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HARBOR GATEWAY NORTH NEIGHBORHOOD COUNCIL

P.O. Box 3723, Gardena, CA 90247 (310) 768-3853 telephone
www.harborgatewaynorth.org HGNNC@sbcglobal.net

May 4, 2021

Councilmember Joe Buscaino
City Hall
200 N. Spring Street
Los Angeles, CA 90012

Re: Council File 21-0420 -S1 (Duke Brothers LLC, 13222 Estrella Avenue, Public Convenience and Necessity Request)

Dear Councilmember Buscaino:

On May 4, 2021, our Board voted x-x-x, on the recommendation of our Planning and Land Use Committee, to oppose granting a retail commercial cannabis license for Duke Brothers LLC (DBA Buddha Company South Bay), 13222 Estrella.

- 1) The cannabis retail outlet would be over the allotment (undue concentration) of such outlets allowed by right within the Harbor Gateway Community Plan area
- 2) The location at 13222 Estrella is not located on a commercial corridor with foot traffic. It does not adhere to Standard 2 in the Public Convenience and Necessity (PCN) Procedure: “by satisfying a higher demand for retail locations.” Rather the proposed location is zoned industrial and areas to the east are zoned industrial, with residential zones (R, R2, and R3) to the west.
- 3) Although the applicant is applying under the Social Equity Program, the residential community to the west is a social equity community (community of color) and already has a cannabis retail location at 621 Rosecrans Avenue on its southern boundaries.
- 4) The site is just north of 135th Street which already has issues with traffic speeding downhill towards the west and past the 135th Street Elementary School; opening a retail cannabis business at this site will exacerbate the existing traffic/speeding/reckless driving issues. Statistics from LAPD South Bureau Traffic should be obtained before any approval is considered.
- 5) The location at 13222 Estrella is not located at a freeway on/off ramp (neither south bound/nor north bound). The proposed location would encourage traffic to cut-through a residential neighborhood located directly to the west. The statement in the application (Page 2, paragraph 2, lines 5 and 6,) “The proposed premises is located right off the freeway exit” is untruthful, misleading, and deceptive on its face. There is no access to or from the 110 freeway exits to Estrella Avenue or 135th Street.
- 6) Per Captain Louis Pagliolonga of Southeast Division LAPD, if asked, said that he would not support the application “based on the violent crimes that are often associated with (mostly illegal) retail cannabis locations.” This position was conveyed via email to a member of the HGNNC Planning and

Land Use Committee on April 30 and in a teleconference call with Southeast Division stakeholders on April 29.

7) The Public Convenience and Necessity application requires that “the applicant shall engage with and seek written input from the following key stakeholders for the area in which the proposed Business Premises will be located, which at a minimum should include area Neighborhood Council; Los Angeles Police Department (LAPD) Division; local chamber of commerce; and at least one substance abuse intervention, prevention and treatment organization with(in) the Community Plan Area. LAPD shall provide the City Council with crime data for the area, and a letter stating their position on the application request.” The Neighborhood Council has not had sufficient notice to be able to provide written input and neither has the Southeast Division of LAPD. The lack of LAPD crime data and its official position on this application prevents our Neighborhood Council from providing stakeholders with more complete information on anticipated impacts that could result from approval of the applicant's PCN request.

In the event that the application is approved by the City Council, we recommend that the following conditions be included:

- 1) 24-hour security provided by security guards hired from a reputable security company
- 2) Landscaping for the front of the property, including shade trees, and weekly maintenance of the landscaping
- 3) Financial support of a company that will weekly remove illegally dumped items and trash from all road surfaces of Estrella north of 135th and including the Caltrans property to the west and downslope of Estrella
- 4) Review of this application one year after final approval is granted, with allowance for public comment and a public hearing.

We also ask that for future such applications, a longer period is allowed for review by a Neighborhood Council and notification to impacted stakeholders. We only learned of this application in early March 2021. Notification needs to go to every Board member electronically and also via U.S. mail to the official Neighborhood Council address on file with the Department of Neighborhood Empowerment.

Sincerely,

Franz Rodriguez, Vice Chairperson
Harbor Gateway North Neighborhood Council

cc: Cat Packer, Executive Director – Department of Cannabis Regulation
Captain Louis Paglolonga – Southeast Division, LAPD
Aksel Palacios, Planning Director – Council District 15
Caitlin Muldoon, Field Deputy- Council District 15