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Council Meeting: 07/09/2024

Agenda Item No: 10

July 8, 2024

Whittier City Council
13230 Penn St.
Whittier, CA. 90602

Subject: Identifying a Win-Win Solution for the Greenleaf Promenade!

Dear City Council Members:

Hindsight is 20/20 – looking back during a crisis and seeing things more clearly... The entire Whittier community, businesses and residents alike, want to be proud of and excited by a Greenleaf Promenade that revitalizes Uptown! Everyone wants thriving businesses drawing residents and families from all over the area to shop, dine and enjoy.

When and why did this Dream project go awry? What assumptions were made, based on what circumstances and data? Is it possible to get the Greenleaf Promenade project back on track with the overwhelming support of Whittier stakeholders, both businesses **and** residents? (Spoiler-alert: the answer is YES!)

Clarity has emerged. After re-watching City Council meetings on the Greenleaf Promenade project¹, a path forward exists with overwhelming community-wide support. Council member Fernando Dutra advocated for this approach, as did **86%** of Whittier Survey respondents, including **74%** of Uptown business owners and **83%** of Uptown business property owners as reflected in the city's professionally-contracted Community Survey² with **1,934** participants: a Pedestrian Promenade (closed to traffic). **And SWA, the City's project architects, already designed that Pedestrian Promenade option that keeps the canopy, retaining more than half of the existing trees!**

Many Uptown businesses have recently come forward saying they are in favor of saving the trees (the Survey contemplated keeping the tree canopy.) To silence talk of boycotting businesses, reverse public dissent and convert it to enthusiastic consumer support, City Council members and leadership of Whittier's business associations³ could and should recognize that reverting to a closed Pedestrian Promenade is now in the best interest of the business community AND the public, their customers. A Pedestrian Promenade was contemplated for years, successful during the pandemic, overwhelmingly supported by Community Survey data, and continues to draw people to Uptown when closing the street - as recent Wed. evening summer markets attest when thousands stroll a closed Greenleaf Av under the shady trees.

¹ Focusing on videotapes of City Council meetings on the Greenleaf Promenade project from 2021 – 2024.

² [https://online.cityofwhittier.org/OnBaseAgendaOnline/Documents/ViewDocument/ATTACHMENT%20C%20-%20PROMENADE%20SURVEY%20DATA%20\(42157\).pdf?meetingId=3568&documentType=Agenda&itemId=42157&publishId=21048&isSection=false](https://online.cityofwhittier.org/OnBaseAgendaOnline/Documents/ViewDocument/ATTACHMENT%20C%20-%20PROMENADE%20SURVEY%20DATA%20(42157).pdf?meetingId=3568&documentType=Agenda&itemId=42157&publishId=21048&isSection=false)

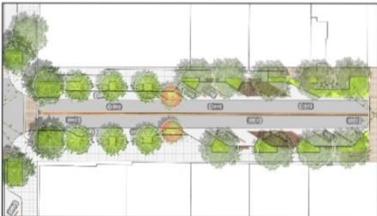
³ Chamber of Commerce, Uptown Whittier Association, and Whittier Uptown Improvement Association.

CC: CM; ACM; CA; Council; Original to CC; Public Binder; Department

WHAT HAPPENED?

June 14, 2022 City Council meeting: This was the first in-person Council meeting after more than a year of meetings on Zoom during the height of the Covid pandemic. City Manager Brian Saeki introduced the Greenleaf Promenade agenda item with a staff report providing data from the 2021 Survey of businesses and residents: Out of 1,934 total respondents, 1,620 of 1,881 **(86%) supported a permanent Promenade**, with 60 of 81 **(74%)** of Uptown business owners supporting permanent closure as well as 199 of 241 **(83%)** of Uptown property owners. Brian Saeki turned the staff presentation over to Public Works Director Kyle Cason who showed this slide of the three options: *Gardens of Uptown, Pedestrian Promenade, or Open St. Promenade.*

Comparison Summary

| Gardens of Uptown | Pedestrian Promenade | Open Street Promenade |
|--|--|---|
|  |  |  |
| <ul style="list-style-type: none"> ▪ Maintains vehicular circulation ▪ Mix of parallel and diagonal parking ▪ Small seating parklets in select parking spots ▪ New and enhanced landscaping ▪ Mix of existing and new trees | <ul style="list-style-type: none"> ▪ Pedestrian-only street experience ▪ Park-like environment ▪ Large dining and gathering patios ▪ New and enhanced landscaping ▪ Mix of existing and new trees | <ul style="list-style-type: none"> ▪ Maintains vehicular circulation ▪ Drop-off zones and handicap parking provided ▪ Large dining and gathering patios ▪ New and enhanced landscaping ▪ All-new trees |



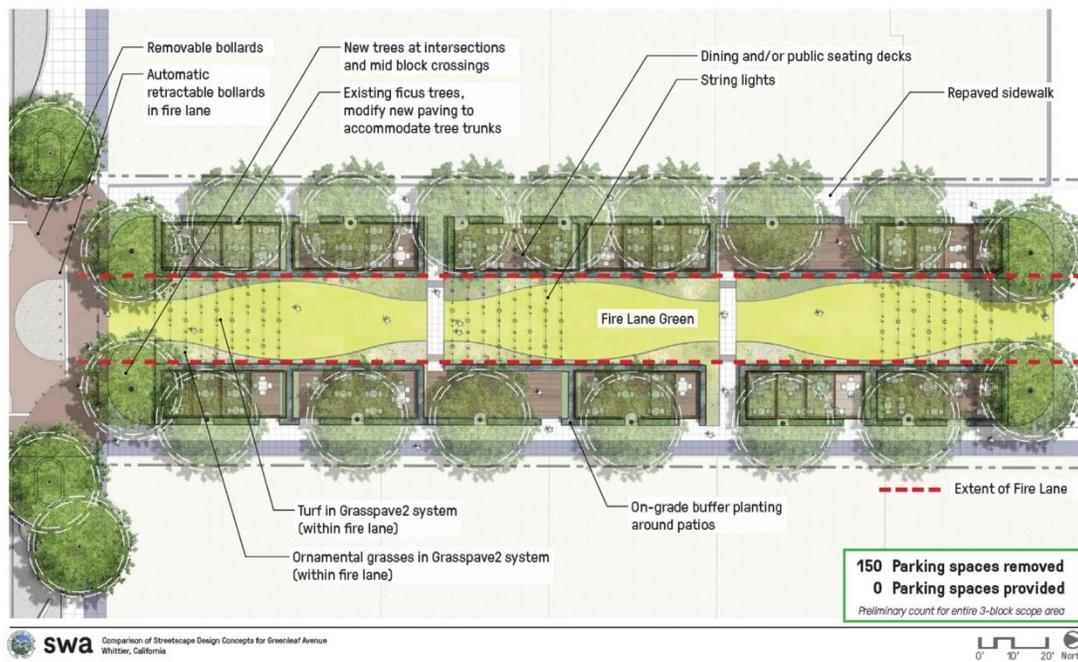
When speaking about the Gardens of Uptown, Kyle Cason stated it is the option with the most parking. When describing the Pedestrian Promenade, he said 150 parking spaces would be gone, and it would “likely need to remove most existing trees.” When describing the Open St. Promenade, Kyle said 126 parking spaces would be gone and would “need to remove most of the trees.” He did NOT review the bullet points under each option when showing the comparison picture above. **That picture clearly shows the Pedestrian Promenade includes a mix of EXISTING and NEW trees while the Open St. Promenade has ALL NEW TREES.**

At that June 14, 2022 City Council meeting, Fernando Dutra was the only council member who expressed concern about saving the existing Greenleaf Av trees. Other council members talked

about loss of parking spaces⁴ and skateboarding (Jessica Martinez), or focused on businesses (Octavio Martinez & Cathy Warner - their comments are below). Brian Saeki clarified the design and materials for all three options eliminates skateboarding.

Fernando Dutra asked “Which of these three options preserves the most existing trees?” Brian Saeki responded: “The Gardens of Uptown preserves some trees, the other options do not.” **That is incorrect!** The SWA-designed Pedestrian Promenade clearly describes and illustrates a mix of existing trees and new trees. As shown in the SWA illustration below, **more than half (approximately 70+%) of the ficus trees would remain. New trees are depicted ONLY at the intersections and crosswalks. And new pavement to accommodate existing tree trunks is clearly specified⁵.**

1/2 Block Concept - 2021 Pedestrian Promenade Option



Fernando Dutra strongly advocated for the closed Pedestrian Promenade option, stating that is what has been talked about for the past 5-6 years, and was the basis for the “poll (Survey) that

⁴ The Open St. Promenade (hybrid) adopted by the City Council on 12/12/23 and again on 6/18/24 eliminates **84%** of existing on-street parking spaces in the three block Promenade area (126 of 150 parking spaces gone, with only 24 remaining). The Pedestrian Promenade would remove those 24 spaces. Either Plan relies upon the two parking garages and adjacent surface lots with 825 identified parking spaces to accommodate Promenade parking needs.

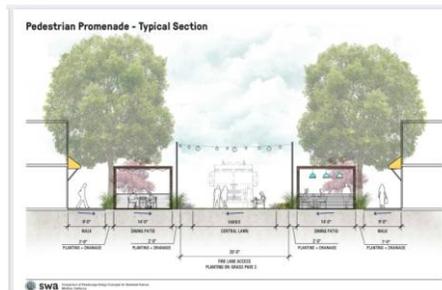
⁵ SWA design documents for the Pedestrian Promenade identify grading challenges exceeding 2% in multiple directions, stating that issue can be addressed with a comprehensive design strategy, landscaping, and upgrading pavement throughout the site, “preserving the eclectic feel and modularity of the current street configuration”.

we spent thousands of dollars on”. He lamented that there has never been enough foot traffic in Uptown, but with the pandemic and the street closing, Uptown was busier than ever and survived the pandemic. He said he would not agree to a totally open street design.

Octavio Martinez mentioned that the Open St. Promenade seems more favored by businesses (there were six public comments at that June 14, 2022 meeting about the Greenleaf Promenade). Cathy Warner said “for many reasons, any part of Greenleaf being closed doesn’t work for me.” She didn’t give any reasons stating it was 10 pm and good decisions don’t happen after 10 pm. Due to the late hour and apparent 2-2 deadlock vote⁶, Brian Saeki pleaded to suspend the item and bring it back for a decision at the next meeting.

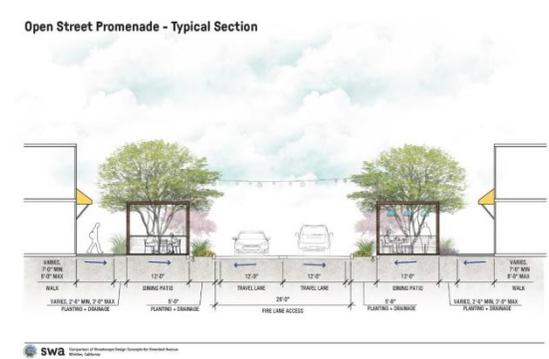
June 28, 2022 City Council meeting: The die is cast during this meeting. During public comment there were 14 speakers on the Greenleaf Promenade. Several businesses spoke in favor of a closed Pedestrian Promenade. A tiny number of retailers spoke against a closed Pedestrian Promenade (the same people who spoke at the June 14th meeting). And, as the Community Survey data of all Uptown business owners and property owners clearly reveals, the number of businesses opposed to a closed Pedestrian Promenade is miniscule.

However, in an attempt to accommodate ALL businesses, representatives of the Chamber of Commerce, Whittier Uptown Association and Uptown Whittier Improvement Association spoke saying “all three groups of stakeholders” met and prefer an Open St. Promenade with the option to close on weekends and special events (hybrid). Cathy Warner asked someone “to do the math” regarding how many people those three organizations represent. The Council says “it’s a lot”, about 1,400 (many members of those organizations overlap. And nobody mentioned that a super-majority of businesses supported the Pedestrian Promenade.) **There was NO discussion of the fate of Greenleaf Ave. existing trees!** The vote was taken: 3-1 in favor of Open St. Promenade (hybrid) with Fernando Dutra voting No, as he continued to advocate for a Pedestrian Promenade which 86% of the public and 74-83% of businesses want, as documented by the Survey data.



NOTE: Outdoor Dining Spaces depth⁷ and Planting + Drainage. Existing ficus trees shown.

⁶ Cathy W and Octavio M for Open St. Promenade; Fernando D and Jessica M for closed Pedestrian Promenade.
⁷ Fernando Dutra also asked at the June 14, 2022 meeting “which option gives the most space for outdoor dining?” Kyle Cason didn’t specifically respond (he alluded to a maximum of 500 sq. ft.) But the SWA diagram above clearly shows the Pedestrian Promenade provides the most outdoor dining space, extending out 14 ft. compared to the Open St. Promenade, extending out 12 ft. Kyle also mentioned it’s easier for outdoor dining with a closed Pedestrian Promenade because no traffic protects outdoor dining spaces better.



NOTE: Size of Outdoor Dining Spaces AND Planting + Drainage depth. All new trees.

Seismic Shift - Tree Advocacy Takes the Spotlight

The City Council finalized the vote on the Greenleaf Promenade on Dec. 12, 2023. Public outrage exploded after residents learned that the chosen design entailed chopping down the entire iconic tree canopy. Beginning with the first Council meeting in Jan. 2024, and repeatedly ever since, hundreds of angry residents have filled the Council chambers to overflowing, speaking vociferously against the planned tree massacre. Hundreds more have written heart-wrenching letters begging the City Council to save the tree canopy. **A Petition to Save our Trees in Uptown**, <https://chng.it/fFN5cS8yVP> was started in late March⁸ and took off! Since the June 18, 2024 City Council re-vote, the **Petition** is more active than ever with 4,797+ signatures and growing daily. Community-wide outrage has intensified and continues to gain momentum as more people learn every day about the planned, drastic, 100% tree removal.

It is now crystal clear that Uptown tree advocates will NOT go away. Media coverage of this tree controversy is widespread, including by *The Los Angeles Times*, *Whittier Daily News*, *TV Channels 5, 7, 9, Spectrum 1 and others*, and will surely continue. Reporters can envision what all of Whittier realizes would be a horrific scene if chain saws appear to chop down ALL of these healthy, shady trees that people love and will defend...

And NOW the public will learn there WAS and still IS a Greenleaf Promenade solution that Keeps the Tree Canopy, designed by SWA, proposed to the City Council, and enthusiastically embraced by a super majority in Whittier: 86% of Survey respondents including 74% of Uptown business owners and 83% of Uptown business property owners.

And WHY was the dream of a Pedestrian Promenade lined with tall, shady trees, in a beautiful garden-like setting rejected by the majority of the City Council? They were erroneously told that existing trees would be gone in either Plan, so they might as well “split the baby” with a hybrid approach to a Promenade Plan that, at the time, appeared to appease everyone⁹. That

⁸ Originated by Whittier residents Eva Rodriguez, Fullerton College freshman, and Cal High senior Noa Larios .

⁹ All cities deal with liability and insurance costs, including related to city-owned/maintained trees. At both the Feb. 20, 2024 and April 30, 2024 City Council meetings/study sessions on the Greenleaf Promenade, Brian Saeki admitted that cutting down these 108 trees in Uptown, out of 26,000 City-owned trees, would not impact the City's insurance costs or liability. How could it? Is the “final solution” chopping down all of the city-owned trees?

“compromise” did not foresee the tsunami of public outrage and widespread community dissent that erupted and continues to accelerate. That must end and can be turned around.

How to Get There...

It will require bringing the project back for a vote to again modify the design to approve the Pedestrian Promenade option already designed by SWA. Fernando Dutra strongly advocated for this approach - a Pedestrian Promenade that Keeps the Tree Canopy. Mary Ann Pacheco voted against the Open St. Promenade (hybrid) on June 18, 2024, citing the community furor. She would likely be amenable to supporting what 86% of Whittier respondents, including 74-83% of businesses, embraced in the Community Survey. Octavio Martinez and Cathy Warner are heavily influenced by the business community represented by the three associations, but also by residents and voters they represent. And a super-majority of the business owners and business property owners that the associations represent advocated in the Survey for a closed Pedestrian Promenade. Businesses are also affected by overwhelming public opinion.

At the June 28, 2022 Council meeting described above, Cathy Warner said “For me, during my years of public service, if I am given additional information that a better decision can be made, I hope that I’m always willing to make a better decision based on changing circumstances and opinions...” At that same meeting, Octavio Martinez supported the business community with their preferred hybrid plan. He alluded to the Survey results showing overwhelming support for the Pedestrian Promenade but said “those 2,000 people aren’t here today.” Now it’s a LOT more than 2,000... The barrage of emails/letters to the City Council, public comment speakers at every City Council meeting, and 4,797+ petition signers and growing is **unrelenting**. Elected representatives can and should be flexible to re-consider the option enthusiastically supported by the super-majority of residents and businesses, a true Pedestrian Promenade. And no vehicle traffic would eliminate noise and exhaust fumes, greatly enhancing the outdoor dining experience, shopping and strolling along the Promenade.

Talking about Whittier City Council vote re-consideration, an article was recently published on that topic in the *Whittier Daily News* (Sunday, June 30). Columnist Mike Sprague retells the history of the City Council vote reversal on the fireworks issue. In Feb. 2007, on a 4-1 vote (Cathy Warner, Bob Henderson, Greg Nordbak and Joe Vinatieri), they voted to allow use and sale of fireworks (Owen Newcomer opposed). In April 2007, the Council reversed course and voted unanimously 5-0 to ban all fireworks. **The reason for the reversal was public opinion.**¹⁰

¹⁰ This news article cites Greg Nordbak saying he received about 2,400 comments about the fireworks, with only three supporting keeping fireworks legal. Bob Henderson is quoted as saying “I remember Joe coming to me and saying ‘What do we do now?’” He replied “We reverse our position and do it. It’s one we lost. You just have to back off.” Mayor Joe Vinatieri, in an interview this year, told Sprague, “It was a good lesson for me to learn as a good councilman. Sometimes you take positions that might not be in the best interests of the whole community. You try to do the best you can but sometimes you just call it wrong.”

A Pedestrian Promenade was promised all along. This would be a WIN/WIN, bringing all of Whittier together, resulting in a **beautiful** Pedestrian Promenade (SWA illustration below):



Constrast that picture with this SWA illustration (below) of the currently approved project, devoid of our iconic tree canopy and vociferously opposed by the public:



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Adopting the Pedestrian Promenade option is a WIN-WIN solution for the Greenleaf Promenade to become THE destination on the Eastside! This major project could move ahead rapidly with enthusiastic community-wide support. The public would applaud your wisdom in re-considering.

Sincerely,



Conny McCormack
28-year resident of Whittier
Former L.A. County Registrar-Recorder/County Clerk (Ret.)

cc: Joe Vinatieri, Mayor of Whittier
Brian Saeki, City Manager
Nicole Shahenian, President & CEO, Whittier Area Chamber of Commerce
Justin Tipton, President, Whittier Uptown Association
David Gonzales, President, Whittier Uptown Improvement Association
Eva Rodriguez, Save our Trees in Uptown Whittier, Petition originator
Noa Larios, Save our Trees in Uptown Whittier, Petition co-originator
Rigo Garcia, City Clerk