

APPROVED

MAR 20 2019

BOARD OF RECREATION AND PARK COMMISSIONERS

BOARD REPORT

NO. 19-062

DATE March 20, 2019

C.D. 10

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: LAFAYETTE PARK – PROPOSED EMERGENCY USE OF A PORTION OF THE PARK FOR A TEMPORARY HOMELESS SHELTER AND STORAGE FACILITY FOR THE HOMELESS FOR A PERIOD NOT TO EXCEED THREE (3) YEARS – CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO ARTICLE III CLASS 1(8) [MAINTENANCE OF EXISTING LANDSCAPING], CLASS 1(12) [OUTDOOR LIGHTING AND FENCING FOR SECURITY PURPOSES], CLASS 4(1) [MINOR GRADING ON LAND THAT OCCURS WITH A SLOPE OF LESS THAN 10%], CLASS 4(3) [NEW LANDSCAPING] AND CLASS 4(6) [TEMPORARY USE OF LAND THAT HAS NO PERMANENT EFFECT UPON THE ENVIRONMENT] OF CITY CEQA GUIDELINES AND TO ARTICLE 19, SECTIONS 15301(H) [MAINTENANCE OF EXISTING LANDSCAPING], 15303(3C) [NEW CONSTRUCTION OF A STORE, MOTEL, OFFICE, RESTAURANT OR SIMILAR COMMERCIAL STRUCTURE NOT EXCEEDING 10,000 SQUARE FEET IN FLOOR AREA ON SITES ZONED FOR SUCH USE, WHERE ALL NECESSARY PUBLIC SERVICES AND FACILITIES ARE AVAILABLE, AND THE SURROUNDING AREA IS NOT ENVIRONMENTALLY SENSITIVE], 15304(A) [GRADING ON LAND WITH A SLOPE OF LESS THAN 10 PERCENT], 15304(B) [NEW GARDENING OR LANDSCAPING], AND 15304(E) [MINOR TEMPORARY USE OF LAND HAVING NEGLIGIBLE OR NO PERMANENT EFFECTS ON THE ENVIRONMENT]

AP Diaz _____

V. Israel _____

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*R. Barajas *CSD* _____

S. Piña-Cortez _____

H. Fujita _____

N. Williams _____



 General Manager

Approved X
With Amendments

Disapproved _____

Withdrawn _____

RECOMMENDATIONS

1. Concur with the Los Angeles City Council's action of April 17, 2018 declaring a Homeless Shelter Crisis in the City of Los Angeles (Council File (CF) No. 15-1138-S33);
2. Find that the emergency use, for a temporary period not to exceed three (3) years, of a portion of the Department of Recreation and Park's (RAP) Lafayette Park (Exhibit A) located at 625 South Lafayette Place, Los Angeles, California 90057 (Los Angeles County Assessor's Parcel No. (APN) 5077-006-901), as a temporary homeless shelter and personal storage site (Project), is consistent with use of a portion of Lafayette Park (Exhibit

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B) for park purposes;

3. Approve the proposed Project as further described in the Summary of this Report for a portion of Lafayette Park (Exhibit B), for a period not to exceed three (3) years;
4. Authorize the General Manager or designee to issue Temporary Right of Entry (TROE) Permits, as needed, to the Department of Public Works, Bureau of Engineering (BOE), Department of General Services (GSD) or other City Departments to conduct site preparation, utility installation, and construction and other works related to the installation of the proposed Project at Lafayette Park;
5. Authorize the General Manager or designee to issue a TROE Permit to the Los Angeles Homeless Services Authority and/or Chrysalis and/or any designated City Department for the operation, security and maintenance of the proposed Project for a period not to exceed three (3) years;
6. Find that the proposed Project is categorically exempt from the California Environmental Quality Act (CEQA);
7. Direct Staff to file the Notice of Exemption (NOE) within five (5) working days of approval; and,
8. Direct RAP's Chief Financial Officer or designee to authorize a check to the Los Angeles County Clerk in the amount of Seventy-Five Dollars (\$75.00) for filing the NOE.

SUMMARY

Lafayette Park is a 9.72-acre park located at 625 South Lafayette Park Place, Los Angeles (Exhibit A) that is divided by Wilshire Boulevard into two separate parcels. The larger, northern parcel contains a multi-purpose building with an auditorium and various community rooms, basketball courts, a children's play area, picnic tables, and a lighted soccer field. An Arts and Recreation Center, which the Board of Recreation and Park Commissioners (Board) approved in 2017, is currently under construction in the northern parcel. The smaller, southern parcel contains two tennis courts and landscaping. This Project, when completed, will be located on the southern parcel and will include club rooms, activity rooms, offices, practice rooms, as well as a large ensemble and performance space for public music, theater, and community events.

Homeless Shelter Crisis Background

According to the 2018 Homeless Count released by the Los Angeles Homeless Services Authority (LAHSA), the City of Los Angeles has a homeless population totaling approximately 31,285 individuals, with approximately 22,887 of these considered to be unsheltered on any given night. The LAHSA also released a recent Housing Inventory Count (HIC) that shows that the City's current shelter inventory is approximately 7,646 beds, which includes emergency shelter and

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transitional housing programs. The limited number of shelter beds within the City, in conjunction with the current unsheltered population of approximately 22,887 individuals in any given night, demonstrates that there is currently a demand that surpasses the supply of the City's shelter inventory.

In April 17, 2018, the City Council (CF No. 15-1138-S33), with the support of the Mayor, unanimously voted to declare an emergency shelter crisis in the City of Los Angeles. With this declaration and pursuant to Los Angeles Municipal Code (LAMC) 12.80 and 12.81, shelters may now be established and operated on non-governmental property as well as property owned or leased by the City of Los Angeles in any zone without limits.

On May 30, 2018, Mayor Garcetti issued Executive Directive No. 24 which directed fifteen (15) City Departments to prioritize and facilitate the construction of temporary emergency homeless shelters also called Bridge Housing. Although, RAP was not one of the fifteen (15) City Departments named in the subject directive, RAP, with its over four hundred fifty (450) parks, has been asked to contribute to alleviating the emergency shelter crisis within the City of Los Angeles through the proposed Project.

It should be noted that RAP has a long history of being in the forefront of providing services and facilities during emergencies. In the last two (2) years alone, eighteen (18) recreation centers have been used/activated as emergency shelters. During this time period, over 2,600 people and 24 pets have been provided refuge from fires, hot and cold weather, floods, gas explosions, and extended power outages.

Proposed Bridge Housing/Emergency Crisis Center and Storage Site

The proposed Project is a temporary homeless shelter that will operate for up to three (3) years and will provide emergency shelter, hygiene, storage, food services and case management for homeless individuals. The proposed site is a triangle shaped parcel located at the south-east portion of RAP's Lafayette Park at 625 South Lafayette Park Place, Los Angeles, CA 90057 with APN 5077-006-901 (Exhibit B). This parcel measures approximately 30,127 square-feet and includes two (2) tennis courts, landscaping, twenty-five (25) trees and no parking. The Project is intended to serve the local homeless community within the surrounding Wilshire community and may require the removal of up to three (3) of the existing trees. Replacement trees will be planted onsite.

The proposed design ([Exhibit C-1](#)) is attached to this Report:

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One or more of the various Bureaus under the Department of Public Works and the Los Angeles Department of Water and Power will need access to the park to construct and install the emergency homeless shelter. Should the Board approve the proposed Project, temporary right of entry permits will be issued to the appropriate Departments to complete the work.

Operation of the Proposed Bridge Housing/Emergency Crisis Center and Storage Site

The Los Angeles Homeless Services Authority (LAHSA) will operate the proposed Bridge Housing/Emergency Crisis Center and Storage Site. It is an independent, joint powers authority created by the Mayor, Los Angeles City Council, and the Los Angeles County Board of Supervisors to coordinate and manage the various programs that provide shelter, housing, and services to homeless people throughout Los Angeles City and County.

Should the Board approve the proposed Project, temporary right of entry permits will be issued to LAHSA or its designated contractor or service provider to operate and maintain the center.

Historical Precedent for the Emergency Use of Dedicated Park Property

At the end of World War II, veterans returned home to Los Angeles to find a City with a critical shortage of available housing. This situation was not limited to Los Angeles and was actually a nationwide problem leaving local and federal officials scrambling to find solutions. In December 1945, the Federal Housing Authority made surplus military dwellings, such as Quonset huts and barracks, along with funds to convert these military dwellings to temporary domestic use available to the City of Los Angeles. The City only needed to provide the appropriate sites and utilities.

In January 1946, the city's housing authority was permitted to use a 160-acre tract within the approximate 4000 existing acres of Griffith Park. Up to 750 Quonset huts were converted into duplexes for 1500 family units to house an estimated total population of 6000 residents. This housing area was named the Roger Young Village in honor of war hero Roger Young who posthumously received the Congressional Medal of Honor for gallantry in action on the Solomon Islands in 1943.

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This use was challenged by Van Griffith, the son of Griffith J. Griffith, and then Los Angeles City Police Commissioner, when he filed an injunction to halt the project on the basis that the City acquired the land for a park purpose and should be used as a park in perpetuity. This case is referred to as *Griffith v. City of Los Angeles* (1947) 78 Cal. App. 2d 796. The appellate court concluded that the city had general authority under the charter to use the land for all proper park purposes regardless of what the state authorized and that the use contemplated by the veteran's house project was, in fact, a park purpose. The court's analysis further determined that the interference with recreational uses for the duration of the emergency was insignificant and inconsequential to justify interference by the courts. The court's ruling rejected the injunction and the project was completed.

Similarities with the current Emergency Shelter Crisis

In the Griffith case, the State Legislature declared a housing crisis in the state and directed that parks be considered as the best and most accessible sites for temporary emergency housing. As noted, the City Council with the support of Mayor, declared an emergency shelter crisis on April 17, 2018. The declaration also directed that all City owned property or leased property be used for emergency shelters.

In the Griffith case, the proposed use of a portion of Griffith Park for temporary emergency housing was three (3) years. The City Council's and Mayor's declaration also proposed the use of City owned or leased property for emergency shelters for a period of three (3) years.

In the Griffith case, the courts determined that the temporary emergency housing didn't interrupt any actual playground or other recreational facilities. The proposed Project location currently contains two (2) tennis courts, landscaping and three (3) trees that will be displaced by the Project. Fortunately, the Department's Shatto Recreation Center, which is located less than one (1) mile away, has four (4) tennis courts that are available for use. Echo Park Recreation Center, which is located less than two (2) miles away, also has six (6) tennis courts that are available for use. The Department, **will** obtain permits to utilize two (2) additional tennis courts at Belmont High School which is less than two (2) miles away. There is adequate landscaping within the rest of Lafayette Park and, in accordance with the design plans, the three (3) trees that will be displaced will be replaced with three (3) trees on site.

As previously noted, RAP has a long history of providing emergency services and facilities. In 1994, a 6.7 magnitude earthquake shook the San Fernando Valley. The earthquake's epicenter was located in Reseda. Fifty-eight (58) people were killed and over 9,000 were injured. More than 80,000 buildings throughout the region were destroyed. Over 125,000 people were displaced including over 20,000 within the City. The City's Mayor declared a state of emergency. With the assistance of the Red Cross, forty-four (44) emergency shelters/tent cities were erected at various open areas including many RAP parks. Approximately 14,000 people were provided emergency shelter.

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ENVIRONMENTAL IMPACT STATEMENT

The proposed project consists of new construction of a store, motel, office, restaurant or similar commercial structure not exceeding 10,000 square-feet in floor area on sites zoned for such use, where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive. The project is comprised of a new single-story 7,200 square-foot modular tent structure on a City-owned parcel, located in the densely populated, highly urban Wilshire community, not adjacent to environmentally sensitive areas. The project scope also includes clearing of invasive shrubs and maintenance of existing landscaping; outdoor lighting and fencing for security purposes; minor grading on land with a slope of less than 10%; new landscaping and temporary use of land that has no permanent effect upon the environment. As such, Staff recommends that the Board determine that the project is exempt from CEQA pursuant to Article III, Class 1(8) [maintenance of existing landscaping], Class 1(12) [outdoor lighting and fencing for security purposes] and Class 4(1) [minor grading on land that occurs with a slope of less than 10%], Class 4(3) [new landscaping] and Class 4(6) [temporary use of land that has no permanent effect upon the environment] of the City CEQA Guidelines and pursuant to Article 19, Section 15301(h) [maintenance of existing landscaping], 15303(c) [new construction of a store, motel, office, restaurant or similar commercial structure not exceeding 10,000 square feet in floor area on sites zoned for such use, where all necessary public services and facilities are available, and the surrounding area is not environmentally sensitive] and 15304 (a) [grading on land with a slope of less than 10 percent], 15304(b) [new gardening or landscaping], and 15304(e) [minor temporary use of land having negligible or no permanent effects on the environment] of the California CEQA Guidelines.

FISCAL IMPACT STATEMENT

All costs related to the design, construction, and operation of the proposed Project are to be identified by the City Administrative Officer. None of RAP's General Funds are to be used for this Project.

This Report has been prepared by Cid Macaraeg, Senior Management Analyst II, Planning, Maintenance and Construction Branch

List of Attachment(s)

Attachment A – Site Plan

Attachment B – Area Plan

Attachment C -1– Proposed Design

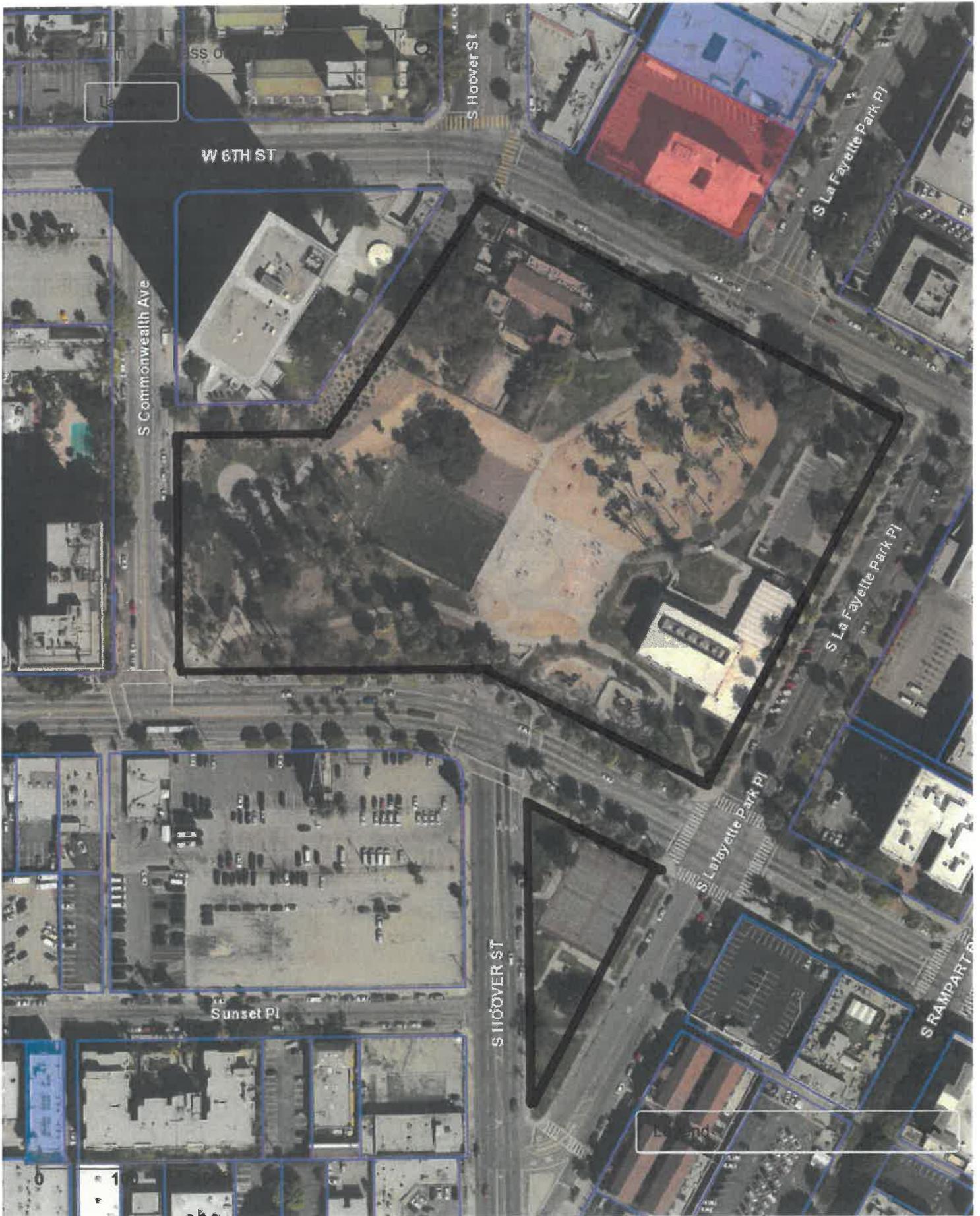


EXHIBIT A

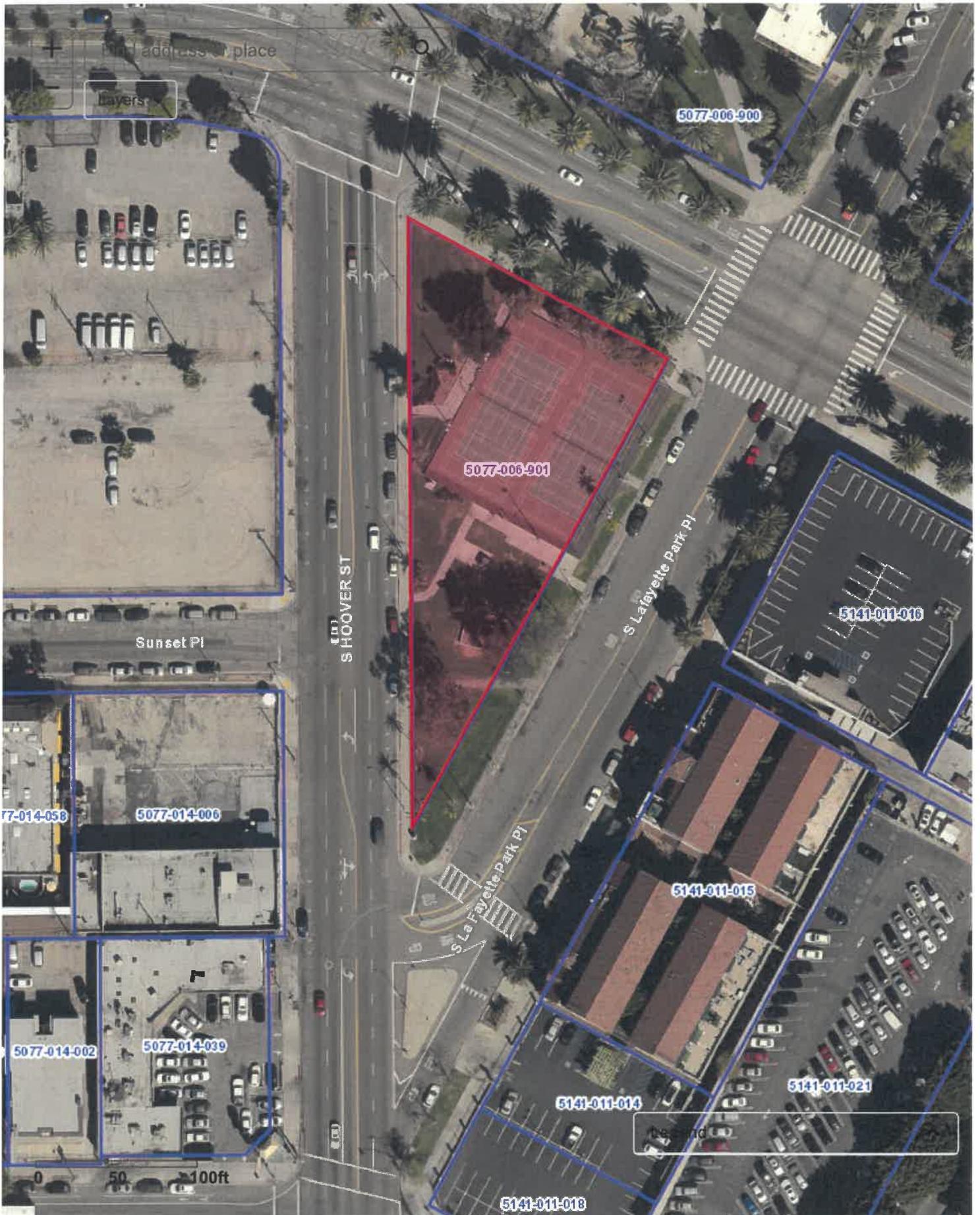
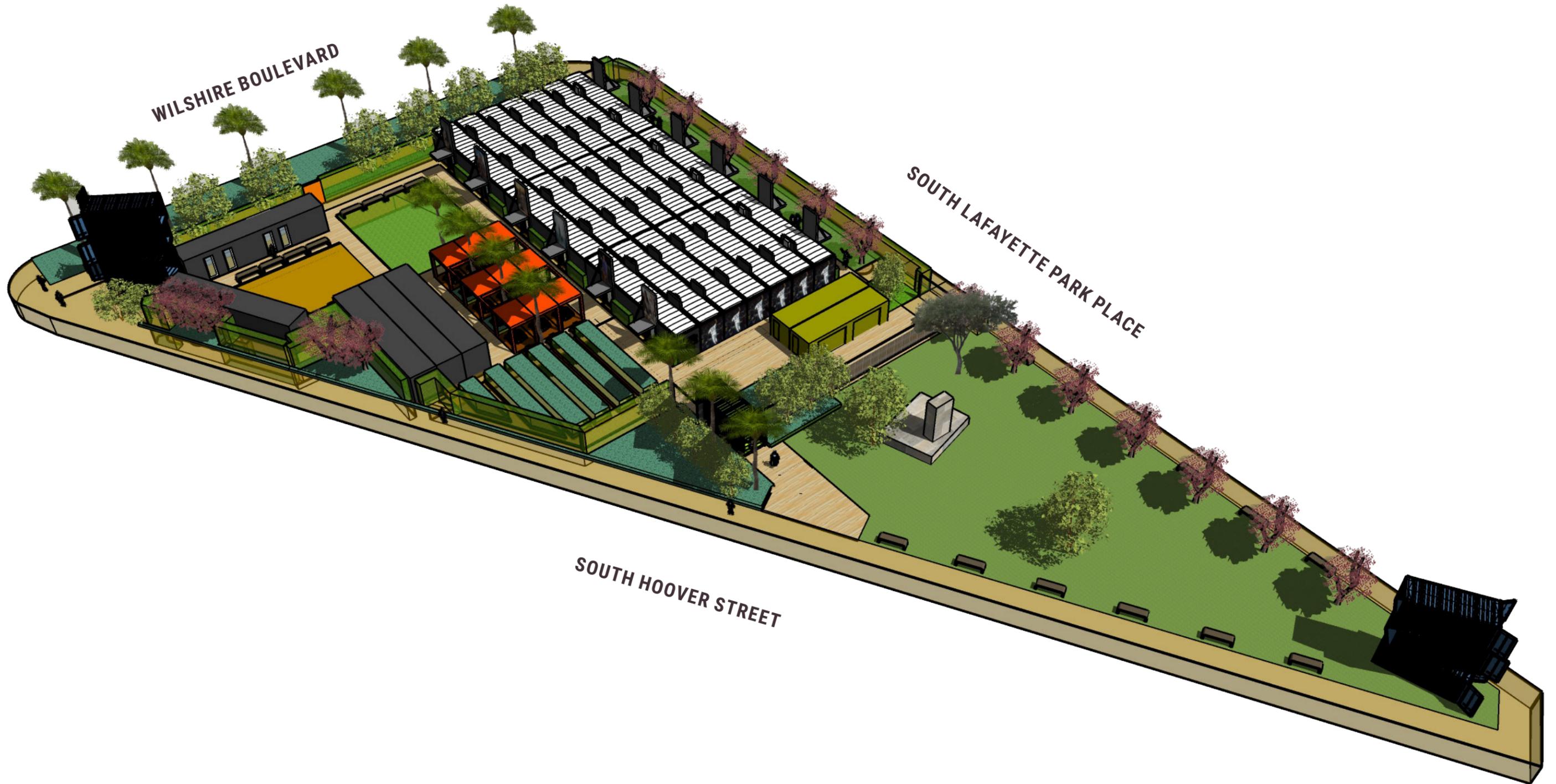


EXHIBIT B



AERIAL VIEW

