



Community Development  
Department

# Memo

DATE: May 10, 2022  
TO: Planning Commission  
FROM: Angelica Frausto-Lupo, Community Development Director  
PREPARED BY: Matt Chang, Planning Manager  
RE: Additional Document, Item No. 2, Project No. 2436-CUP

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The attached written comment was received by 12:00 p.m. on May 10, 2022.

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**From:** Josh Albrektson  
**Sent:** Tuesday, May 10, 2022 9:38 AM  
**To:** PlanningComments  
**Subject:** Item 2, planning commission.

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This is the text from AB 1397, the main Housing Element law:

(2) In addition to the analysis required in paragraph (1), when a city or county is relying on nonvacant sites described in paragraph (3) of subdivision (b) to accommodate 50 percent or more of its housing need for lower income households, the methodology used to determine additional development potential shall demonstrate that the existing use identified pursuant to paragraph (3) of subdivision (b) does not constitute an impediment to additional residential development during the period covered by the housing element. **An existing use shall be presumed to impede additional residential development, absent findings based on substantial evidence that the use is likely to be discontinued during the planning period.**

Pavillions is getting its ABC license updated. It is currently undergoing a multimillion dollar renovation.

And it is also listed in the April Draft Housing Element as a low income site that will provide 133 total units.

Is there substantial evidence that this Vons will stop being a grocery store??? Was that remodel just for fun??? Are they here because they like public meetings??

This use of this site as a potential site for low income housing is illegal. It was illegal when I pointed it out 1.5 years ago, and it is still illegal today.

But not only that, it was cited in the HCD housing element and directly told to City Attorney Andrew Jarrett and Placeworks that it needed to be removed. And yet it is listed as site 21 in the April Housing Element draft, along with Vons, the Public works yard, the business park, and Ralphps, all of which they were told to remove.

The city attorney needs to do his job. What exactly are we paying him to do??

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Josh Albrektson MD  
Neuroradiologist by night  
Crime fighter by day