

April 8, 2013

To: City Council

From: Board of Directors, Friends of Sunset Park

RE: **City Council 4/9/13 agenda item 7-B – Second reading and adoption of an Ordinance Approving the Development Agreement between the City of Santa Monica, a Municipal Corporation, Village Trailer Park LLC, a California Limited Liability Company, and Village Trailer Park, Inc., a California Corporation.**

The FOSP Board of Directors opposes the Village Trailer Park Development Agreement ordinance, resolution, and statement of overriding considerations based upon:

1. **A longterm neighborhood of VTP homeowners being displaced, with inadequate compensation for their homes**
 2. **Inadequate affordable housing replacement production by the developer**
 3. **Failure to adhere to the LUCE and the Bergamot Area Plan** – no transition to the adjacent neighborhood, generating a 10-fold increase in daily car trips, failure to limit traffic congestion to the Cloverfield and Centinela freeway exchanges or keep it away from the residential neighborhoods, eliminating rather than developing urban canopy.
 4. **Inadequate relocation plan**
 5. **Failure of the DA to protect residents who remain on the Retained Park**
 6. **Poor design** (see artist rendering above)
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1. **VTP homeowners being displaced, with inadequate compensation for their homes** – The city’s goal, as stated in the 2008-2014 Housing Element and the LUCE is to maintain affordable housing and preserve neighborhoods. This revised DA does neither.

Furthermore, the developer refuses to compensate VTP trailer owners for the “**in place**” value of their trailers, only the replacement value, which is *much, much less* than some of them paid for their trailers, due to the location.

If the government took homes in Sunset Park for some reason, would homeowners gladly accept the value of our homes as if they were located in the middle of a Florida swamp, or would we expect *compensation for what the homes are worth here in Santa Monica?*

2. **Inadequate affordable housing replacement production** – According to the city’s Rent Control Ordinance, Chapter 5 - **Removal permits** - Rent Control Charter Amendment Section 1803(t) –
http://www.smgov.net/uploadedFiles/Departments/Rent_Control/Rent_Control_Law/CharterAmndmnt.pdf#1803t

“If the permit is being sought so the property may be developed with multifamily dwelling units...**at least fifteen (15) percent of the controlled rental units to be built on the site will be at rents affordable by persons of low income.**

3. **Not consistent with the LUCE and the Bergamot Area Plan** – The staff admits in the **Statement of Overriding Considerations** that there will be “*Significant and unavoidable impacts of the project with respect to Aesthetics (shade and shadows), Construction Effects (ground borne vibration and localized construction emissions for air quality), and Traffic.*”
 - a. There seems to be no transition to the adjacent neighborhood from the 57-ft VTP “high-rise” (as defined by the Fire Department: buildings over 55 feet in height).
 - b. The EIR estimates that it will generate a 10-fold increase in daily car trips (from 200+ to 2,000+).
 - c. It fails to limit traffic congestion to the Cloverfield and Centinela freeway exchanges.
 - d. It eliminates rather than developing robust urban canopy.

In the Staff Report, the staff admits that there will be “**Significant and unavoidable impacts of the project with respect to Aesthetics (shade and shadows), Construction Effects (ground borne vibration and localized construction emissions for air quality), and Traffic.**”

Based on a telephone survey conducted at the beginning of this year for the city, Santa Monica residents rate traffic as one of their top two major concerns. Why should that impact be ignored?

4. **Inadequate relocation plan – Exhibit K**

According to California Code of Regulations, Title 25, Chapter 6 – **California Relocation Assistance and Real Property Acquisition Guidelines** – [http://www.opcservices.com/download/California_State_Guidelines_\(Title_25\).pdf](http://www.opcservices.com/download/California_State_Guidelines_(Title_25).pdf) – The relocation plan is required by state law. It’s not something the developer is doing out of the goodness of his heart.

Option #1 – Mountain View Trailer Park – The rent levels seem to be higher than what VTP residents are currently paying. It’s also adjacent to the I-10 freeway – this was why the City Council rejected the Pico Centinela project development agreement on the other side of the I-10 freeway.

5. **Failure of the revised DA to protect residents who remain in the Retained Park.**

The revised DA has deleted the transfer of the small Residual Parcel to the city (the “Retained Park” with 10 trailer pads near Stanford St.) The developer will now be allowed to get rid of the last 10 trailer pads at the end of 5 years “if fewer than 5 pads are occupied by *full time residents living in the park.*”

If, for example, the developer serves an eviction notice to a VTP resident whose work sometimes takes him out of town, claiming that he’s a “*seasonal*” rather than a “*full*

time” resident, the resident could end up spending \$25,000 on attorney’s fees, perhaps lose the case, and then not be eligible for a relocation benefit according to this revised DA.

It’s a gamble for VTP residents – leave when the rest of the park closes and get a relocation benefit, or stay on the Residual Parcel and take the risk that you might be evicted or that a few other residents might leave –then you will get nothing, because according to the revised DA, *none of the residents who stay will be eligible for any of the relocation options if they move away after the rest of the park closes.*

6. **Poor design** – (see artist rendering above) – AIA Fellow Ron Goldman has described the proposed design as “inhuman,” with windowless interior hallways that stretch hundreds of feet in length, and canyon-like spaces between the buildings that will block sunlight and the ocean breezes our city is famous for.

Again, we strongly urge the City Council not to approve this Development Agreement project.

Additional info:

Failure to adhere to the LUCE and Bergamot Area Plan

- a. The Bergamot Area Plan states on page 36 – “Where the Plan area is adjacent to existing residential neighborhoods, new development shall respect the reduced scale and tree lined character of this residential context.”

The proposed 5-story Village Trailer Park project does not meet this goal.

- b. On page 39 of the Bergamot Area Plan, it states, “Vehicle access and parking policies shall avoid negative impacts on surrounding neighborhoods.”

The current Village Trailer Park generates about 200 car trips per day. The Village Trailer Park Draft EIR Section 4.15-39 estimates 2,138 net new daily car trips.

- c. Page 22 – “Local brokers and real estate developers cite Santa Monica’s quality of life as one of the main attractions to the City.”

How does the quality of life in a series of 5-story buildings separated by narrow canyons compare to the quality of life in a park-like setting full of mature trees, flowering bushes, birds, and butterflies?

- d. Page 56 – Policy UFI3.1 – “Reduce building heights of new development at plan area boundaries to assure transitions between mixed-use and commercial uses and residential neighborhood uses.”

This is the opposite of what’s been proposed with the adjacent Village Trailer Park, the Roberts Center, and the Colorado Creative Studio projects. They will loom over the residences on the north side of Colorado Avenue, just as the MTV/Viacom building does further west on the same street.

- e. Page 59 – Policy SN4.4 – “Ensure the development of a robust urban canopy....”

The Village Trailer Park project will eliminate urban canopy – a wonderful and diverse collection of mature trees will be destroyed and replaced with 5-story buildings.

- f. Page 95 – “Limit congestion to portions of the transportation network (such as the vicinity of the Cloverfield and Centinela freeway interchanges) that have the least impact on the city’s neighborhoods...”
 - i. Agensys, Inc. – 1800 Stewart – The Final EIR estimated 1,395 daily car trips.
 - ii. Bergamot Transit Village Center – Olympic between 26th & 28th – The Draft EIR section 4.16-42 estimated 7,755 daily car trips.
 - iii. Paseo Nebraska – between Olympic and Nebraska – 356,000 sq ft and 1,000 parking spaces – This could generate about 4,000 daily car trips (no estimate available).
 - iv. New Roads School (aka Herb Alpert Educational Village) – 3131 Olympic – No estimate available.
 - v. SMC Academy of Entertainment and Technology - 1660 Stewart St. – The Draft EIR estimates 1,482 new weekday car trips.
 - vi. 2834 Colorado Creative Studio Project – The EIR estimates 2,092 new daily car trips.
 - vii. Roberts Center - 2849-2912 Colorado Avenue – The Draft EIR on page 4.14-85 estimates 1,654 net new daily car trips.
 - viii. Village Trailer Park - 2930 Colorado – The Draft EIR Section 4.15-39 estimates 2,138 net new daily car trips.

Adding more than 20,000 new daily car trips with just the first few Development Agreements in 15% of the Bergamot Area will spread congestion, not limit it.