



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. 3, 2021-2029 Housing Element Update

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

From: Josh Albrektson
Sent: Monday, May 9, 2022 1:57 AM
To: PlanningComments
Subject: Item 3, planning commission meeting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

While I am sure a lot of you have seen this article, I would like to point out that it is not just me that is saying these sites are illegal and should be removed, but they were directly cited in the 11 page letter from HCD.

<https://www.pasadenastarnews.com/2022/05/08/southern-california-housing-plans-contain-fake-sites-lack-analysis-critics-say/>

Also, "Neural radiologists" don't exist. I would be at the meeting, but I have to work as a neuroradiologist.

--
Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day

From: Josh Albrektson
Sent: Monday, May 9, 2022 8:00 AM
To: PlanningComments
Subject: Item 3, Planning commission meeting

CAUTION: This email originated from outside of the City of South Pasadena. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The October Housing Element got an 11 page letter from HCD, one of the longest letters given so far.

Megan Kirkeby, the head of the Housing Policy department of HCD said "There is nothing in South Pasadenas housing element that was compliant."

Paul McDougall, the person in charge of all the Housing Elements, called me the day they were writing the Housing Element letter to go over what was in the letter. They had many many many problems with what was presented. He also was surprised that almost none of the changes requested in the May review of the administrative draft housing element was made in the October housing element.

This April draft does not address any of the biggest problems HCD had with the October draft and most of the time is actually word for word unchanged from the October draft. Outside of adding an AFFH section, it is almost unchanged from the October draft.

They are required to submit a draft to HCD that demonstrates the changes between drafts in red. That has not been posted, but when it is, you can see how almost nothing was changed.

Here is an in depth analysis of the main problems HCD had with the Housing Element. I included links to the *Housing Element* and the **12/21 HCD letter**. All direct quotes from the *Housing Element* is italicized and all quotes from the **HCD 12/21/21 letter** is in BOLD.

And I want to be clear. These are not MY problems with the October Housing element. These were directly relayed to me by Paul McDougall and the parts of the HCD letter I list below were specifically put in to have South Pasadena address these concerns.

I have attached the HCD letter to this e-mail.

Here is the link for the October Draft Housing Element:

<https://www.southpasadenaca.gov/home/showpublisheddocument/27350/637704312841330000>

Here is the link for the April 21st, 2022 draft Housing Element.

<https://www.southpasadenaca.gov/home/showpublisheddocument/29345/637860448360470000>

1. Still has multiple sites such as grocery stores and business parks that there isn't substantial evidence that the current use will end in 7 years (**Page 3, Suitability of Nonvacant sites**)

"Examples of sites to be further evaluated or removed include Sites 22, 23 and 25"

22, 23, and 25 refers to the Vons, Pavilions, and YMCA lots, respectively.

I believe #25 was mistakenly put down instead of #26 because when I talked to tPaul we were talking about the Ralphs being eliminated, not the YMCA homes.

All three of these sites are still in the Housing Element. PDF page 215 of October and PDF page 254 of the April 2022 draft.

These sites were specifically cited in the May meeting and included in the HCD notes at that time.

2. Has multiple sites on locations where housing cannot be built due to being on a mountain or without street access **(Page 4, Environmental constraints):**

"The element notes many parcels are impacted by environmental constraints and sensitivities and generally describes a few environmental conditions within the City. However, the element must relate those conditions to identified sites and describe any other known environmental or other conditions that could impact housing development on identified sites in the planning period."

They were told in May and October that they cannot count Moderate and above moderate sites on mountains like these. This map of sites is unchanged in the October and April housing element.



You can compare Table IV-44 in the April draft (PDF page 157) to table VI-41 in the October draft (page 123) and see there was not a single change made. Every single above moderate site in the October Housing Element is unchanged in this April draft.

3. Doesn't show how the highest inclusionary housing ordinance in the state impacts development costs and financial feasibility (Page 5, Other Local Ordinances):

"The element currently describes the City's inclusionary ordinance, but it must also analyze impacts on development costs and financial feasibility."

You will note that the section on the IHO on PDF page 145 of the April Housing Element is almost unchanged from page 116 of the October Housing Element. And specifically the sentence about the feasibility is unchanged:

The recently increased State density bonus, which offers density bonuses up to 35% or 50% for providing very-low or lower income units, combined with the streamlined incentives, supports economic feasibility for projects as required by the ordinance

Besides ignoring the request from HCD to perform an actual analysis (like you had for the in Lieu fee) they claim that it is only feasible with the density bonus. THE IHO MUST BE FEASIBLE WITH THE BASE ZONING. That is the law and they were told as much.

4. Doesn't show that 60 to 70 dwelling units per acre is able to be achieved in the base zoning of South Pasadena. Of note, the May draft was 50 DU/Acre and was increased to 70 DU/Acre, so this was the only subject that was not discussed in both the May and December meetings.

" Finally, the element must describe and analyze any local initiatives or other rules that limit development, including heights for impacts on housing cost, supply, timing, approval certainty and ability to achieve maximum densities, including densities proposed as part of this housing element."

On PDF page 127 of the April Housing Element they claim two projects prove the 70 DU/Acre is achievable.

Two actual projects, one in Santa Monica (100% affordable) and one in Hercules (market rate) in northern California were modeled for this analysis (see Figure VI-32). Both projects include a range of bedroom types.

Both of these projects violate almost every South Pasadena zoning code. Planning/Placeworks must show that 60 to 70 DU/ACRE is achievable with the South Pasadena base zoning.

IF PLACEWORKS SAYS IT IS THE DENSITY BONUS THAT ALLOWS THEM TO CLAIM 60-70 DU/ACRE THEY ARE LYING TO YOU.

Base zoning means a 25 ft height limit on Mission and a 35 ft height limit on Fair Oaks. That is the base zoning proposed in the downtown specific plan and that is the zoning you need to prove 60-70 DU/ACRE is feasible.

This quote is from the June 10th, 2020 memo from HCD about AB 1397 and the Housing Element. Bottom paragraph page 14:

The analysis of "appropriate zoning" should not include residential buildout projections resulting from the implementation of a jurisdiction's inclusionary program or potential increase in density due to a density bonus, because these tools are not a substitute for addressing whether the underlining (base) zoning densities are appropriate to accommodate the RHNA for lower income households.

https://www.hcd.ca.gov/community-development/housing-element/housing-element-memos/docs/sites_inventory_memo_final06102020.pdf

5. The number of ADUs claimed went from 297 in October to 318 in the April draft. HCD says they should be much less than 297.

However, based on 2020 and 2021 planning permit figures, ADU permits appear to already be flattening and the analysis favorably uses proportionate increases that are a result of low permit figures (less than 10 ADUs). The element should either adjust projections downward based actual on the average number of ADU permitted since 2018 (approximately 10 units per year) or include additional analysis and policies and programs.

6. Of note, none of the required outreach has been performed. Even if they fixed everything else, it would be rejected for this read. (D. Public participation on page 9.)

"The City must proactively make future revisions available to the public, including any commenters, prior to submitting any revisions to HCD and diligently consider and address comments, including revising the document where appropriate. HCD's future review will consider the extent to which the revised element documents how the City solicited, considered, and addressed public comments in the element. The City's consideration of public comments must not be limited by HCD's findings in this review letter."

So to conclude, if Placeworks says "DENSITY BONUS" in relation to the Inclusionary Housing Ordinance or the density claims they are lying to you and they were specifically told this in the December meetings.

Also if they claim the Housing Element was rejected because of new laws, they are lying to you again. Everything listed above is from the 2017 laws, and I read you every single one of these laws when Placeworks was proposing these illegal things.

--

Josh Albrektson MD
Neuroradiologist by night
Crime fighter by day