

Day of Submission  
CPC-2020-516-PB-PSH-SIP  
June 11, 2020

According to 172081, pg. 13. It is citywide policy:

2. That nonessential public utilities, public or **quasi-public facilities** not be located in special hazard areas. When public utilities, public or quasi-public facilities must be located in hazard areas, assure that they are constructed to minimize or eliminate any flood hazards. [emphasis added]

Domas Development is the States largest developer of permanent supportive housing. They accept PUBLIC FUNDS to build PUBLIC HOUSING and SERVICES, and the owner of the property is awarded 55 years of subsidized rent from the Public, and almost the entirety of its 25+ million dollar construction is funded by public bonds and other loans from the government.

**PERMANENT SUPPORTIVE HOUSING qualifies as a quasi-public project, and thus subject to citywide policy as stated on pg. 13 of the Flood Plan.** A developer llc performs a service to the city, building public housing with public money, which is quasi public. Just because the project is privately owned, they are subject to the policy because in accepting public funds to provide a public service. THE CITY PLANNING COMMISSIONERS ARE VIOLATING CITYWIDE POLICY THAT PREVENTS QUASI PUBLIC PROJECTS FROM BEING BUILT IN THE FLOOD ZONE IN ORDER TO ACCOMMODATE THE DEVELOPER WHO DIDN'T SUPPLY INFORMATION TO THE COMMISSION TO CERTIFY THAT THE PROJECT IS FLOOD COMPLIANT OR CONSTRUCTED TO MINIMIZE OR ELIMINATE FLOOD HAZARDS.

Around 2016, the City was in the process of developing several large construction projects close to Solaris, and included C3 Luxury Subdivision and the EK Art Gallery and Learning Center (ZA-2016-2604-ZAD). All claimed they were eligible for a ceqa exemption because they weren't in a flood zone. Domas determined that 1141-1145 was eligible for a CEQA exemption in a flood zone. Why shouldn't they recognize it if the City itself neglects to recognize it on purpose? City planning shows a pattern of willful intent, to build against code in the Flood Zone along Crenshaw – and when the developer can't get a CEQA exemption for land that should never had been identified as qualified for this type of construction, they just go through the City Planning Commission, which relies on the Dept. of City Planning to help make a determination.

Allowing a project in an AO Flood Zone to be considered as qualified for a streamlined infill project, and thus not subject to discretionary review is dangerous. I'm confused how a ministerial project with loads of exemptions would need any further review if it was granted ministerial approval, and has no information in the SIP file that shows how the project is compliant with the flood code. Couldn't the commissioners by agreeing to it as ministerial - bypass the ability of a deeper city review which would come with the discretionary process? Solaris doesn't qualify as an infill project because it is in an AO Special Hazard Zone, and already paid to have it considered as discretionary in July 2019.

The project claims to have qualified for a cr to an r3 zoning change - after the original TOC had been withdrawn claiming a discrepancy. The city stated that the discrepancy using #165331, 9670. The County assessor's map of the area shows that the location 1145 S. Crenshaw is not in Benton Terrace Tract and in the Oxford Sq. Tract. As a result, the current Zoning is fraudulent, and any subsequent approvals null and void.

Day of Submission  
CPC-2020-516-PB-PSH-SIP  
June 11, 2020

According to [https://opr.ca.gov/docs/20190208-TechAdvisory-Review\\_of\\_Housing\\_Exemptions.pdf](https://opr.ca.gov/docs/20190208-TechAdvisory-Review_of_Housing_Exemptions.pdf) there are environmental limitations

PRC § 21159.24 –Infill Housing in Urbanized Areas near Transit

The project site is not located in a landslide hazard, flood plain, flood way, or restriction zone, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk.

Further, the project does not meet the requirements for streamlined approval, unless it can satisfy federal qualifying criteria, which it does not do.

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=65913.4.&awCode=GOV](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=65913.4.&awCode=GOV)

According to ordinance to the City's flood plan– “To the extent permitted by law, all public and private development shall be subject to these regulations and construction may not commence without compliance with the provisions and intent of this Plan and permits from those governmental agencies from which approval is required by Federal or State Law.”

If the city determined the project to be in a flood zone, how was it possible to submit it as a ministerial project, and avoid the discretionary process which would subject it to CEQA? Can developers who want to build \$570,000 per unit subsidized housing 25 million dollar apartment complexes in sensitive special hazard areas simply go through the ministerial process when they realize they can't get a CEQA exemption for land that is too sensitive to accommodate this type of project.

If the commission can allow this type of structure to be built in a sensitive environmental area of the city, then what about others? The project is basically the same as the TOC that was withdrawn which claimed it was exempt from CEQA, why do the plans comply with the Flood Zone.

**WHY IS THIS PROJECT BEING PRESENTED AND APPROVED TO THE CITY COMMISSION BEFORE COMPLIANCE TO THE FLOOD PLAN AND THE FEDERAL FLOOD ZONE HAS BEEN DETERMINED?**

The SIP had nothing in their documentation to determine that the project complied with the Flood Plan. City Planners knew this construction was in a Flood Zone, and did nothing to confirm whether the objective flood standards to construction in an AO Flood Zone were in compliance prior to submitting the project to the Commission.

Again, this project should never have been allowed to submit itself as an SIP, nor should it have been allowed to go through the City Commission when it had paid to be a discretionary project.

<https://planning.lacity.org/dcpapi/meetings/document/addtldoc/58508>

<https://planning.lacity.org/dcpapi/meetings/document/66760>

Virginia Jauregui