

From: **Bill Przylucki** bill@power-la.org
Subject: OPPOSE DIR-2020-5351-CDP-SPP
Date: July 8, 2021 at 9:57 PM

To: Bindu Kannan bindu.kannan@lacity.org, Juliet Oh juliet.oh@lacity.org
Cc: Jason Douglas jason.p.douglas@lacity.org, Susanne Browne SBrowne@lafila.org, Jonathan Jager jjager@lafila.org

BP

Dear Mr. Kannan and Ms. Oh:

We have serious concerns about DIR-2020-5351-CDP-SPP / AA-2020-5349-PMLA-SL (22 E. Paloma Ave. 90291) and recommend that you deny the application. We understand the applicant's proposal is to obtain a parcel map to subdivide the existing parcel, currently containing 5 rent-stabilized units, into two smaller parcels.

The applicant specifically requests relief from the Mello Act and the Interim Administrative Procedures (application Page 4 section 3, requested actions), and claims that because the units ownership status will not change, there is no requirement for a Mello Review. The applicant's proposed findings, Attachment A, submitted by Howard Robins & Associates, lays this out on page 13 (points 3 and 4).

In subsequent communications with community members, it appears that the Department is prepared to adopt these proposed findings. On June 15, Juliet wrote to Robin Rudisil:

Typical small lot subdivisions result in one new or existing single-family dwelling on each new small lot. When existing structures are maintained, such small lots would change the type of ownership of the units from rental to single-family ownership and a Mello Act Compliance Review (MEL) would be required. In this case (22 Paloma Ave.), the resulting small lots would maintain an existing multi-family structure on each new small lot. As such the type of ownership of the dwelling units (within each structure) would not change. The dwelling units on each lot cannot be sold separately and would continue to remain as rental units. There is no proposed increase or decrease in the number of dwelling units, nor is a change of use proposed. As such, the project does not include a "Conversion" as defined in the IAP and a Mello Act Compliance Review is not required.

Granting this small lot subdivision would undermine the spirit of and overall goals of the Mello Act and the Small Lot Subdivision Ordinance, both of which were designed to increase density and affordability of housing in their own ways.

- Coastal Development Permits are *discretionary* actions. The Department is well within its rights to deny this application because it is not in conformity with the Council's and City's stated land use goals and objectives.
- The applicant's consultant, Howard Robinson & Associates, has repeatedly prepared affordable housing infeasibility studies to evade the requirements of the Mello Act and argued for their acceptance on existing developments of 3 or more units simply because the units have been physically separated by yard instead of building material.
- In this case, the applicant appears to be seeking yet another work-around to the requirement that existing affordable units be preserved in structures larger than duplexes, by creating a parcel map to subdivide the existing 5 unit RSO structure into smaller subdivisions.
- A small lot subdivision and parcel map could still be achieved, it simply would require that a Mello Act affordability review be completed on the existing 5-unit RSO structure, and any affordable units should be covenanted as replacement affordable units.
- The Department's choice to waive a Mello Act review entirely, and the applicant's

specific petition for relief from that requirement, creates the strong impression that this is a sophisticated land use maneuver intended to avoid compliance with the Mello Act, with the specific knowledge that this and future land use applications will result in the loss of affordable housing within the Coastal Zone.

For all of these reasons, we implore the department to deny this application. We also ask that you respond to these points in your determinations on this project as part of the record.

Please add myself and POWER to the list of interested parties for DIR-2020-5351-CDP-SPP / AA-2020-5349-PMLA-SL (22 E. Paloma Ave. 90291):

POWER
c/o Bill Przulucki
5617 Hollywood Blvd. Ste. 107
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Sincerely,

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