

July 11, 2022

City of Whittier Council
1320 Penn Street
Whittier, CA 90602

RE: OPPOSITION TO 9829 LA SERNA HOUSING PROJECT

Dear City Councilmembers:

I am writing to express opposition to the 9829 La Serna Drive housing project. The project has serious design flaws, and it poses a public safety risk. I strongly suggest you take the following factors into consideration as you make your decision and deny this project based on the following:

- The Whittier Blvd. Specific Plans calls for open space along Whittier Blvd. there are no open spaces along Whittier Blvd.
- The Planning Department believes there is no problem with this development based on the Catalina Apartments. The HUGE difference is Catalina was not within a neighborhood and did not have a hospital adjacent to it. The Catalina apartments have crossing guards, its ingress/egress is along Whittier Blvd., and has enough parking spaces
- Compare the 54 blue hills nursery townhomes with all-electric buildings on the 2.6-acre site. It has 136 parking spaces and the individual units all will have at least three bathrooms and range from 1,400 to 1,970 square feet in comparison to the La Serna Drive proposed 52 units on 1.8 acres with 123 parking spaces and tandem parking that will not provide enough space for trash cans, as well as with minimal personal open space and barely enough open space
- The Envision General Plan calls for developments NOT to “intrude” into established communities. This development intrudes in our community as it will increase traffic, parking problems, noise, will include three story homes where there are no three story homes and will intrude on our privacy and that of the hospital patients/visitors/employees
- The Developer refuses to compromise. He refuses to reduce units, move or eliminate the dog park and balconies in front of the hospital. He believes something is owed to him and will not work with the community. In fact, a neighbor overheard him mocking our safety concerns and hired a former council member to “bully” residents by stating that if they if this isn't approved, they will build below income and higher density.

CITY PLANNING USE OF AMBIGUOUS LANGUAGE

The Interim Director of Planning and City Manager have allowed for the use of “case-by-case” approval of developments/projects when the City of Whittier Municipal Code (WMC) is very clear in its language.

- The Planning Department stated it used the Whittier Specific Blvd. Plan when approving this project. The City of Whittier General plan does not allow for construction above two-story of any development that is situated adjacent to an R-1 zone or single-family zone.
- Although the Friendly Hills homes are zoned RE, they are considered “Single Family Homes” thus we should be given the same consideration as R-1 zones and three-story homes should not be allowed for this project as it is diagonally across from a single-family home.
- When I asked the interim Director of Planning for a definition of adjacent, he stated it meant “next to.” He used the definition explained in WMC 18.06.003 - Abut, adjoining or contiguous which is defined as "... in reference to real property, two or more lots sharing a common lot line. With reference to two or more objects, the same means in immediate contact with each other.” However, according to the WCM 18.06.012 the definition of adjacent means two or more objects which are in close proximity.
- When I asked him to define close proximity, he stated, “something not separated by a street.” As per 18.50.040 WMC I asked him for a written form with his interpretation. However, he stated he makes decisions based on a case-by-case basis violating this municipal code.
- It appears the Interim Director of Planning and the City Manager are using language that serves their purpose when they need it to as opposed to using the local laws called municipal codes. The City cannot allow for the Planning Division to approve projects based on a “WHIM” as opposed to established codified local law.
- The Planning Department admitted using Shopping Cluster II and Neighborhood Spine when approving this project. The Planning Division allows for exceptions it sees fit when it wants to approve something as opposed to using the general plan. It gives exceptions to the developer, but not its citizens (in reference to asking for the consideration of the R-1 vs RE zones and two-story building limitations). Why is the Planning Department allowed veer from the General plans when it sees fit with no consequence?

CONDITIONAL USE PERMIT

The landowner is requesting a conditional use permit for Development Standard deviation under the Development Hardships provisions of the Whittier Boulevard Specific Plan, Shopping Cluster District. I request that you deny the conditional use permit based on the following:

- Allowing a development standard deviation for this project is fundamentally unfair. Properties should not be given special preference because the property doesn't happen to be located on Whittier Blvd., as required in the Whittier Blvd. Specific Plan. These parcels of land cannot be given special preference from its surrounding designations. Properties should be treated equally.
- Giving these parcels a special conditional use permit will change the character of the surrounding neighborhood
- Giving these parcels a special conditional use permit will create a public safety hazard
- Townhomes/Condominiums, if purchased and then rented, will devalue our homes (witnesses will be provided during hearing)
- It has been poorly designed in terms of neighborhood compatibility, trash collection, traffic measures, amenities, and open space requirements
- It does not conform or meet the City's Whittier Blvd. Plan
- Alternative, the developer could have re-purposed the old Marie Callender's building, but instead decided to demolish it resulting in a self-created hardship
- Alternative, the developer could have better used it mixed use 1 in conjunction with commercial retail space or restaurant space and residential (2 story, not three-story housing)
- The project only has two ingress/egress burdening local neighborhoods and businesses, none lead directly to Whittier Blvd.
- It does not have adequate size of parking
- The proposed use is not compatible with the permitted uses of the surrounding and adjacent properties (creating fundamental unfairness/spot zoning).
- The conditions upon which the petition for variance relates would be applicable generally to other property within the same zoning district
- It appears that the purpose of the variance is to exclusively a desire to make more money out of the property while placing a burden on the existing neighborhood

- That the granting of the variance will be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located
- Substantially increases the hazard from fire or other dangers to said property or adjacent property, specifically the hospital
- Diminish or impair property values within the neighborhood
- Unduly increase traffic congestion and noise in the surrounding public streets
- Result in an increase in public expenditures to place traffic slowing and safety measures in place
- A neighborhood petition has been created in opposition and will be presented at the hearing
- The project will create more noise that is unsafe
- The project's construction will create pollution that may be a health risk to its residents and students walking to class in this area due to an influx of harmful dust particles and noise
- **The City has not allowed any of these types of high-density housing projects to be built directly in the path of a hospital's emergency room driveway and medical offices or on a neighborhood street, most are being built along Whittier Blvd. creating a public safety hazard for emergency vehicles entering the hospital and its patients.**

Respectfully Submitted,



Stephanie Vallejo
15348 Janine Drive
Whittier, CA 90603