

Late Public Comment
Item H, Planning Commission Meeting
Wednesday, June 8, 2022

From: Kristin Long <klongs@gmail.com>
Sent: Friday, June 3, 2022 1:05 PM
To: Talyn Mirzakhania <tmirzakhania@manhattanbeach.gov>; List - Planning Commission <PlanningCommission@manhattanbeach.gov>; Carrie Tai, AICP <ctai@manhattanbeach.gov>
Cc: Ted Faturos <tfaturos@manhattanbeach.gov>
Subject: [EXTERNAL] Re: Planning Commission Meeting: Highrose/Project Verandas

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Secretary Tai and the Manhattan Beach Planning Commission, Talyn and Ted:

I find this entire proposal and the staff discussion to be completely suspect. The very first item on page 9 says that "based upon substantial evidence in the record staff [sic] determined that the proposed project is consistent with applicable provisions of the General Plan." But the "substantial evidence" that's cited overlooks and completely ignores the basic and most important Land Use Goals of the general plan. Notably:

Goal LU-1: Maintain the low-profile development and small town atmosphere of Manhattan Beach.

--> This says it all. This project is anything BUT low-profile and is the most ANTI small-town development one could propose.

Goal LU-2: Encourage the provision and retention of private landscaped open space.

--> What open space there is in El Porto would be effectively built upon.

Goal LU-3: Achieve a strong, positive community aesthetic.

--> the community could not be more vehemently opposed to this monstrosity. There is nothing strong or positive that could come with this.

Goal LU-4: Preserve the features of each community neighborhood, and develop solutions tailored to each neighborhood's unique characteristics.

--> This would wreck whatever community neighborhood remains in El Porto.

Goal LU-5: Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses.

--> This entire project is an intrusion on the North End.

Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

-- How is that going to happen if there's nowhere for visitors and employees to park?

And this:

Goal LU-9: Preserve the low-intensity, pedestrian-oriented character of commercial areas in the North End and El Porto.

It's hard enough to be a pedestrian in this town when cars cruise down Highland Avenue so fast they actually flip

over. <https://www.instagram.com/p/CeRjeiGvpQ9/?igshid=YmMyMTA2M2Y=>

Common sense shows that this project in this location is a terrible idea. Why can it not go on Sepulveda at Rosecrans where it wouldn't obliterate all the Land-Use Goals outlined in the General Plan?

None of this makes any sense to me. I'm disappointed in our city government that this is still in discussion. It makes me wonder what the city is getting paid to comply with it. It makes me wonder if you have tried to walk or drive in and around the intersection of Rosecrans and Highland.

I'm angry and embarrassed. And I know I'm not alone.

Sincerely,
Kristin Long Drew
122 23rd Street

On Fri, Jun 3, 2022 at 12:29 PM Talyn Mirzakhania <tmirzakhania@manhattanbeach.gov> wrote:

Dear Interested Party,

You are receiving this email because you have expressed interest in and/or made a public comment related to [the proposed Highrose El Porto/Verandas project](#) at 401 Rosecrans Avenue and 3770 Highland Avenue.

The Planning Commission will consider the four appeals of the Community Development Director's decision at a meeting to be held on Wednesday, June 8th, 2022. The meeting will take place at 3:00 p.m. in a hybrid Zoom/in-person format. If you choose to participate in person, the Planning Commission will be meeting in the City Council Chambers inside City Hall at 1400 Highland Avenue. You should arrive before the meeting starts to find parking and a seat inside the Council Chambers. Alternatively, you may participate via Zoom following the instructions provided in the meeting [Agenda](#).

The [staff report](#) has been published on the City's website and is available for review.

TALYN MIRZAKHANIAN
PLANNING MANAGER



310-802-5510
tmirzakhania@manhattanbeach.gov

CITY OF MANHATTAN BEACH 1400 Highland Avenue Manhattan Beach, CA 90266
Office Hours: M-Th 8:00 AM-5:00 PM | Fridays 8:00 AM-4:00 PM | Not Applicable to Public Safety

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From: Mark Burton <markfburton@gmail.com>

Sent: Saturday, June 4, 2022 1:53 PM

To: Gerry T. Morton <gmorton@manhattanbeach.gov>; Jim Dillavou <jdillavou@manhattanbeach.gov>; Joseph Ungoco <jungoco@manhattanbeach.gov>; Kristin Sistos <ksistos@manhattanbeach.gov>; List - Planning Commission <PlanningCommission@manhattanbeach.gov>; Ted Faturos <tfaturos@manhattanbeach.gov>

Subject: [EXTERNAL] HIGHROSE LUXURY APARTMENTS

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Honorable Planning Commissioners:

As a resident of our community, I cherish our low-profile character. Our low-profile character distinguishes us from other cities. Quite simply, this low-profile character is the essence of who we are as a hometown community. For this reason, I am requesting that you exercise your inherent discretion and deny the application for the four story Highrose luxury apartment complex. This behemoth of a project is wholly out of character in our City.

In the alternative, I am requesting that you return the application to the Community Development Director, and direct that a full CEQA analysis be completed. The project site is environmentally, and safety challenged, like no other, with toxic waste, oil pipelines, nearby oil storage tanks, higher voltage power lines, an adjacent high-volume traffic intersection, and other concerns. I am further requesting that you direct the Community Development Director to negotiate a public/private development with the applicant that includes mixed use and/or a commercial use, with retail and restaurant uses that benefit the surrounding neighborhood and community at large. It is noteworthy that the project site has always been for commercial use, with retail and restaurant uses that benefit the surrounding neighborhood and community at large.

As the city officials appointed by our City Council, you represent the residents of our community as well. Therefore, I expect that you will

exercise your inherent discretion to the maximum, to benefit our community. You well know, as we all do, that this four story Highrose luxury apartment complex is just obscene, and an affront to all residents of this wonderful and special community. Please do the right thing for our residents.

Kind regards, Mark

--

(310) 562-7897

Email: markburton@gmail.com

From: Jenny Rocci <jarocci@gmail.com>
Sent: Monday, June 6, 2022 3:54 PM
To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>
Cc: List - City Council <CityCouncil@manhattanbeach.gov>
Subject: [EXTERNAL] Planning Commission - Verandas Project

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As someone who used to rent in El Porto but could not afford to purchase a home in the area, the Verandas project will provide much needed inventory of more affordable housing for people with a single income household. It is a struggle to purchase a home here for dual-income households, let alone being a single person. I will transparently say that I make enough money to qualify for the project price range of the proposed project residences. Before the commission makes a decision, please evaluate the benefits of the development. Unfortunately we live in a very popular place for good reason, and we should be a society that promotes opportunity, not excludes it for just those who have had the privilege to purchase in El Porto.

--

Jenny Rocci
jarocci@gmail.com
(310)367-9905

From: KIM RILEY <kriley555@yahoo.com>

Date: June 7, 2022 at 07:09:18 PDT

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Subject: [EXTERNAL] Housing

Reply-To: KIM RILEY <kriley555@yahoo.com>

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Hello

I would like my opinion noted as against this development.

It truly is a \$\$ grab for development co.

If city ...or state..really cared, it should be at least 50% low income, not 6 units.

That being said...this spot could not be a worse location in the entire city. Our infrastructure at that corner just can't, nor ever will, be able to handle that impact.

Yes, a much smaller scale could work...but then no developer would want to lose that\$\$.

Does the new senior housing going in at goat Hill apply to any of the housing requirements?

Again, I'm opposed to this construction

Kim Riley

555 33rd st

[Sent from Yahoo Mail on Android](#)

From: Dan Stern <danstern88@aol.com>

Date: June 7, 2022 at 07:14:11 PDT

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Cc: george@bordokas.com, ron@rschendel.com, mrozenblatt@gmail.com, shellstloc@mac.com, jrfred@me.com, Andrew.ryan@theryanlawgroup.com, dmcphersonla@gmail.com

Subject: [EXTERNAL] Highrose

Reply-To: Dan Stern <danstern88@aol.com>

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Only "concessions and incentives" are required by the State.

They do not require "waivers".

The city has granted waivers that are not mandated and remain within City control.

The most egregious are 4 story vs. 3 story maximum in this district and 50ft. height vs. 30ft. height in this district.

The project can be completed, including 6 low income apartments, within the 30ft/3-story maximum (though it would generate less profit for the developer).

The project should be approved only with a 3-story, 30ft maximum.

The State maximum improvement on height is 20% not the 67% granted by the City waiver.

Dan Stern

Former Mayor

From: Mary Morigaki <marym15@verizon.net>

Date: June 7, 2022 at 08:41:51 PDT

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Subject: [EXTERNAL] HighRose Project

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Dear commissioners,

Please, please, please the Highrose project will bring NOTHING positive to the City nor the intersection of Rosecrans and Highland. Find another spot to develop per haps across Sepulveda in the Fry's lot.

Mary Morigaki

Errol Morigaki

Home Office: 310 545 7888

From: Ted Iantuono <tiantuono@verizon.net>

Date: June 7, 2022 at 09:26:29 PDT

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Cc: Teddy Iantuono <tiantuono@verizon.net>

Subject: [EXTERNAL] Highrose Project

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Dear Commission Members -

I write to you to share my opposition to the Highrose project and its sidestepping of our local zoning rules. In particular, the 30-foot height limit, has been and continues to be sacred in Manhattan Beach. It protects the charm of our city and it protects the property values of those within view of any buildings that violate those rules. People who own property in the area around the subject project (not me) bought that property with the understanding that 30 feet is the highest anyone can legally build. This project would transfer value from those owners to the Highrose owners (their properties are worth less and the Highrose property is worth more than it would be if it were developed within the rules that have been in place for years and are still in place). This is entirely unfair and it calls into question other rules on the books. This is not how to promote consistency and stability. If this project succeeds, others will follow, and many other standing rules will be tested. The result is a downward spiral that is not what we all signed up for when we purchased in MB. I appreciate that this issue was created by the State, but it is your job to protect from this sort of abuse. Please put this project on hold while the matter of the State overstepping its rights with respect to local zoning can be resolved. I also appreciate that a lack of housing is a state wide issue that impacts all communities, and solutions are needed; however, promoting lawless real estate development is not the answer. Thank you for your consideration.

Best, Ted

Ted Iantuono

310-487-6665

Tiantuono@verizon.net

From: kimberlee k <4kimberleekelly@gmail.com>
Sent: Tuesday, June 7, 2022 1:17 PM
To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>
Subject: [EXTERNAL] High Rose Apartments

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Hi,

I am writing to you regarding the Highrose Apartment Project. I was born in Manhattan Beach and over the years I have seen this town grow and prosper. However, even with our growth, we have managed to keep our small town appeal. This is due to our strict building regulations and height restrictions that have prevented large apartment complexes from bordering our beaches. Unfortunately, that small town appeal is becoming harder and harder to find along our California coastline and has made our small town charm that much more precious. Do not let Marlin Equity destroy our image by dramatically changing our landscape.

The Highrose Apartment complex is so wrong for our community for so many reasons:

- 1) The height variance, although granted by the state, needs to be fought. Look at Santa Monica or Redondo. The last thing our town desires is to be surrounded by high apartment complexes. I guarantee if you let this pass without a fight, other developers will be lining up to buy property. In fact, Marlin Equities has already purchased another property on the NW corner of Highland and Rosecrans.
- 2) Northwest Manhattan Beach is already the densest part of Manhattan Beach. To significantly increase the density in this section of the town is completely irresponsible. Alma is supposed to be a two way street, but it is so congested with parking you can not drive down it without having to pull over so oncoming cars can pass.
- 3). Due to our density, the infrastructure in Northwest Manhattan Beach is barely surviving. NW Manhattan has more power outages and poor internet issues than any other part of town. How are these infrastructures going to be impacted by significantly increasing the density?
- 4). Rosecrans is so busy that the speed limit going west bound has to drop from 45 to 35 mph after you pass Blanche due to the number of traffic collisions in the area. The traffic will significantly increase with a 79 unit apartment building just after this blind approach to Highland. Even if you add a traffic signal at Alma for this complex, that will only serve to heighten the problem of this blind approach and increase collisions. In addition, Marlin Equity has applied for an encroachment variance that might prevent future solutions to the traffic problem once the congestion is confirmed.
- 5) Currently Marlin Equity has designed the reception area for the complex to be on Rosecrans. That means that all Amazon, UPS, and other delivery services will double park to deliver packages on Rosecrans. Again this will only serve to disrupt traffic on the already busy Rosecrans. In addition, where are the moving trucks going to park? Marlin Equity has not provided ample parking for its tenants, visitors, and moving trucks by current City standards but rather are relying on the less restrictive state mandates.
- 6) State laws have allowed Marlin Equities to bypass any environmental studies, traffic studies, and the Coastal Commission. We have no idea what the actual impact of this project will have on our community and infrastructure.

Although I recognize that Marlin Equities is working within the newly granted state laws, as a City, we need to do everything possible to put this project on hold until this dispute between City and the State can be challenged. Please don't make your legacy be the ones that destroyed our hometown appeal.

Kimberlee Kelly

From: kyra waldron <kwaldron333@gmail.com>

Sent: Tuesday, June 7, 2022 1:38 PM

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Subject: [EXTERNAL] Highrose Development at Rosecrans and Highland Ave.

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Dear Commission Members:

We are writing to strongly object to the Highrose Development on the property where Veranda is located in El Porto. The density of this project is way too much for the area and should not be allowed.

In addition, the parking for the new units must be adequately addressed because the congestion in the area is a problem already. There should be ample parking for each of the units to be built and one parking space is not enough for a two bedroom unit since more than one person will be living there. We urge you to reconsider the size and impact of this development on El Porto and make reasonable changes in unit count and parking accommodations.

We have lived in El Porto and currently own property in El Porto so we know that parking is a constant problem.

Thank you, Bob & Kyra Waldron

From: vic schultz <vicschultz@hotmail.com>

Sent: Tuesday, June 7, 2022 2:39 PM

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Subject: [EXTERNAL]

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

i am against the project scheduled for the veranda site in M.B. if you decide to approve this project, then the rules should be applied equally to all past and future structures. otherwise , the project is not fair. also, all the units should be low cost not just a few to get by the existing rules. if we need low cost housing, then all of the units built for this site should be low cost. we don't need just a few units so then a builder can break all the existing rules for height, parking etc. . STOP THIS PROJECT!!

From: Laura Santos <laura.santos@earthlink.net>

Date: June 7, 2022 at 21:38:52 PDT

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Subject: [EXTERNAL] Highrose

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I hope you can see how this project does not go with the persona of our city. If you let this project move forward you will end up spoiling our city and you will open the floodgates for other things that do not support our way of life. It will have a terrible impact on traveling through the area. It will also take a toll on the infrastructure. Beyond that what about the people who would move into the units...being so close to chemicals that are in and near the refinery??

From: Peggy Malpee <pmalpee@aol.com>

Sent: Wednesday, June 8, 2022 10:17 AM

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>; Peggy Malpee <pmalpee@aol.com>; bob@bobsievershomes.com

Subject: [EXTERNAL] Regarding the Highrose Building and Permits

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

To Whom It May Concern,

I have been a resident of the El Porto/North Manhattan Beach area for over 70 years. My great grandmother bought property here in 1931, built a triplex, and the rest is history.

I now own three pieces of property. I am an extremely responsible owner and landlord. Each rental houses only the residents it can sustain, and I provide ample parking for all. Again, I am a responsible resident and landlord.

Your plans for our community are NOT responsible. This plan for additional housing in this already crowded community will greatly impact all of us who live here. With added residents and vehicles, this is a disaster waiting to occur.

Frankly, if any of you LIVED here, you would know the potential for a perfect storm of crowding, traffic, and problems. (JUST A THOUGHT - - - how do you plan to allow vehicles to exit out of this complex? Rosecrans or Highland are already greatly impacted. Just asking. . .)

I invite you to drive down ANY street in El Porto (weekends and weekdays), and you will already see the overcrowding of cars and people. We cannot sustain an onslaught of new residents as we are bursting at the seams. To exit and enter our community on a "good" day can be VERY challenging. Think about what your plans will do to add to our congestion.

The previously written legislation guiding this plan does NOT take into account the existing issues of overcrowding we ALREADY experience in our community. PLEASE find another location to build this "dream" of yours. For us, this portends to be an absolute NIGHTMARE.

Sincerely,

peggy malpee
117 41st Street
Manhattan Beach
CA 90266

From: William Arledge <wdarledge@aol.com>

Sent: Wednesday, June 8, 2022 10:26 AM

To: List - Planning Commission <PlanningCommission@manhattanbeach.gov>

Subject: [EXTERNAL] Planning Commissions

EXTERNAL EMAIL: Do not click links or open attachments unless you trust the sender and know the content is safe.

Planning Commission Members

PLEASE don't allow such a large project like HighRose, which could aptly be renamed HighRise in this part of our quaint town. If we have to do something, East of Sepulveda would be vastly more accommodating.

Bill Arledge
40 year resident



CALIFORNIANS FOR
HOMEOWNERSHIP

CHRISTIAN GARCIA
CHRISTIAN@CAFORHOMES.ORG
TEL: (213) 739-8206

June 8, 2022

VIA EMAIL

Planning Commission
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266
Email: PlanningCommission@citymb.info

RE: Highrose El Porto / Verandas Development
401 Rosecrans Ave. and 3770 Highland Ave.

To the Planning Commission:

Californians for Homeownership is a 501(c)(3) organization devoted to using legal tools to address California's housing crisis. We are writing regarding the Highrose El Porto and Verandas project. The City's approval of this project is governed by the Housing Accountability Act, Government Code Section 65589.5. For the purposes of Government Code Section 65589.5(k)(2), this letter constitutes our written comments submitted in connection with the project.

The Housing Accountability Act generally requires the City to approve a housing development project unless the project fails to comply with "applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete." Gov. Code § 65589.5(j)(1). To count as "objective," a standard must "involve[e] no personal or subjective judgment by a public official and be[] uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official." Gov. Code § 65589.5(h)(8). In making this determination, the City must approve the project if the evidence "would allow a reasonable person to conclude" that the project met the relevant standard. Gov. Code § 65589.5(f)(4). Projects subject to modified standards pursuant to a density bonus are judged against the City's standards as modified. Gov. Code § 65589.5(j)(3).

The City is subject to strict timing requirements under the Act. If the City desires to find that a project is inconsistent with any of its land use standards, it must issue written findings to that effect within 30 to 60 days after the application to develop the project is determined to be complete. Gov. Code § 65589.5(j)(2)(A). If the City fails to do so, the project is deemed consistent with those standards. Gov. Code § 65589.5(j)(2)(B).



If the City determines that a project is consistent with its objective standards, or a project is deemed consistent with such standards, but the City nevertheless proposes to reject it, it must make written findings, supported by a preponderance of the evidence, that the project would have a “specific, adverse impact upon the public health or safety,” meaning that the project would have “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.” Gov. Code § 65589.5(j)(1)(A); *see* Gov. Code § 65589.5(k)(1)(A)(i)(II). Once again, “objective” means “involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official.” Gov. Code § 65589.5(h)(8).

Even if the City identifies legally sufficient health and safety concerns about a project, it may only reject the project if “[t]here is no feasible method to satisfactorily mitigate or avoid the adverse impact . . . other than the disapproval of the housing development project” Gov. Code § 65589.5(j)(1)(B). Thus, before rejecting a project, the City must consider all reasonable measures that could be used to mitigate the impact at issue.

For projects that provide housing for lower-income families, the Act is even more restrictive. In many cases, the City must approve such a project even if it fails to meet the City’s objective land use standards. *See* Gov. Code § 65589.5(d).

These provisions apply to the full range of housing types, including single-family homes, market-rate multifamily projects, and mixed-use developments. Gov. Code § 65589.5(h)(2); *see Honchariw v. Cty. of Stanislaus*, 200 Cal. App. 4th 1066, 1074-76 (2011). And the Legislature has directed that the Act be “interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing.” Gov. Code § 65589.5(a)(2)(L).

When a locality rejects or downsizes a housing development project without complying with the rules described above, the action may be challenged in court in a writ under Code of Civil Procedure Section 1094.5. Gov. Code § 65589.5(m). The legislature has significantly reformed this process over the last few years in an effort to increase compliance. Today, the law provides a private right of action to non-profit organizations like Californians for Homeownership. Gov. Code § 65589.5(k). A non-profit organization can sue without the involvement or approval of the project applicant, to protect the public’s interest in the development of new housing. A locality that is sued to enforce Section 65589.5 must prepare the administrative record itself, at its own expense, within 30 days after service of the petition. Gov. Code § 65589.5(m). And if an enforcement lawsuit brought by a non-profit organization is successful, the locality must pay the organization’s attorneys’ fees. Gov. Code § 65589.5(k)(2). In certain cases, the court will also impose fines that start at \$10,000 per proposed housing unit. Gov. Code § 65589.5(k)(1)(B)(i).

In recent years, there have been a number of successful lawsuits to enforce these rules:

- In *Honchariw*, 200 Cal. App. 4th 1066, the Court of Appeal vacated the County of Stanislaus's denial of an application to subdivide a parcel into eight lots for the development of market-rate housing. The court held that the county did not identify any objective standards that the proposed subdivision would not meet, and therefore violated the Housing Accountability Act in denying the application.
- In *Eden Housing, Inc. v. Town of Los Gatos*, Santa Clara County Superior Court Case No. 16CV300733, the court determined that Los Gatos had improperly denied a subdivision application based on subjective factors. The court found that the factors cited by the town, such as the quality of the site design, the unit mix, and the anticipated cost of the units, were not objective because they did not refer to specific, mandatory criteria to which the applicant could conform.
- *San Francisco Bay Area Renters Federation v. Berkeley City Council*, Alameda County Superior Court Case No. RG16834448, was the final in a series of cases relating to Berkeley's denial of an application to build three single family homes and its pretextual denial of a demolition permit to enable the project. The Court ordered the city to approve the project and to pay \$44,000 in attorneys' fees.
- In *40 Main Street Offices v. City of Los Altos*, Santa Clara County Superior Court Consolidated Case Nos. 19CV349845 & 19CV350422, the court determined that the Los Altos violated the Housing Accountability Act, among other state housing laws, by failing to identify objective land use criteria to justify denying a mixed-use residential and commercial project. The City was ultimately forced to pay approximately \$1 million in delay compensation and attorneys' fees in the case.
- In *Californians for Homeownership v. City of Huntington Beach*, Orange County Superior Court Case No. 30-2019-01107760-CU-WM-CJC, a case brought by our organization, the court ruled that Huntington Beach violated the Housing Accountability Act when it rejected a 48-unit condominium project based on vague concerns about health and safety. Following the decision, the City agreed to pay \$600,000 in attorneys' fees to our organization and two other plaintiffs.

In other cases, localities have settled lawsuits by agreeing to approve the subject projects and pay tens or hundreds of thousands of dollars in legal expenses.

Sincerely,

Christian Garcia