

Date: September 1, 2022

To: Planning Commissioners and Chair

From: Scott Kinsey, Planner V

Subject: **712 Baker Street (River Park Residential Development Project)
Responses to Public Comments**

Planning staff has received multiple written comments from the public on this project. Most of these comments raise the same or substantially similar issues and concerns. Staff provides this summary of the comments and concerns, along with a response to each, for the Commission's convenience and incorporation into the record of proceedings.

1. **Comment/concern #1:** The project consists of affordable housing; what percentage of the project is affordable; how will the affordable housing and residents affect the rest of the project and surrounding neighborhoods?
 - **Response:** Of the 226 units in the project, the applicant is electing to provide 5% of the units (12 units) as Very Low Area Median Income (AMI)-level affordable units, under the State's density bonus law (California Gov't Code Section 65915). The applicant is not requesting a density bonus but rather a development standards waiver under §65915, to allow the proposed carriage townhomes to be three stories instead of the two-story limit imposed by the General Plan Land Use Element Map. The portion of the project related to affordability and concessions and waivers is a ministerial approval, allowing for no personal judgement or discretion by the City. However, the inclusion of the 12 affordable housing units is not realistically expected to have any negative effects upon the project or surrounding neighborhood, and the affordable units will be indistinguishable from the market-rate units.
2. **Comment/concern #2:** The entire project site should be developed as a public park; development of this project represents a lost opportunity for the City to develop a park at the project site.
 - **Response:** The project is privately-owned land, and is not now, nor was previously, designated for open space use in the General Plan Land Use Element. The City lacks the structural and one-time funding needed to purchase the site, carry out the required environmental remediation, and develop and operate a public park. The project site was dismissed from consideration for acquisition as City parkland in the City's [April 2021 Open Space Acquisition Study](#).
3. **Comment/concern #3:** The project will obstruct or remove access to the Los Angeles River trail; the project will negatively impact equestrian activities or access

to the river trail; the project should provide access to the river trail. The project site is subject to the Horse (H) Overlay Zone.

- **Response:** The Los Angeles River Trail and related improvements, which are Los Angeles County facilities, are not part of the project site. Development of the project will not remove these facilities or obstruct or eliminate access to these facilities. An access point to the river trail will be provided at Wardlow Road as part of the related off-site improvements the developer is required to make. An additional access point to the river trail is possible at Baker Street; however, this is dependent upon approval by Los Angeles County and may require construction of Americans with Disabilities Act access and related improvements on County property that are beyond the scope of this project. The project likewise will have no effect on equestrian activities or access. There are no equestrian facilities or activities on the project site now. The existing Horse Overlay zoning on the southeastern portion of the site will not be changed and does not affect the project.
4. **Comment/concern #4:** The project will negatively impact neighborhood traffic or parking.
- **Response:** The residential portion of the project takes access directly from Wardlow Road and will not send traffic through the adjacent neighborhood on Golden Ave. via Magnolia Ave. Each dwelling unit is provided with a two-car garage, which will be required by the Covenants, Conditions and Restrictions to be enforced by the Homeowners Association to be maintained as usable parking and not storage for belongings. The project additionally includes more guest parking than required by code to accommodate visitors to the residential development. Adequate public street parking is available to accommodate visitors to the park itself, and the developer is revising the site plan to provide additional visitor parking on the vacated segment of Baker Street for the park.
5. **Comment/concern #5:** There are homeless encampments and crime problems along the river trail, freeway, and adjacent to the project site, how will this project address these problems?
- **Response:** The project will activate a vacant site and introduce permanent residents into the area, which will reduce opportunities for nuisance crimes and activities. The City is actively developing shelter capacity in order to be able to enforce anti-camping ordinances as well.
6. **Comment/concern #6:** The project site is contaminated from its previous use as an oil wastewater treatment facility and former oil operations and is unsuitable for development.
- **Response:** Site remediation is discussed extensively in the staff report. Remediation to standards acceptable for residential use will be required to

be completed prior to any residential occupancy. Remediation of the site is being overseen by the Los Angeles Regional Water Quality Control Board.

7. **Comment/concern #7:** The project is too close to the Interstate-710 (I-710) and Interstate-405 (I-405) freeways for residential use; air quality is unsuitable for residences.

- **Response:** The project site is approximately 750 feet from the western edge of the project site to the nearest travel lane of the I-710, which distance is buffered by the Los Angeles River and intervening landscaping and the river levees. From the northeast corner of the residential development portion of the site, it is approximately 310 feet to the nearest ramp lane of the I-405 and 485 feet to the nearest main travel lane of the I-405; this distance is buffered by Baker Street Park, landscaping, and the freeway embankment. In both cases these are significantly greater distances than current residences are located from the freeways. The project Environmental Impact Report (EIR) included a human health risk assessment, which informed mitigation measures to ensure air quality in each residential unit will meet required standards.

8. **Comment/concern #8:** The project has inadequate open space or does not meet development standards for open space.

- **Response:** The project complies with all zoning requirements for open space, both for private open space for individual units, and common open space for the development. The park on the northern 4.81-acre portion of the site provides the majority of the common open space required for the development.

9. **Comment/concern #9:** The project is not compatible with the existing neighborhood density or development pattern.

- **Response:** The project density is substantially similar to the density of the Countryside Lane small-lot development directly east of the project site. The proposed project density is consistent with the requirements of the Planned Unit Development (PUD) ordinance, under which it is being developed, and is consistent with the General Plan Land Use Element PlaceType for the project site, FCN (Founding and Contemporary Neighborhoods), which allows development densities between 7 and 18 dwelling units per acre (du/ac). This project falls in the middle of that range at a net density of 14.55 du/ac, or a gross density of 11.08 du/ac if the park portion of the development site is included. The type and scale of the proposed detached single-family homes and townhome buildings consisting of 5-10 units per building likewise are consistent with the surrounding neighborhoods.

10. **Comment/concern #10:** The project creates negative impacts to air quality, greenhouse gas emissions, or otherwise conflicts with the City's climate action goals or the recently-adopted Climate Action and Adaptation Plan (CAAP):

- **Response:** The project EIR analyzed the project's effects on air quality and greenhouse gas emissions, and found there are no significant impacts that will be created by project construction or operation that cannot be mitigated to a level of less than significant; all such necessary mitigation is included in the project Mitigation Monitoring and Reporting Program (MMRP). The project also will meet all other applicable green building and climate adaptation standards currently in effect through standard regulatory compliance during the building permitting and construction process. The project application was deemed complete prior to adoption of the CAAP by the City Council in August 2022.

11. **Comment/concern #11:** The project driveway on Wardlow Road will create a traffic hazard; or installation of the project driveway traffic signal will create a traffic hazard or traffic congestion.

- **Response:** The project will be required to construct a fully-signalized intersection on Wardlow Rd. at the project driveway. This intersection will allow all turning movements from the project driveway (left-in, right-in, left-out, right-out). The traffic signal and associated traffic control devices will prevent the creation of a traffic hazard at the intersection with the project driveway, which might otherwise occur due to limited sight lines on Wardlow Road as the roadway turns and climbs to the west up the embankment to the Los Angeles River bridge. These traffic improvements have been designed by a licensed traffic engineering firm for the developer, have been reviewed by the City Traffic Engineer and staff, and will be subject to final review and permitting by Traffic Engineer prior to construction.

12. **Comment/concern #12:** Project building height is inconsistent with the surrounding neighborhood.

- **Response:** The majority of the project units are two stories, which are consistent with the surrounding neighborhoods. The carriage townhomes will be three stories, but are located at the front of the development site near Wardlow Road. This area is separated from the neighborhood to the east by Wrigley Heights Dog Park. Although the project configuration provides adequate transition between existing one and two-story residential, it should be recognized that the project is permitted to exceed the two-story height limit established by the General Plan, as the project includes affordable housing which permits the developer to utilize a development standards waiver consistent with the State's affordable housing regulations (California Government Code Section 65915). This project would include five percent of the unit as very low- AMI affordable housing units and qualifying it for the waiver in height. The portion of the project related to affordability and concessions and waivers is a ministerial approval.

13. **Comment/concern #13:** The project site should be developed under the existing zoning (CS and R-1-N) to build a commercial storage facility and a small number of single-family dwellings on 6,000-sq. ft. lots.

- **Response:** The CS zone is a highly restrictive zone that allows a very limited range of land uses consisting mainly of commercial storage facilities (mini-warehouse or self-storage uses). Development of a project consistent with the CS zone would provide no community benefits, achieve no local planning objectives, and would generally create a negative, low-activity and non-beneficial land use. Further, the CS zoning at this site is not consistent with the Land Use Element of the General Plan, which designates the subject site as FCN (Founding and Contemporary Neighborhoods), a moderate-density residential PlaceType, and development of a commercial storage facility would not be permitted under the General Plan. The R-1-N zone, while consistent with the General Plan, would allow a very limited number of dwellings to be developed on 6,000-sq. ft. lots in the small area of the site that is under the R-1-N zone. This zoning also would fail to achieve local planning objectives, especially related to housing production, and would provide no community benefits either.

14. **Comment/concern #14:** The project is inconsistent with the Los Angeles River Master Plan, the Lower Los Angeles River Revitalization Plan, or the Long Beach Riverlink plan.

- **Response:** The multiple river master plan documents are not regulatory land use documents like the General Plan or Zoning Regulations, but are advisory in nature. The river master plans establish conceptual frameworks for various development and restoration strategies for river revitalization and adjacent parkland development efforts, but do not provide either the legal implementation of those conceptual plans, or solve for practical necessities such as acquisition of private property, remediation of contaminated sites, funding of river-adjacent parkland development and maintenance.