

7/12/12

To: Jory Phillips
Deputy Director, Special Projects
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City of Santa Monica

From: Bob Taylor, Chair
Zina Josephs, Gloria Garvin, Conor Libby
Zoning Sub-committee
Joint OPA/FOSP Lincoln Blvd. Task Force

Re: Zoning Ordinance Update with regard to Lincoln Blvd. south of the I-10 freeway

Hi Jory,

Thank you for taking the time to meet with us yesterday to discuss the zoning update, most specifically those aspects affecting Lincoln Blvd. south of the I-10 freeway. Our primary purpose was to express the concepts, concerns, and ideas that we've identified based on our reading of the LUCE, the existing C4 zoning ordinance and the most current iteration of the zoning revisions as proposed for Lincoln South.

We listened as you explained the current status of the zoning update being prepared by the consultants and the process under which public input will be received, reviewed and incorporated. While many of our concerns deal with the need for improved aesthetics, walkability, pedestrian/bike safety, sustainability, landscaping, and the general overall 'cleaning up' of the depressed nature of Lincoln South, we focused today on those zoning issues which can be incorporated into a viable and enforceable zoning code.

We understand that the transformation of Lincoln involves some of the most difficult aspects of urban planning, yet we, as a group, wish to set forth our thoughts and concerns in writing. These can be summarized as follows:

- 1) **Floor Area Ratios.** The proposed General Commercial – GC - designation for Lincoln south of the I-10, with two localized exceptions, calls for a base 1.5 FAR. This is a 50% and more increase over the current C4 zoning, which has a reductive FAR as site area increases at various increments, a provision missing in the proposed GC. With the C4, as lot area increases through consolidation, density is reduced, but that provision has not been included in the proposed GC where allowable FAR increases to 2.0 FAR thereby reflecting a potential 100%+ increase in allowable density over the existing C4 zone. While base height is modestly increased from 30ft to 32ft, there are additional heights permitted under the new proposal up to three stories and 47ft.

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We are inclined to think that we reflect the majority of residents in this area who do not believe increased density is the right direction for Lincoln South. Though we cannot represent that we speak for all, we believe that increased density along the Lincoln Blvd. corridor will lead to an increase in net daily car trips, which will only serve to exacerbate existing traffic congestion. Therefore, we request that the proposed GC zoning designation for Lincoln Blvd. south of the I-10 retain the same FAR requirements as those in place under current C4 zoning, i.e., maintaining the step-down, even with consolidation, rather than doubling the FAR.

We understand that these issues have been outlined in the LUCE and that the new code will comply with the LUCE. We also understand that according to the LUCE, 2.0 FAR is allowed for certain areas of Lincoln South that are now under the proposed MU-BL designation, i.e., the areas targeted for an “Activity Center Overlay” at Lincoln/Ocean Park Blvd. and the proposed “Transit Crossroads” at the Lincoln/Pico intersection. However, we, as a group, would like to see a reduction in density all along Lincoln South, including those areas with the designations GC and MU-BL in the proposed zoning ordinance, and thus we’d like to request a FAR requirement implemented that supports this reduction.

- 2) **Allowable Occupancies.** In the proposed GC designation for Lincoln south of the I-10, there appears to be no change from the current C4 zoning emphasis on auto-related sales and services. By our analysis, auto-related services account for about 33% of all occupancies on Lincoln South. We would like to see the zoning code reflect the transformation of Lincoln South as described in the LUCE.
- 3) **GC-LS – General Commercial- Lincoln South.** Although we understand that the zoning ordinance affects property and not the public right-of-way, we are concerned that most of Lincoln South has been designated **GC** which does not include language for transforming a boulevard that is currently being used in the other boulevard zoning designations. In other words, the GC zone description as currently written is not compatible with the LUCE plans for Lincoln South. The GC zone description does not appear to follow the desired goals outlined in the LUCE for a 'neighborhood friendly' solution encouraging neighborhood serving businesses and activities, i.e. non-fast food, non-drive-thru restaurants, non-auto oriented retail, etc.

According to the LUCE, the boulevard’s streetscape **will be enhanced to link the Sunset Park and Ocean Park neighborhoods with an active pedestrian environment**, while maintaining its role as a functional regional roadway. The LUCE says improvements will focus primarily on the public realm with **the installation of a gateway feature at the southern entrance to the City and**

improved transit and streetscape enhancements. The existing commercial uses will continue to be allowed, but with **an enhanced pedestrian environment, uses will transition over time to being more pedestrian-oriented, local-serving businesses.** The LUCE recommends improvements to the physical environment of Lincoln South making it more friendly to pedestrians and bringing in more neighborhood-serving amenities. It states, “As Lincoln Boulevard transitions slowly from an auto-dominated boulevard to a pedestrian- oriented boulevard servicing the adjacent neighborhoods, a **new aesthetic order will be established for the streetscape and buildings along the boulevard.**”

And yet, none of this is reflected in the proposed GC designation.

The proposed zoning designations for the boulevards in Santa Monica are:

- MU-BL (Mixed-Use Boulevard Low District) - intended to facilitate the transformation of sections of boulevards into vibrant, highly walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping, and local-serving uses with new buildings that step down in relationship to the scale and character of adjacent low density neighborhoods
- MU-B (Mixed-Use Boulevard District) – is intended to facilitate the transformation of underutilized and auto-oriented sections of boulevards into vibrant, diverse, and attractive pedestrian friendly mixed-use boulevards that support local-serving retail and a diversity of housing types.
- GC (General Commercial District) - is intended to maintain areas for a broad range of commercial uses that provide necessary daily services such as auto sales and auto repair, convenience retail, hotels, hardware stores, and small restaurants while respecting adjacent residential neighborhoods and established neighborhood commercial areas.
- NC (Neighborhood Commercial District) - is intended to maintain and enhance small-scale neighborhood shopping districts that provide daily goods and services easily accessible from surrounding residential neighborhoods while also serving a sub-regional role.

We would like to suggest a new designation: **GC-LS (General Commercial - Lincoln South District)**, which would include language from MU-BL, MU-B and NC, yet remain specific to Lincoln Blvd. south of the I-10. We hope there will be a way to incorporate these ideas into the new zoning ordinance to be implemented.

“GC-LS General Commercial-Lincoln South District. The General Commercial-Lincoln South District is a variant of GC General Commercial and is intended to

facilitate the transformation of the section of Lincoln Boulevard from the I-10 Freeway south to the Santa Monica/Los Angeles city limit into a vibrant, diverse, attractive, highly walkable area with pleasant, pedestrian-friendly sidewalks, mature trees, landscaped medians and parkways, public art and public furniture.

The intention includes facilitating the transformation of underutilized and auto-oriented sections of this stretch of Lincoln Boulevard using the principle of incentivized adaptive reuse to create a unique area of the city that supports a broad range of active local-serving, regional-serving and commercial uses including providing necessary daily services such as auto sales and auto repair, convenience retail, hotels, hardware stores, laundromats, dry cleaners, beauty/barber shops, clothing and grocery stores, as well as art galleries, bookstores, boutiques, small cafes and restaurants.

Development within this district should maximize human-scaled elements while providing a sensitive transition between these uses and neighboring residential properties. All new buildings will step down in height and mass in relationship to the scale and character of adjacent low-density residential properties. All commercial uses will respect adjacent residential properties and established neighborhood commercial areas.

The diverse mix of housing types and uses shall complement and serve the surrounding residential properties. Allowable ground floor uses include active, local-serving retail, open spaces such as plazas, service oriented commercial uses and residential and hotel uses in limited areas. Residential development and local-serving office uses are the predominant uses above the first floor.

This district allows for and provides an FAR bonus for affordable housing above the ground floor of buildings on Lincoln Boulevard. The zoning designation for GC-LS will retain the same FAR requirements as those existing under current C4 zoning, i.e., maintaining the step-down, even with consolidation.

Thus, in order to limit density and increased traffic congestion along Lincoln South, a FAR of up to 2.0 would not be allowable even for projects that provided additional affordable housing and/or community benefits. With important additions, this district is consistent with the LUCE's General Commercial land use designation, yet adapted to include specific aspects of the LUCE's Mixed-Use Boulevard Low, Mixed-Use Boulevard, and Neighborhood Commercial land use designations.

4) Activity Center Overlay. The LUCE identifies the site at Lincoln/Ocean Park Blvd. (currently Albertson's – McDonald's) as an Activity Center: "The intersection of

Lincoln and Ocean Park Boulevards is recognized as an activity center overlay for its transit crossroad location and large parcels with redevelopment potential. (See chapter 2.5 Activity Centers for further information.)” And also according to the LUCE, “...the focal point on Lincoln Boulevard is the new activity center overlay at Ocean Park Boulevard.” Activity center overlays are strategically located on the boulevards as focal points of retail and convenience services as well as housing, which is designed around public open space to create community gathering places within walking distance of most neighborhoods.

We would like to recommend that this new activity center overlay is further defined as an “Arts Activity Center” with a fine arts theme: art galleries, a restaurant, cafes, atrium, sculpture garden and other art related uses. We believe this would be far preferable to most residents of the Ocean Park/Sunset Park neighborhood than the construction of yet another block of chain retail stores and fast-food emporiums. We have interviewed business owners along Lincoln and will continue to reach-out to businesses on Lincoln to ensure that we, as a Task Force, are not limited or one-sided in our representation.

We are also concerned about the maximum height of an Activity Center at Lincoln/Ocean Park Blvd. Earlier artist renderings showed it at 5 or 6 stories. The artist rendering in the final LUCE document on page 2.5-17 shows 3-story buildings and we understand **the maximum height in the LUCE is 47 feet for that area.** The underlying zoning is MU-BL and so we understand that even with a development agreement, 47 feet could not, and should not, be exceeded.

5) Curb-Cuts and Pedestrian Friendly Sidewalks. In the LUCE (p. 2.4-65) it states that, "Traffic flow is improved and on-street parking is increased through **the elimination of driveway curb cuts.**" Unfortunately, SM planning staff used this as a rationale for the proposed Walgreens at Lincoln and Pico to direct the developer to put the only access to a **24/7 store selling alcohol** off of Lincoln Court, an alleyway east of Lincoln and directly adjacent to condominium bedrooms situated on the other side of the alley. This proposal was unacceptable to the condo residents for obvious reasons.

Whereas under other, more favorable, circumstances curb-cuts would be undesirable and even unnecessary to the creation of a pedestrian-friendly boulevard, the Lincoln South corridor is an exception. As much as we, the residents of this area, would like safe and pedestrian-friendly sidewalks, we feel that minimizing curb-cuts is not the answer as there is too great a potential for adverse impact to adjacent residents with increased use of service alleys. The real issue is that about 75% of the businesses do not have alley's behind them and therefore they share a common property line with residential properties, so those commercial properties can not eliminate whatever existing curb breaks, aprons,

and driveway access to their properties. The remaining approx. 25% of commercial properties that do have an alley, should they also currently have Lincoln access, in our opinion should not be required to close or not utilize the Lincoln access as it will simply add truck, noise, debris issues for the residences that adjoin the other side of the alley. Unlike a street frontage, where a residence typically has a 20' setback, the sideyards that adjoin the alley have most typically a 5' setback, and when the lots are smaller, as in Ocean Park, may only have a 4' sideyard, so trucks, etc. are immediately adjacent to the homes. This is better to be discouraged, and it seems that with the other approx. 75% having access from Lincoln, the argument of this access interrupting the traffic flow would seem to be specious, as traffic would already have been 'interrupted by the 75%. Further, if it is pressed to restrict Lincoln access for the 75%, it would be an undesirable encouragement for lot consolidation so as to provide access from the side streets.

6) Conditional Use Permits - CUPs. We recommend that certain currently allowable social service or adult oriented uses should be more closely examined before approvals are given to any such businesses along Lincoln South. Conditional Use Permits, along with appropriate public hearings to determine the impact on the adjoining residential and school neighbors, should be required for all new social service agencies and entertainment establishments, particularly adult entertainment/retail businesses. We also suggest that such occupancies be required to maintain a specified distance, to be determined, from nearby schools and residences.

Sunset Park residents are concerned that **social service agencies** are currently considered "**general office**" use, even though the Common Ground facility at 2012 Lincoln and the facility used for housing OPCC clients at 818 Cedar (directly behind the new Common Ground facility at 2401 Lincoln) had 186 calls for service to the police and fire departments in the last 3 years. This track record has a negative impact on nearby residents and we would recommend that CUPs be required for all social service agencies intending to do business along Lincoln South in the future. Attached is a letter regarding this issue sent to the SM City Council in April 2012, as well as several other letters detailing ongoing problems from two business owners/managers who were located next to the former Common Ground facility at 2012 Lincoln.

7. Parking: The LUCE states that shared parking at the Activity Center Overlay and Transit Crossroads will support nearby businesses and provide the opportunity to create a distinctive resident oriented commercial district. GC is meant to be a transformative zone and some desirable business uses along Lincoln South could be incentivized with lower parking requirements. We understand that parking ratios have not yet been established and wish to be informed when that discussion takes place.

8. Community Benefits: We understand that a review paper has been drafted which

explores how to create guidelines to define what constitutes a Community Benefit. Since this aspect of development is vitally important to our community, we will be following the issue carefully. We understand that there is an annual review of development agreements and that on **August 15th**, the **Planning Commission** will review the suggested list of **community benefits** to be included in the updated zoning ordinance. We would like to see how it has been proven that the ‘public benefits’ have in fact been a benefit for the residents, who, after all, are the ones that, by virtue of City governance, ‘allow’ the increases. We would like to see an analysis, comparing how our City has benefited from the allowed ‘public benefits’ that were used to justify the increases in height and FAR in the approved Development Agreements since 1982, vs. the added negative benefits of additional stress on traffic, infrastructure and city services caused by the allowed increases.

In closing, we want to let you know how much we appreciate the fact that you were willing to meet with us and will be passing our comments through to Vivian Kahn. We are planning to attend the Planning Commission meeting on July 18 during which the June 13th issue paper will be presented by Vivian Kahn to the Planning Commission. We hope to see you at this meeting.

Sincerely,

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