

Before we begin the hearing, GRA takes exception to the 15 min. time restriction imposed upon us

Why?

- The developer had unlimited time to present their proposal at the Planning Commission hearing, and the written summary and minutes are part of the record for council consideration
- The city staff has formally stated their opposition to our appeal with an unlimited written recommendation for council to deny it

# Before we begin the hearing, GRA takes exception to the time restriction imposed upon us (cont'd)

- Staff's opposition is based on circular arguments that are misleading and should not have been provided to council for consideration
- E.g., in response to our claim that the developer does not have an automatic right to this land usage, the city states:
  - "Pursuant to Section 23.26.030(X), the combining of commercial with residential land uses is conditionally permitted within the CBD zone. Conditional Use Permit CU-17-16 **was approved by the Planning Commission specifically for the combining of these two land uses, and therefore, the project is not in violation of any City codes.**"

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This says that it's not a violation because the PC approved it.  
But isn't that what we are here to discuss?

# Before we begin the hearing, GRA takes exception to the time restriction imposed upon us (cont'd)

- E.g., in response to our claim that the project is not consistent with the General Plan that stresses the need for affordable housing, the city states:
  - “There are no requirements under the General Plan nor Zoning Ordinance that mandates a private development to include income or age restrictions upon any of its residential units, including restricting the sales and/or occupancies of the residences for sale and/or occupancy by extremely low income, very low income, low income or moderate income households, or by senior citizen households. The proposal to make all 62 of the residential units available as for-sale units with no income or age restrictions is consistent with the General Plan.”

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- E.g., in response to our claim that the project is not consistent with the General Plan that stresses the need for affordable housing, the city states:
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- The GP is a policy document that is a vision, set of values. It's not a set of laws, where if something is not expressly prohibited then it must be fair game.

# Appeal of Alhambra Planning Commission Decision regarding the proposed Monterey Bay Development

Presentation by the Appellants, Grassroots Alhambra 501(c)(3)

January 28, 2019

# How does GRA define development?

Development is an advancement in infrastructure, environment, or service that meets these criteria

- Addresses a community need
- Consistent with the General Plan
- Defined and formulated with community participation
- Environmentally compliant with CEQA law
- In totality, a fair and equitable project that results in a net gain to the community

# Why are we appealing the PC decision?

- The PC failed to consider, and the city failed to provide, information that enables a proper assessment of the previously listed criteria
- Inadequate discussion on community needs, predicted revenues, costs to the community
- Lack of confidence in city government due to past policies and practices that have had an adverse cumulative effect on the community, while developers (including this one) have benefitted

# What did the PC approve and why?

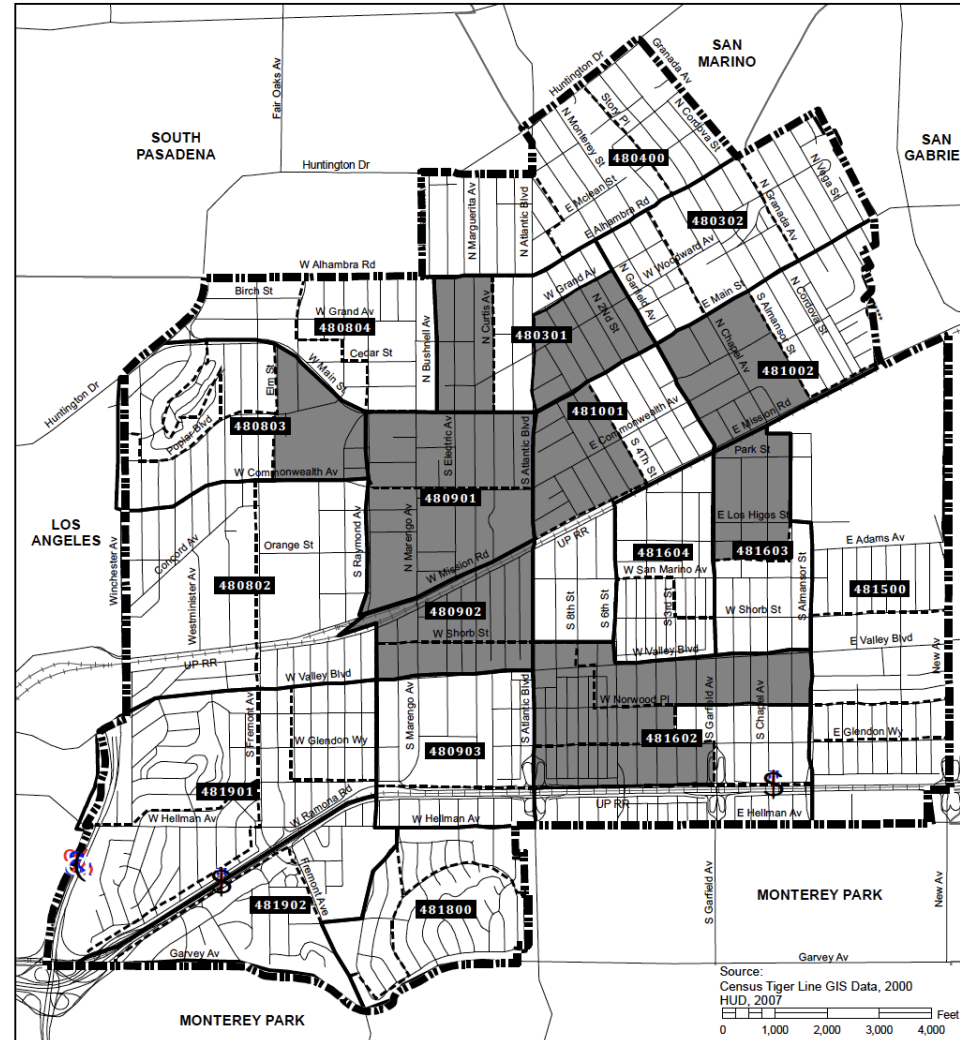
Developer requested and was approved for...	Rationale given by PC in their approval process...
Conditional Use Permit (CUP) for 62 condos in addition to retail/office space on a parcel otherwise zoned for retail/office only	<ul style="list-style-type: none"><li>• Project provides needed housing</li><li>• Increased customer base for Downtown Alhambra</li></ul>
No significant mitigations for traffic, noise, air quality impacts	No discussion
Approval of a 6-level parking structure	<ul style="list-style-type: none"><li>• Supplies needed parking</li><li>• Will engage Art in Public Places fund to beautify</li></ul>

# What did the PC approve and why?

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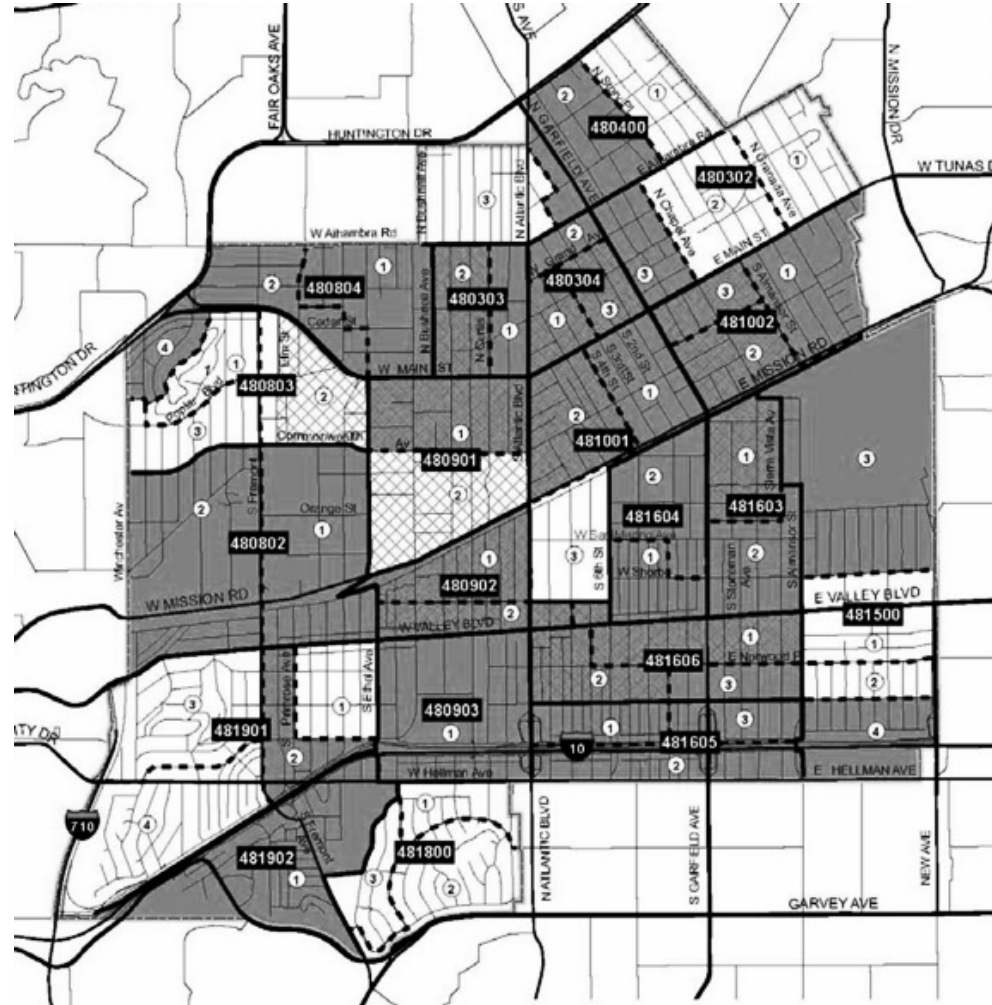
We have a right to demand better. Let's start with the needs of our community...

# Who are we—the community?



*Shaded areas are where over 50% of the population was of low or moderate income in 2007*

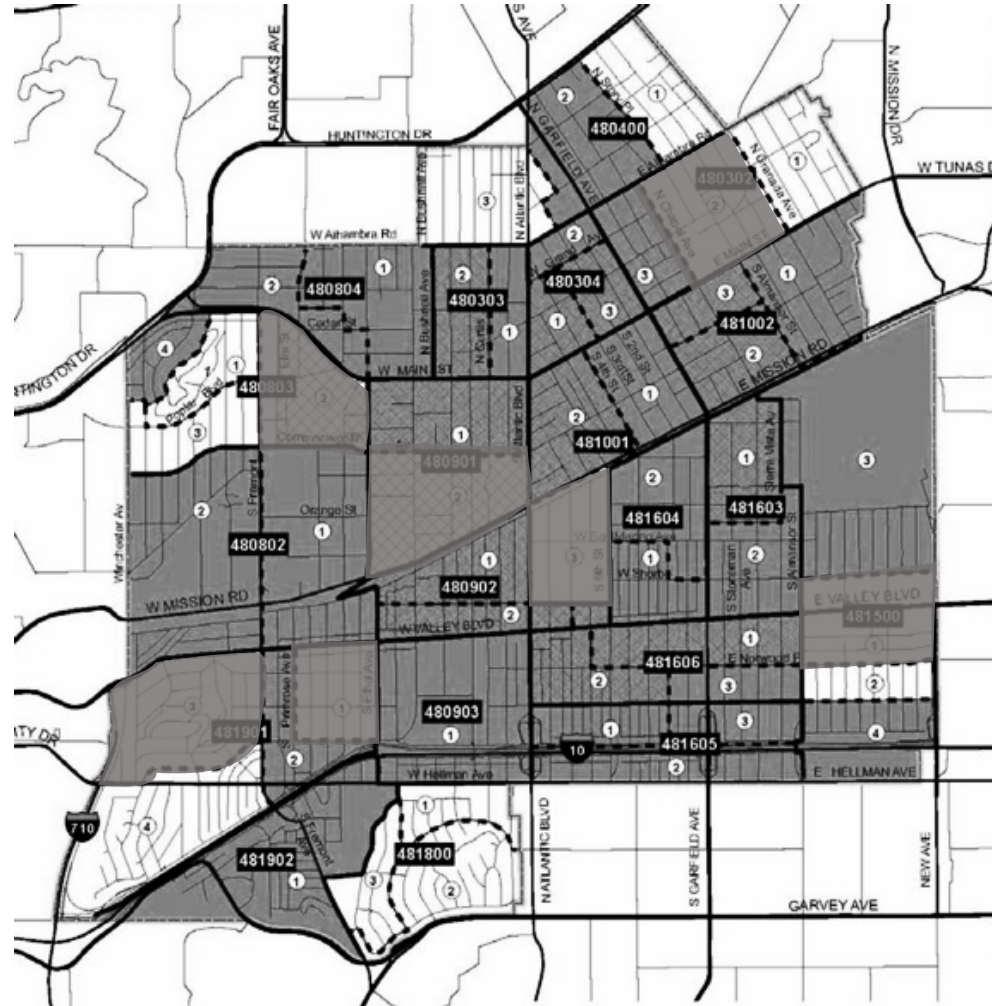
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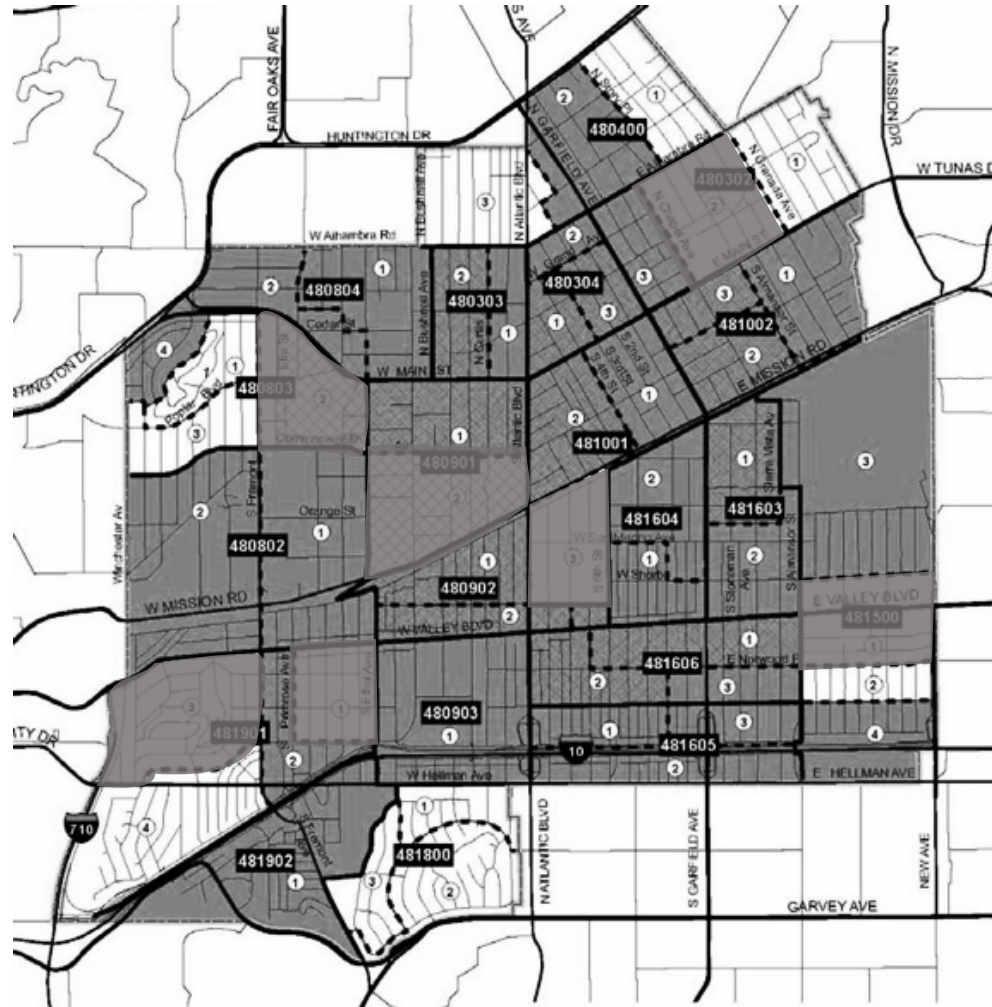
# Who are we—the community?

*Shaded areas are where over 50% of the population is of low or moderate income in 2017*



# Who are we—the community?

*These are our neighbors, friends, family. People who would qualify for affordable housing.*

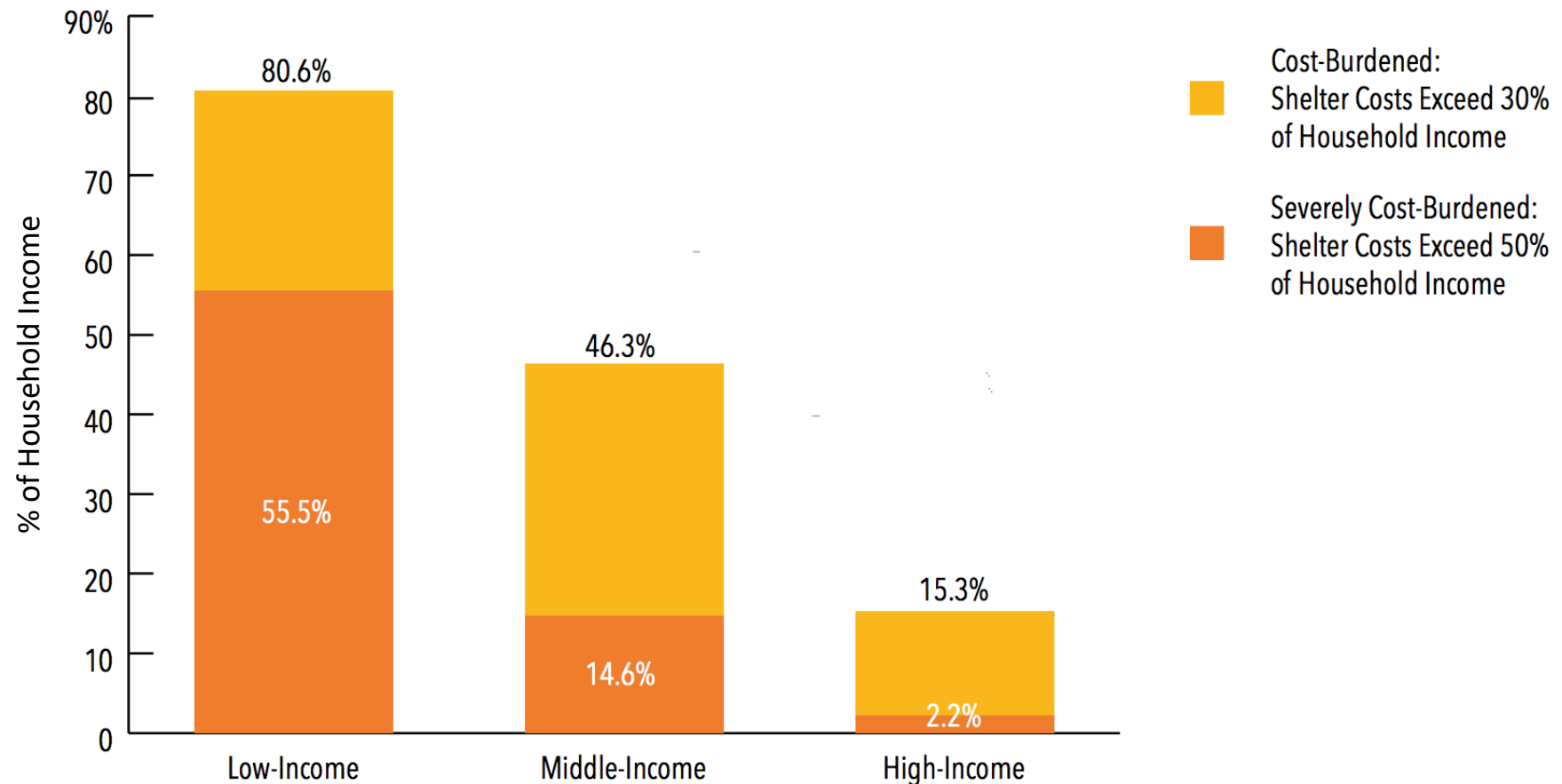


Reference: U.S. Census Bureau. American Community Survey 5-Year Data (2013-2017). December 8, 2018.

Very-Low Income Earners	Median Annual Income
Manicurists and Pedicurists	\$23,360
Food Preparation and Serving Workers	\$24,360
Cooks, Fast Food	\$23,220
Cashiers	\$23,310
Retail Salespersons	\$24,310
Home Health Aides	\$25,430
Security Guards	\$26,860
Veterinary Assistants and Laboratory Animal Caretakers	\$28,450
Emergency Medical Technicians and Paramedics	\$28,390
Preschool Teachers, Except Special Education	\$32,060
Healthcare Support Occupations	\$32,270
Low-Income Earners	
Medical Assistants	\$34,170
Construction Laborers	\$42,330
Pharmacy Technicians	\$38,030
Substitute Teachers	\$39,110
Bookkeeping, Accounting, and Auditing Clerks	\$45,090
Solar Photovoltaic Installers	\$40,040
Bus Drivers, Transit and Intercity	\$41,120
Mental Health Social Workers	\$46,840
Occupations	\$48,730
Roofers	\$51,940

Source: U.S. Bureau of Labor Statistics for the Los Angeles region, 2017

# Housing costs are the largest contributor to household financial stress and scarcity



# What about past opportunities to meet community needs? The Redevelopment Agency

- A state tenet of Alhambra's now defunct Redevelopment Agency (ARA) was the creation of affordable housing

*"The Legislature finds and declares that the provision of housing is itself a fundamental purpose of the Community Redevelopment Law (CRL) and that a generally inadequate statewide supply of decent, safe, and sanitary affordable housing threatens the accomplishment of the primary purposes of the CRL..."* --State audit report to city of Alhambra, February 2007

- Under State law, 20% of property tax revenues going into the ARA was required to be set-aside for Low and Moderate Income Housing funding

# The Redevelopment Agency (cont'd)

- Instead, the Alhambra Redevelopment Agency focused on retail development, for example:

Business Name	Funding Granted (ARA or CDBG)	Status of Business
Angelena's Restaurant	\$350,000	Closed
French Restaurant (Maria's)	\$350,000	Closed
Bayou Bar and Grill	\$350,000	Closed
Tony Roma's Restaurant	\$350,000	Closed
Sir Walter's Candy Store	\$70,000	Closed
Zocalo Restaurant	\$225,000	Closed
The Diner Restaurant	\$300,000	Operational
Alhambra Renaissance Plaza	\$1,200,000	Various
California Brewing Co.		Closed
38° Bar and Grill	\$450,000	Open
Dog Haus	\$116,000	Open
Senior Fish	Section 108 Loan for \$2.02M	Closed
Penny Lane		Closed
Ross Dress for Less		Operational
...the list goes on		

# The Redevelopment Agency (cont'd)

- And here's what we received in terms of affordable housing
  - Plaza on Main (above Denny's Restaurant), 110 senior rental apartments
  - 15 N. Valencia St, 11 senior rental apartments
  - Howard Street Townhomes, 8 for sale units
- But what happened to the 20% set-aside of the hundreds of millions of dollars that went through the ARA?
  - A state audit found the ARA to be paying for a disproportionate share of overhead costs out of the low/mod housing fund, including over 50% of administrative expenses, 35% of salaries and operating expenses, debt fees
  - We are still re-paying this debt today

# And why didn't the State Density Bonus Law help us?

City of Alhambra's Planned Residential Development Density Bonus Ordinance from 1989 - March 24, 2008		State Law		
	If the developer provides...	Maximum density bonus awarded to developer...	If the developer provides...	Maximum density bonus awarded to developer...
Non-Age Restricted Units	10% of units dedicated for very low income housing	25%	11% of units are for very low income housing	35%
	25% of units dedicated for low or moderate income housing	25%	20% of units are dedicated for low income housing	35%
			40% of units are for moderate income housing	35%
	Allowed to qualify for both. Combined, density bonus adds to:	50%	Allowed to qualify for all.* Combined, density bonus adds to:	105%

**Table 1**

*A comparison between Alhambra's density bonus ordinance and that of the state of California from 1989 to 2008 for developers providing affordable housing. \*SB435, effective January 1, 2006, clarified that a developer must choose a density bonus from only one affordability category. Alhambra did not comply with state law until 2008.*

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Through 2008, Alhambra offered weak incentives for developing affordable housing for families with children

# And why didn't the State Density Bonus Law help us?

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	If the developer provides...	Maximum density bonus awarded to developer...	If the developer provides...	Maximum density bonus awarded to developer...
Units Restricted to Seniors Only	50% of units dedicated for seniors only	25%	100% of units dedicated to seniors only	20%
	10% of units dedicated for very low income senior housing	25%	No bonuses given for age restricted affordable housing	0%
	25% of units dedicated for low or moderate income senior housing	50%	No bonuses given for age restricted affordable housing	0%
	If some units are government subsidized, the above units may be increased by a factor of 4	x4	No bonuses given for age restricted affordable housing	0%
	<b>Allowed to qualify for all of the above. Combined, density bonus adds to</b>	<b>400%</b>	<b>Senior bonuses cannot be combined. Maximum allowed:</b>	<b>20%</b>

**Table 2**

*A comparison between Alhambra's density bonus ordinance and that of the state of California from 1989 to 2008 for the special need group of seniors. Alhambra permitted a 400% bonus to developers who generated affordable housing for seniors while that state permitted a maximum of 20%. Seniors represent just 13% of the total population in Alhambra and 11% of the total in need of affordable housing.*

# And why didn't the State Density Bonus Law help us?

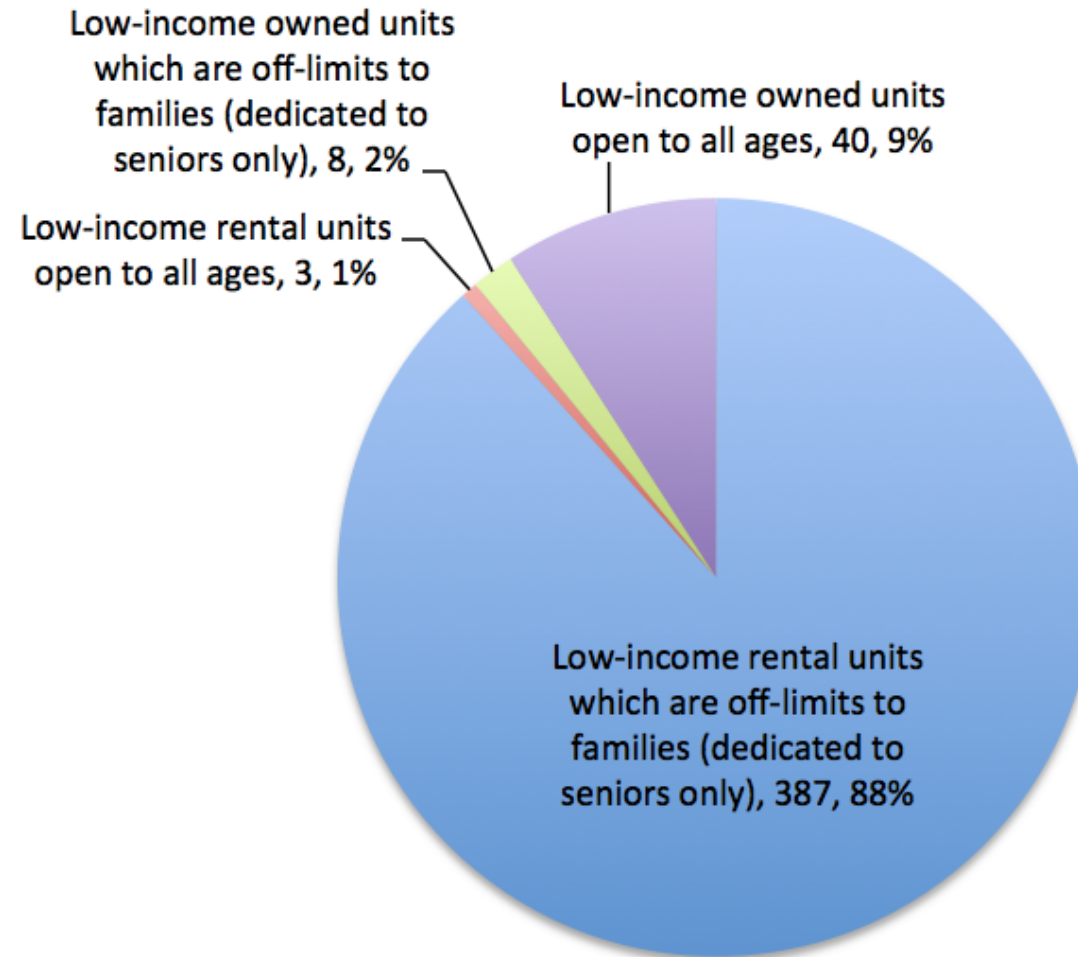
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Table 2

...and heavily incentivized developments for seniors only

# State Density Bonus Law (cont'd)

- **The result? Over 98% of the affordable rental stock in the city is off-limits to families with children, the most vulnerable segment of our population**



# Skirting the Density Bonus Law

- But it gets worse...

Through the use of the **Specific Plan and General Plan text amendment**, the city gives developers their density bonus and more **without requiring any affordable housing units in return**

Pacific Plaza Specific Plan on the former site of Super A Foods



Pacific Premier Partners received:

- 85% density bonus
- 67% reduction in common open space requirement

Number of affordable units we received in return:

- **Zero**

# Partial list of other bonuses given out...

Specific Plan / General Plan Text Amendment	Bonus Received	Affordable units in return
Casita de Zen Specific Plan	85%	0
Pacific Plaza Specific Plan (on old Super A foods market lot)	85%	0
Alhambra Walk Specific Plan (Bay State & Commonwealth)	60%	0
Alhambra Place Specific Plan (rental apartments at old Mervyn's lot)	50%	0
Fifth & Main Specific Plan (old city library site)	35%	0
<i>The Alhambra</i> General Plan Text Amendment (old C. F. Braun site on Fremont and Mission)	Allows 75 units/acre over 30 acre site = 2250 units (none previously allowed)	0

# Is this consistent with the General Plan?

## B. Assist in the Development of Affordable Housing

Alhambra encourages the development of housing units affordable to all segments of the population. The City facilitates the production of affordable for-sale and rental housing through the provision of both financial and regulatory incentives. In addition, to enable more households to attain homeownership in Alhambra, the City offers a first-time homebuyer program.

**Goal 2:** Assist in the provision of adequate housing to meet the needs of the community. Establish a balanced approach to meeting housing needs that includes the needs of both renter- and owner-households.

**Policy 2.1** Provide homeownership assistance to lower income households.

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City of Alhambra	89	2013-2021 Housing Element
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**Policy 2.2** Use financial and/or regulatory incentives where feasible to encourage the development of affordable housing.

**Policy 2.3** Support the provision of rental housing that accommodates families.

**Policy 2.4** Facilitate the development of housing with support for persons with disabilities (including persons with developmental disabilities).

**Policy 2.5** Encourage strong on-site management.

## Program 5: Affordable Housing Development

For-profit and non-profit developers play a significant role in providing affordable housing in Alhambra. The City provides regulatory incentives (such as density bonus and flexible development standards) and as funding permits, financial assistance to developers to provide both ownership and rental housing for lower and moderate income households. The City allocates a minimum of 15 percent of its total annual HOME funds to Community Housing Development Organizations (CHDOs) to provide affordable housing through new construction and acquisition/rehabilitation.

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2013-2021 Housing Element	90	City of Alhambra
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### Objectives:

- Continue to provide financial incentives through HOME funds, as well as regulatory incentives, including but not limited to density bonuses and flexible development standards, to developers to increase the supply of affordable housing.
- Continue to exempt new affordable housing developments from certain construction impact fees.
- Focus a portion of financial assistance toward extremely low, very low and low income households (including persons with disabilities).

# So what is the result of these past policies?

## Regional Housing Needs Assessment (RHNA)

- In recognition of the housing crisis, the State requires each city to plan for meeting the needs of its community
- Alhambra's estimated need is dominated by affordable housing
- But we are miserably behind

Current RHNA Allocation for 2014 - 2021

	Lower Income	Moderate Income	Above Moderate Income	Total
RHNA	604	246	642	1,492
Proposed Projects	0	0	1,187	1,187
Vacant Properties	0	32	0	32
Underutilized Sites	1,183	339	0	1,522
Surplus	+579	+125	+545	0

Source: City of Alhambra, 2013.

Previous RHNA Allocation for 2007 - 2014

Development Activity	Income Level				TOTAL
	Very Low 30-50% AMI	Low 50-80% AMI	Moderate 80-120% AMI	Above Moderate 120%+ AMI	
RHNA <sup>8</sup>	379	239	260	668	1,546
Units built since 1/01/2006:	5	8	19	292	324
Units approved since 1/01/2006:	60	20	24	1,210	1,314

# Adverse Impacts

- As with past reports, circular arguments are used for justification  
“Because the area is mostly built out, the addition of the project traffic to the existing noise levels on the roadways adjacent to the site would minimally impact the existing noise environment.” --Project’s Environmental Report
- Majority of traffic is generated from restaurants, where returns to the city were not discussed. This is not acceptable

Project Trip Generation										
					AM Peak Hour			PM Peak Hour		
					Volume			Volume		
Land Use	Quantity		ADT		Total	In	Out	Total	In	Out
1. Condos	62		496		34	4	30	45	29	16
2. Retail / Services	3,650		156		4	2	2	14	7	7
3. Restaurants	16,918		2,151		183	101	82	167	100	67
Total			2,803		221	107	114	226	136	90

# Environmental Impacts

- Giving concessions without an equitable return or meaningful mitigation continues to hurt our environment
- This ranges from invisible health effects, such as air quality, vapor intrusion...

# Quality of Life Impacts

- ...to the immediately aesthetic



# Household Economic Impacts

- ...that also drives down household economic development in lower income areas



1/28/19



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# Ask yourselves whether you agree with the city's current motivation for development...

"If you invest in your rental properties you are going to be bringing in a higher quality level of tenants, which will be a higher quality level of residents for the city of Alhambra... you will be bringing in higher educated residents that have higher income levels that want to work and live and play in the cities that we work in."

--Alhambra City Management to a realtors association,  
**offering the city's Code Enforcement staff to target  
properties that adversely affect realtors' nearby listings**

<https://www.youtube.com/watch?v=s22mBvmi8Sw&t=140s>

# Ask yourselves whether you agree with the city's current motivation for development...

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of  
ec  
ar

**This is displacement—the targeting of a vulnerable group of residents with the intent to replace with the highest bidder**

association, offering the city's Code Enforcement staff to target nearby properties that affect their sales prices

# What is the end game?

- Short-term view:
  - The environmental report states that the proposed project will not cause direct displacement of residents since no housing is currently on the site
- But is this true in the long-view?
  - Developing without an equitable return to the community, such as the creation of housing unaffordable for our population, retail/commercial development without attention to jobs or livable wages, and a resulting environment/aesthetic that drains the psyche cannot be successful over the long-term.

# GRA Request

- Overturn the PC approval
- Negotiate a better development for the community
  - Consider removal of the restaurant, which would significantly reduce traffic
  - Infill with additional affordable dwelling units
  - Set-aside a meaningful percentage of dwelling units at affordable prices. e.g.,
    - 15% for Very Low Income or
    - 25% for Low Income or
    - 35% for Moderate Income

# Our Request

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**Smart development serves the community.**

**The project, in its current form, ignores the lived reality of our residents.**

# Appendix

Appeal of Alhambra Planning Commission Decision regarding the proposed  
Monterey Bay Development

# Conditional Use Permits

Appeal of Alhambra Planning Commission Decision regarding the proposed Monterey Bay Development

# Conditional Use Permits

- The purpose and intent of the Conditional Use Permit (CUP) is to ensure that a use which is **not permitted by right** are planned in such a manner
  - as not to be detrimental to the health, safety and general **welfare of the community**
  - **consistent with the** programs of the Alhambra **General Plan**

# Zoning District



 CBD, Central Business District

 Downtown Revitalization District overlay

# Permitted Uses in the CBD Zone are restricted to the following

- Food sales
- Personal and product services
  - Includes the provision of barber and beauty care, self-service laundromats ...
  - Includes the repair of personal apparel, household appliances, furniture ...
- Office uses. Professional, medical, administrative, financial, public service and general business offices
- General retail services. Includes the retail sale or rental of goods primarily for personal or household use ...

# Partial list of uses requiring a CUP

- Hospitals and nursing homes
- Hotels and motels
- Nightclubs, billiard parlors
- Mortuaries
- One dwelling unit in conjunction with, and accessory to, a permitted or conditionally permitted use in the CPD zone
- Outdoor retail sales or food sales as an accessory use to indoor sales
- Residential uses, when proposed in conjunction with commercial uses
- Sale of alcoholic beverages
- Massage establishments

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**Does it make sense when the developer and city tell you it's within their rights to a CUP?**

# Alhambra Existing Affordable Housing Program

Appeal of Alhambra Planning Commission Decision regarding the proposed  
Monterey Bay Development

# The City's Current Affordable Housing Programs

- The city cites its **Housing Rehabilitation Program** and its **First Time Homebuyers Program** (both funded with federal HUD money) as evidence that it's doing its job for helping address the affordable housing crisis

# The City's Current Affordable Housing Program—Housing Rehabilitation Program

- Minor and Major Rehabilitation Programs for lower income homeowners served 11 people last year

Number of Persons Served	CDBG Actual	HOME Actual
Extremely Low-income (30% AMI)	2	2
Low-income (50% AMI)	6	1
Moderate-income (80% AMI)	0	2
<b>Total</b>	8	5

**Table 13 – Number of Persons Served**

Ref. City of Alhambra, *Consolidated Annual Performance Evaluation Report*, September 2018.

# The City's Current Affordable Housing Program—First-Time Homebuyer Assistance

- The First-Time Homebuyer Assistance program saw zero<sup>1</sup> homeowners take advantage of this program. A symptom of the lack of affordable housing stock available to our community.

1. Ref. City of Alhambra, *Consolidated Annual Performance Evaluation Report*, September 2018.

# The City's Current Affordable Housing Program—Where did the funding go?

- Total federal funds budgeted to assist Low/Mod Income population in FY2017-2018 = **\$7,123,060**

Of this amount

- \$5,346,638 was used for street and park improvements
- \$962,362 was used for ADA ramps/sidewalks improvements
- \$154,859 was used for homeless outreach services
- \$122,129 was used for case management services
- \$208,960 was used for Code Enforcement
- **Only \$327,942 was used for the city's affordable housing program (6% of total)**

Ref. City of Alhambra, *Consolidated Annual Performance Evaluation Report*, September 2018.

# An end-game of sales tax revenue at all costs?

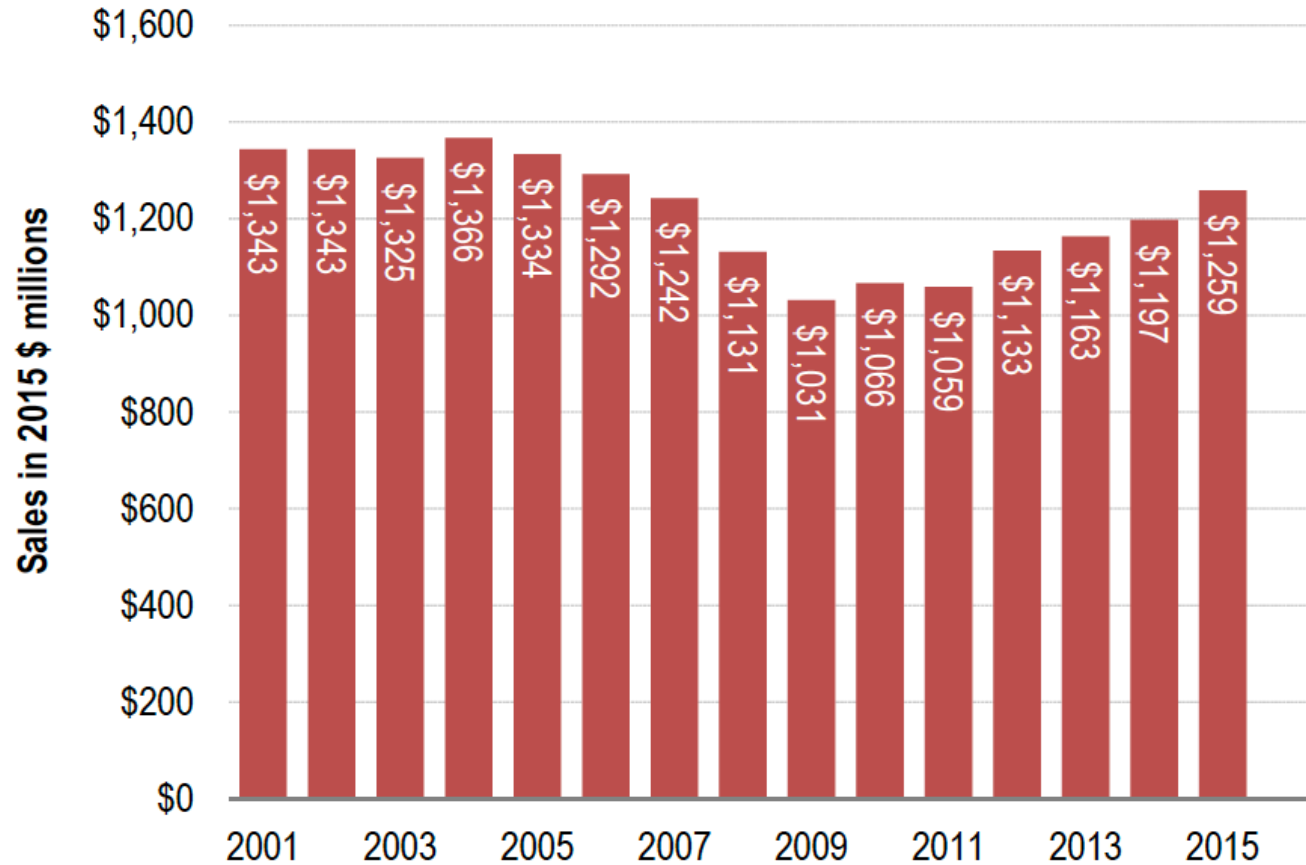
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# What is the end game?

- Short-term view:
  - The argument is again being made that sales tax revenue (in this case, through the restaurants) will boost overall prosperity
- But is this true in the long-view?
  - The city has expended tremendous resources over the past two decades to enhance retail sales tax revenue with far less regard to wages and household economic development

# Has the focus on retail sales been worth it?

**Retail Sales (in 2015 \$ millions): 2001 - 2015**

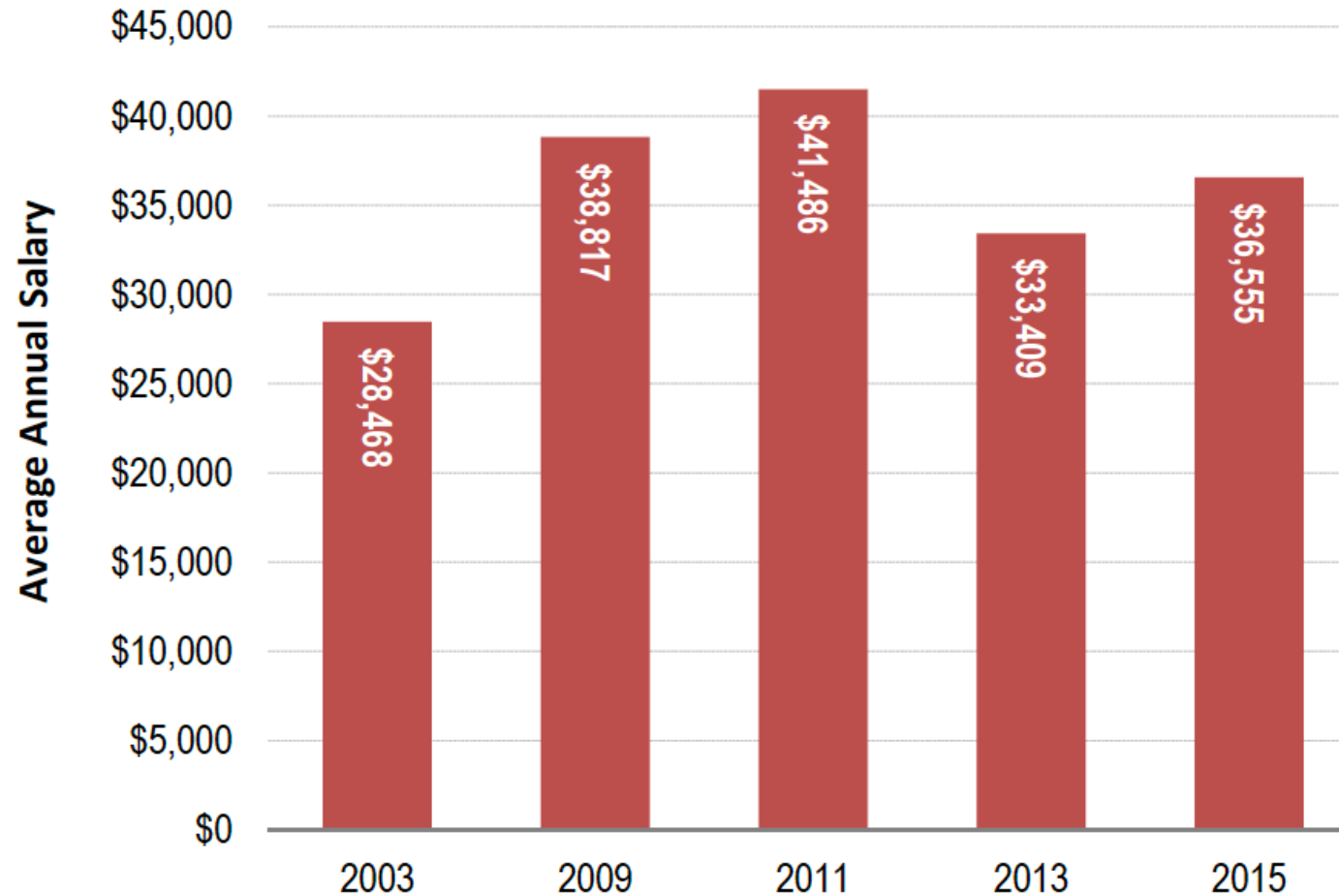


Source: California Board of Equalization, 2001-2015

Reference: Southern California Association of Governments. *Profile of the City of Alhambra*. May 2017.ç

# Has our population made gains in salary?

**Average Annual Salary: 2003, 2009, 2011, and 2015**

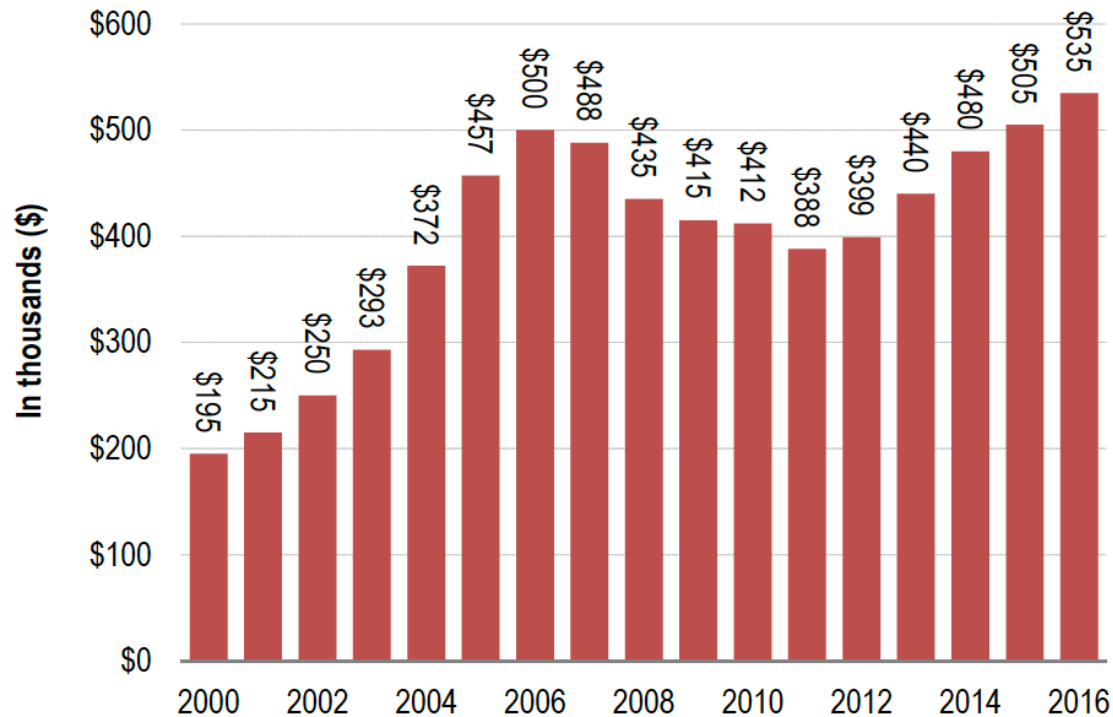


Source: California Employment Development Department, 2003 - 2015

Reference: Southern California Association of Governments. *Profile of the City of Alhambra*. May 2017.

# Enough to keep up with home prices?

**Median Home Sales Price for Existing Homes: 2000 - 2016 (in \$ thousands)**



Source: CoreLogic/DataQuick, 2000-2016

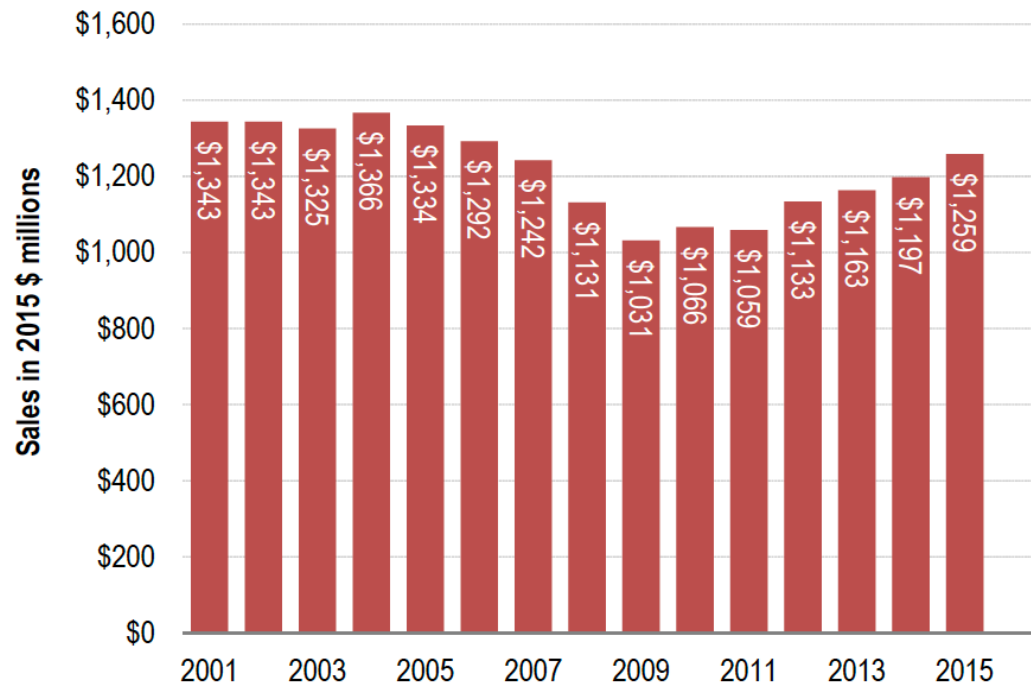
Reference: Southern California Association of Governments. *Profile of the City of Alhambra*. May 2017.

- Between 2000 and 2016, the median home sales price of existing homes increased 174 percent from \$195,000 to \$535,000.
- In 2016, the median home sales price in the city was \$535,000, \$15,000 higher than that in the county overall.

# How do the trends compare with Monterey Park, a city mocked by Alhambra's leaders in the past as lacking economic vision

## Alhambra's Retail Sales

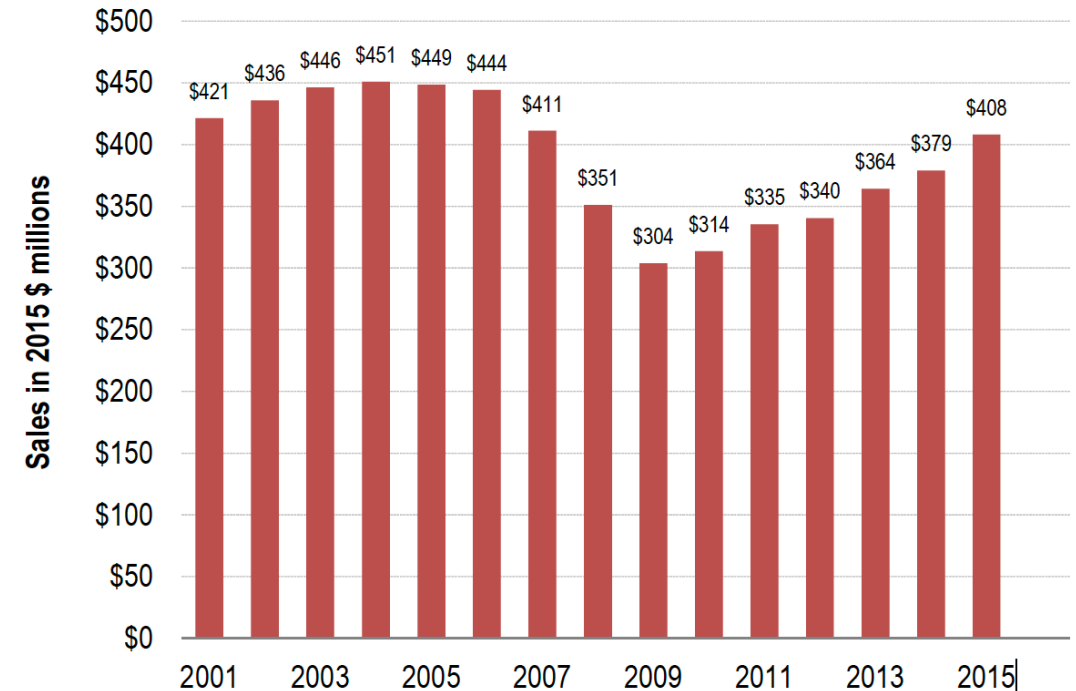
### Retail Sales (in 2015 \$ millions): 2001 - 2015



Source: California Board of Equalization, 2001-2015

## Monterey Park's Retail Sales

### Retail Sales (in 2015 \$ millions): 2001 - 2015

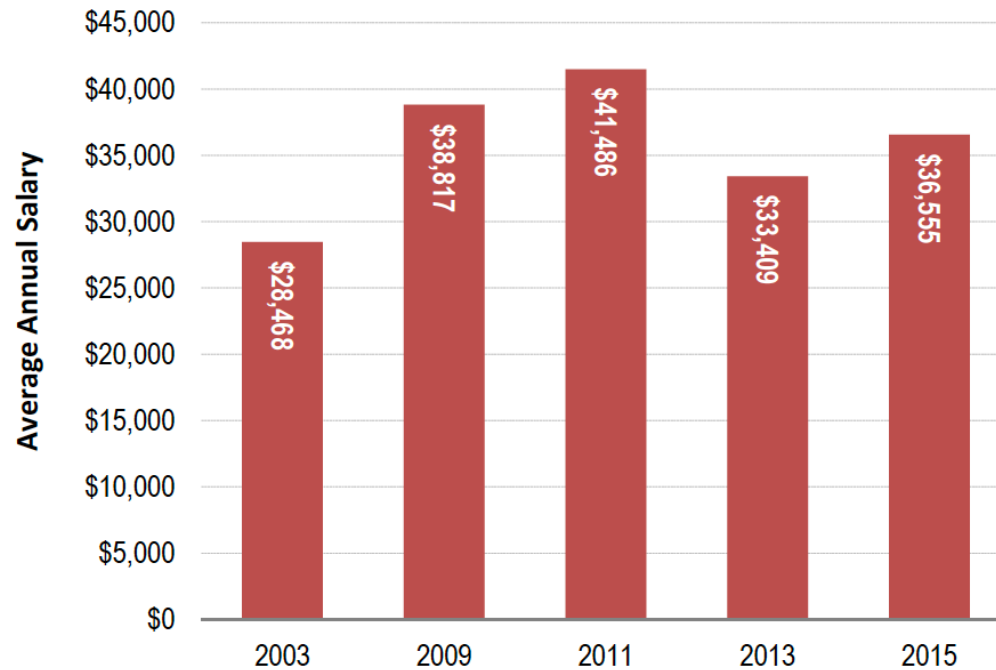


Source: California Board of Equalization, 2001-2015

# How do the trends compare with Monterey Park, a city mocked by Alhambra's leaders in the past as lacking economic vision

Alhambra Population Ave. Annual Salary

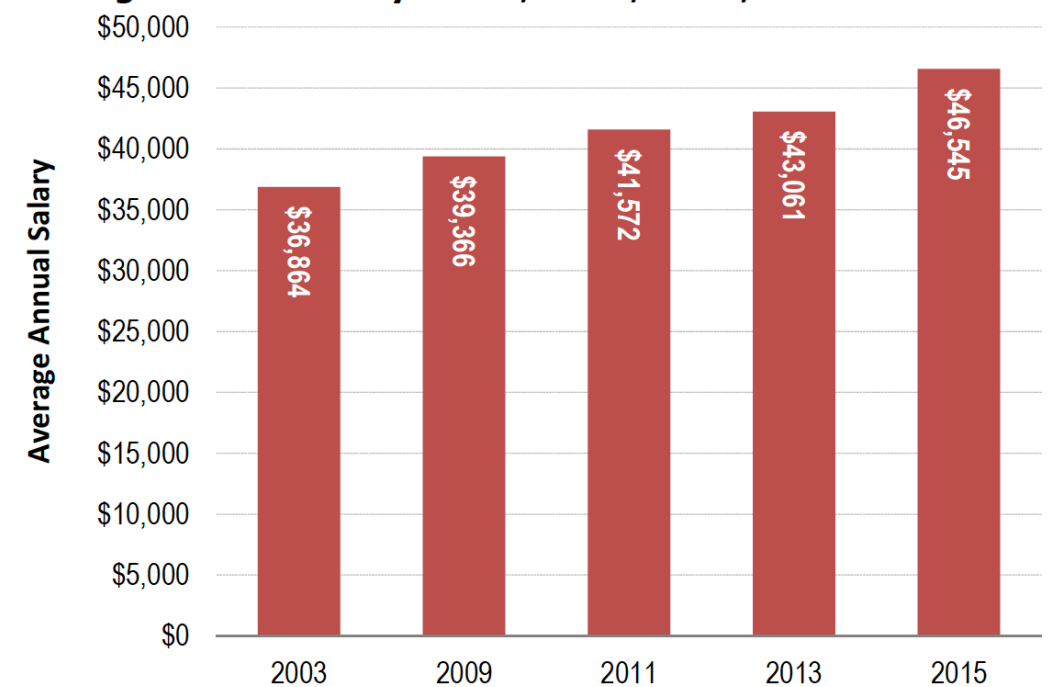
**Average Annual Salary: 2003, 2009, 2011, and 2015**



Source: California Employment Development Department, 2003 - 2015

Monterey Park Population Ave. Annual Salary

**Average Annual Salary: 2003, 2009, 2011, and 2015**

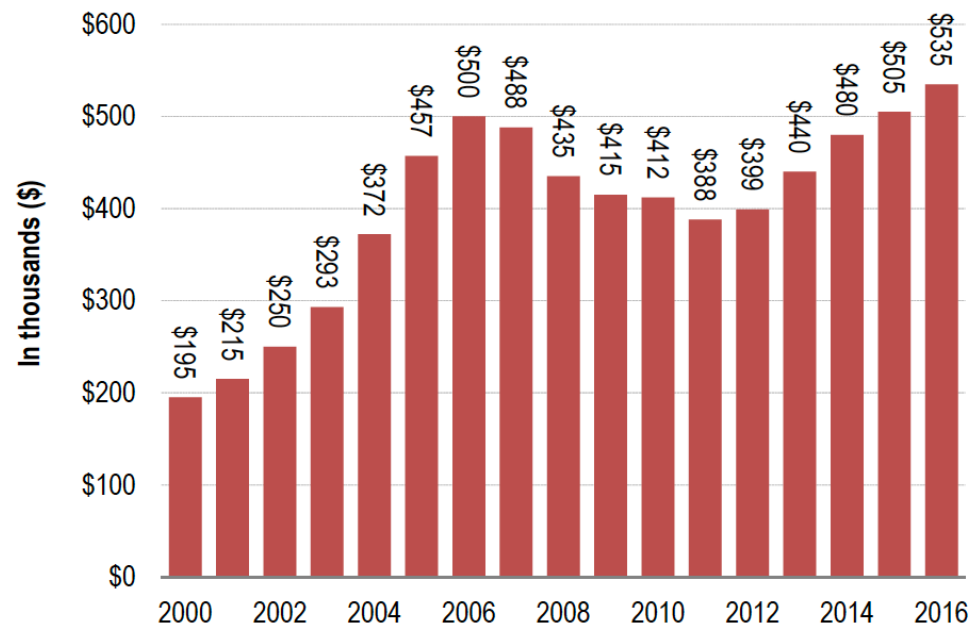


Source: California Employment Development Department, 2003 - 2015

# How do the trends compare with Monterey Park, a city mocked by Alhambra's leaders in the past as lacking economic vision

## Alhambra's Median Home Sales Price

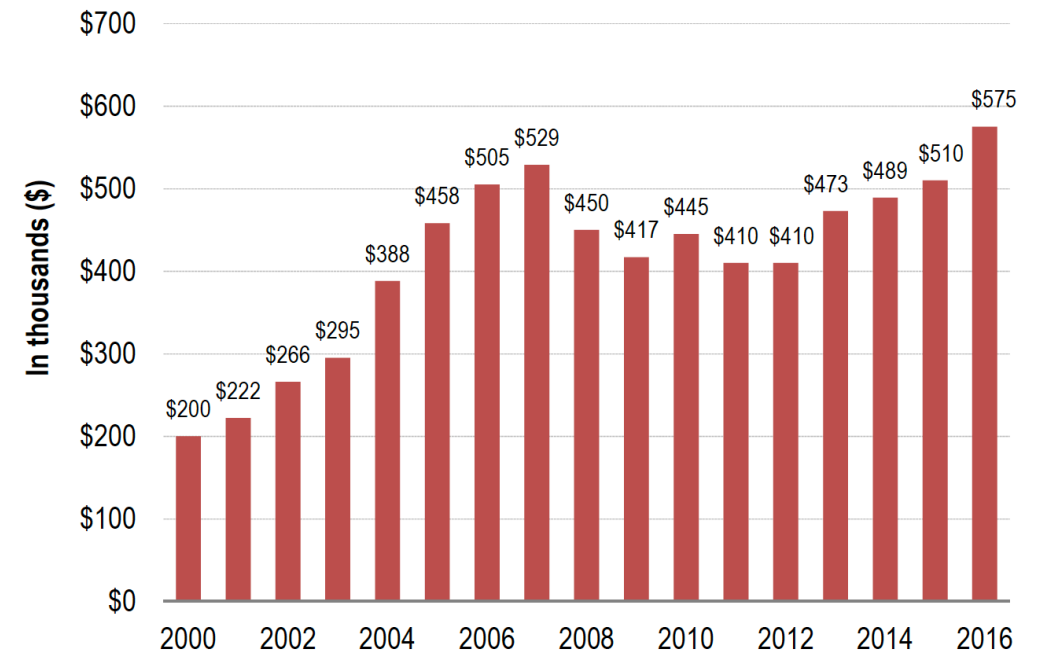
**Median Home Sales Price for Existing Homes: 2000 - 2016 (in \$ thousands)**



Source: CoreLogic/DataQuick, 2000-2016

## Monterey Park's Median Home Sales Price

**Median Home Sales Price for Existing Homes: 2000 - 2016 (in \$ thousands)**



Source: CoreLogic/DataQuick, 2000-2016