significant increase in traffic when the Target Store on North Gaffey at Capitol Drive. This project is anticipated to generate an average of 6,664 vehicle trips per weekday with 248 morning peak hour trips and 521 afternoon peak hour trips.³ Traffic on Western Avenue will also be impacted by the opening of this store. This is in addition to the impact on North Gaffey of the additional trucks resulting from the expansion of the China Shipping Terminal.

³ Traffic Impact Analysis for a Proposed Commercial Development Located on the Northwest Corner of Gaffey Street and Capitol Drive, May 2006

The Project will have an adverse Impact on Park and Recreation Facilities

According to the Planning Department, Los Angeles is “park poor”. Los Angeles devotes less than 8% of its area to parks. San Diego has 22% and San Francisco has 19%. Only one-third of children in Los Angeles live within walking distance of a park. Further, much of our limited park land is concentrated in large regional parks, available only by vehicle. San Pedro is no exception. Currently our parks are overburdened, just drive by Peck Park or Highland Park (the two closest City Parks) on any summer weekend. Sometimes you cannot find an unoccupied square of grass!

The proposed development would have a significant impact on parks and other recreational facilities. Such use will accelerate the physical deterioration of these already overcrowded facilities. For the developer to rely solely on on-site facilities implies that residents will segregate themselves from the community and that they and their children will not use the existing park and recreational facilities, will not go to Cabrillo Beach, and will not participate in organized sports (except the Eastview Little League). In fact, dedicating most of the open space in the project to the private use of the Little League means that existing park space in San Pedro will have to meet the needs for all the residents the project will add to San Pedro.

Quimby fees generated from this project should not be applied to recreational amenities within the project that are not provided for the public. This would include any fields that are exclusively for the use of the Little League. Further, to the extent the public have access to any facilities within the project, it needs to be “real” access and not constrained by practical inhibitors such as no parking and no public toilets. It cannot be the intent of the Quimby fees, to burden the rest of the town with added stress to its other parks in order to accommodate this developer and the Little League, particularly since both Peck Park and Bloch Field have room for additional baseball teams.

The age restricted housing provides no amenities for true seniors.

The “senior” housing is actually age restricted housing and is advertised as for “active seniors”.

There may be a real need for some additional housing for seniors in San Pedro; however, there is no evidence of a need for 850 units, or possibly 1,150 if a density bonus is added. In fact, the **developer** commissioned a survey by a public opinion research company to sample 500 registered voters. As a part of that survey, respondents were read a list of problems in the area. The need for senior citizen housing in the area was number 18 out of 22 issues listed with 27 % of the respondents listing it as an “extremely/Very Serious Problem” and 57% listing it as “Somewhat/Not Serious”. This is in stark contrast to the 64% who listed traffic congestion on local roads as “extremely/very serious”.

The “senior” housing will not serve the needs of seniors as they age. The proposed

project contains none of the amenities that seniors will need as they age such as assisted living, congregate meals, on-site health services, or even golf cart paths.

Furthermore, the “Senior Housing” is physically isolated (with gates) from the remainder of the development adding to the social isolation of the senior population and reducing the opportunities for the benefits of cross-age interaction.

In conclusion, the proposed development is not consistent with the Community Plan, not consistent with Smart Growth Principles, not consistent with the intent of Compass Growth Principles, will not and cannot fully mitigate its tremendous impacts on traffic, and will have adverse impacts on our parks and schools. For all of these reasons I request that the current proposal be rejected outright and that the developer be asked to come back with a proposal that is more consistent with these principles and better fits into our community. Thank you for consideration of these comments.

Diana Nave