

*Council
File 11-1438*

**Briefing Book
For Planning & Land Use Management Committee**

~~August, 2013~~
17 Sept 2013

Beverly Grove RFA Ordinance



Prepared by

Beverly Grove Alliance

www.beverlygrove.org

www.facebook.com/NoMoreMcMansionsInBeverlyGrove

The Beverly Grove Alliance is a grass-roots group of Beverly Grove homeowners and residents who support the Beverly Grove RFA. We represent the decisive majority of homeowners and residents who responded to Councilmember Paul Koretz's community survey.

Beverly Grove RFA Executive Summary

By the numbers

- Beverly Grove comprises about 700 households on 20 contiguous blocks in the Wilshire area of Council District 5. The zoning is R-1-1.
- Lots are fairly uniform at about 6100 sf. Most homes were built in the 1920s and 1930s and average about 2100 sf.
- Including attached garages and other uncounted space, McMansions exceed 4300 sf.
- Using a floor area ratio, the RFA Ordinance sets a base of about 2500 sf with bonus options up to a limit of about 3000 sf.

Background

- Based on his community survey showing broad support for tighter limits on home size, then-CM Weiss sponsored an ICO to combat mansionization in Beverly Grove in 2006.
- Los Angeles enacted the citywide Baseline Mansionization Ordinance in 2008.
- Neither measure stopped mansionization in Beverly Grove.
- CM Koretz did a survey of Beverly Grove homeowners and residents. The survey confirmed broad support for tighter limits on home size.
- Based on that survey and numerous public hearings and meetings with local homeowners and residents, CM Koretz filed his Motion for the Beverly Grove RFA Overlay in 2011.
- The RFA ordinance is faithful to CM Koretz's Motion.

The players

- **Support**
 - Well over half of Beverly Grove households responded to CM Koretz's survey. Over 60 percent of respondents favored the proposal.
 - Beverly Wilshire Homes Association, which has represented the interests of homeowners and residents in this area for over 50 years, supports the RFA.
 - The Coalition of Homeowners Association in CD-5, which represents 60 homeowner associations throughout CM Koretz's district, supports the RFA.
- **Opposition**
 - Beverly Grove Homeowners Association was created in November 2011 with the stated purpose of stopping the RFA. Its principals include two local realtors, a real estate loan broker, his wife and partner in that business, and an architect married to a local realtor.

Key issues

- The RFA ordinance reflects community values and enjoys broad community support. It sets meaningful limits. It is simple and enforceable. It is fully consistent with City policy, principles, and guidelines. And it has made a big concession: 15% bigger than the proposal that won wide support in his survey and about 1,000 sf bigger than the average older home.
- Opponents reject the principles of zoning. They spurned CM Koretz's offer of compromise. Further concessions would erode support without gaining anything.
- The inclusion of attached garages in the FAR calculation is crucial. It reduces bulk by 400 sf and promotes driveways along the length of the lot, providing a much-needed buffer between houses. And it discourages a feature that violates neighborhood character without requiring design review.
- The pace of mansionization continues to accelerate. We need prompt passage of a meaningful ordinance, including an Urgency Clause that applies to all applications that have not yet been fully approved and permitted.

The CPC's statement of principles
provides a firm foundation for the Beverly Grove RFA.

Do Real Planning!

NEUTRALIZE mansionization

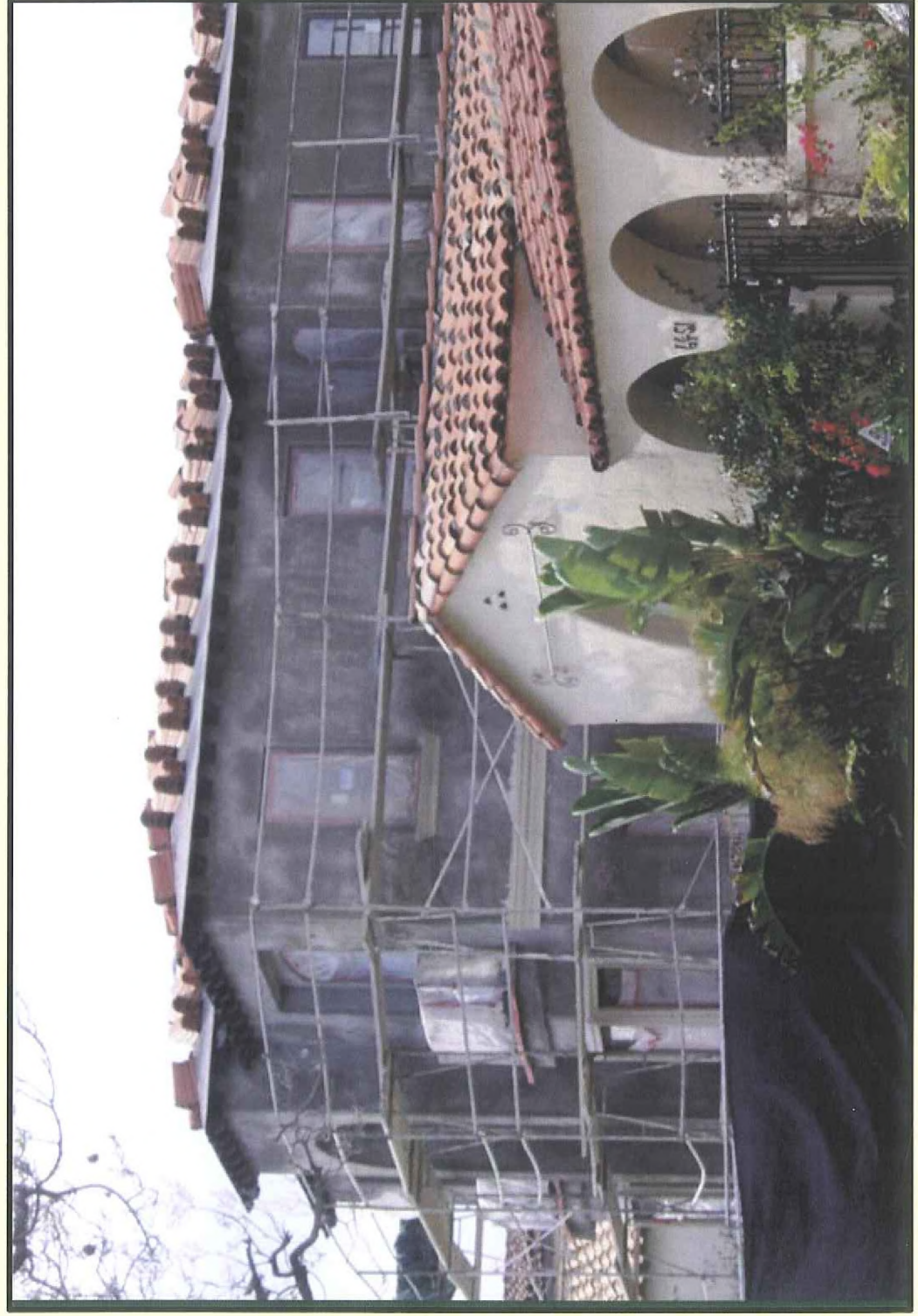
Neighborhoods zoned single family deserve our protection. The most pervasive threat they face is the replacement of existing homes with residences whose bulk and mass is significantly larger than the street's current character—sacrificing greenery, breathing room, light, and air. Let's be the champions of a citywide solution to **prevent out-of-scale residences.**

Neutralize

Built mostly in the 1920s and 1930s, Beverly Grove homes average about 2,000 sf on lots of about 6,100 sf.



In 2004, McMansions started to appear, and Beverly Grove homeowners began campaigning for sensible regulation.



A brief history of mansionization in Beverly Grove ...

- In 2005 Beverly Grove homeowners and residents asked CM Weiss to do a survey on mansionization. Huge response, decisive results: *Over 50% responded, and over 60% of them wanted new limits on home size.*
- The Beverly Grove ICO passed in 2006 but did not stop mansionization.
- The citywide Baseline Mansionization Ordinance passed in 2008 but did not stop mansionization in Beverly Grove.
- When Paul Koretz ran for his Council seat in 2009, Beverly Grove homeowners and residents told him they wanted to stop mansionization.
- In 2011 CM Koretz did a survey. Again, huge response and decisive results: *50% responded. 60% wanted new limits on home size.*
- His RFA Motion set a limit about *15% bigger than the survey proposal and more than 40% bigger than the average older home in Beverly Grove.*
- The RFA is faithful to that Motion and has broad community support. It offers a fair, sensible compromise and sits squarely on “the sweet spot.”
- Meanwhile, mansionization is accelerating, and the clock is ticking ...

Attached garages like these
do not relieve street congestion in Beverly Grove.
Their double-wide driveways just chew up curb space
and put a new spin on lawn parking.



WHY GARAGES COUNT

Current LA City code *excludes* the first 400 sq ft of attached garages from the Floor Area Ratio (FAR).

But the RFA counts that square footage. Here's why:

- Whether garages are attached or detached, people rarely park in them. But *detached* garages add breathing room between houses. *Attached* garages just add bloat.
- Attached garages add 400 sf of bulk, eliminate the buffer of a driveway, and violate neighborhood character.
- Enforcement would be easy: Counting attached garages in the square footage just makes the math simpler.
- L.A. already has a precedent: The Mt. Washington/Glassell Park Specific Plan (in effect since 1993) includes attached garages in the Floor Area Ratio.
- And a more recent precedent: The Sunland-Tujunga ICO also counts the square footage of attached garages.
- The building code requires houses to have kitchens and bathrooms. But it does not exempt that square footage just because it is required.

The RFA would not prohibit attached garages. It would simply count them as square footage.

Finally, a Bill to Stop Mansionization in Beverly Grove

Saving a Cherished Mid-City Neighborhood

Shelley Wagers
12 July 2013



Encircled by West Hollywood, Beverly Hills, Carthay Circle, and Park La Brea, the area of Beverly Grove has been under siege for nearly a decade.

Hulking McMansions built on spec defy the scale and character of the neighborhood and deprive their nearest neighbors of light, air, and privacy.

Relief finally may be in sight for this charming residential enclave. An ordinance that comes up before the City Planning Commission next month could snatch Beverly Grove from the jaws of the speculators.

The prime location of this cherished Mid-City neighborhood has cost homeowners and residents dearly. Surrounded by protected neighborhoods -- two Design Review districts to the west and three Historic Preservation Overlay Zones to the east and south -- Beverly Grove became ground zero for reckless development.

Most of its roughly 700 homes were built in the 1920s and 1930s on lots of about 6,100 square feet. Styles include Spanish, Mediterranean, Tudor, Norman, English Cottage, and Heinz 57, and the houses average about 2,000 square feet plus detached garage. But on these modest city lots, cowboy contractors have crammed dozens of tall, boxy houses that measure about 4,400 square feet including their attached garages.

In 2006 the City granted Beverly Grove a temporary ordinance. In 2008 it passed the Baseline Mansionization Ordinance. Even at a glance, it's clear that neither measure put a stop to mansionization. In 2011, the City Council adopted Paul Koretz's Motion for a Beverly Grove RFA Overlay District. To the immense relief of beleaguered Beverly Grove, the Planning Department will finally bring an ordinance based on that Motion to the City Planning Commission in early August.

Notwithstanding opposition from a small cadre heavily skewed to builders and realtors, the RFA ordinance enjoys wide support. Two different Councilmembers conducted two different surveys about six years apart. Both times, Beverly Grove homeowners and residents showed strong, consistent support for meaningful limits on home size. What drives them isn't NIMBYism. It's the conviction that mansionization undermines community integrity and sound public policy.

- Houses twice the size of the average older home violate the scale of the neighborhood.
- McMansions fronted by suburban-style attached garages violate the character of the neighborhood.
- Oversize houses drive up consumption of building materials, make storm run-off worse, and guzzle energy.
- Mansionizers routinely rip out mature trees and flout regulations regarding the treatment of asbestos and other building materials, as well as working hours and conditions.

Bottom line: The mansionization of Beverly Grove violates City policy on every level.

- The city's General Plan calls for development that maintains the scale and character of stable residential neighborhoods.
- Los Angeles Planning Policy describes mansionization as "residences with bulk and mass significantly larger than the street's current character."
- The key policy document of city planning ("Do Real Planning") calls Mansionization "the most pervasive threat faced by single-family homes."
- The "Green LA" action plan vows to set "smart new standards for 'green building' and land use planning."
- The City of Los Angeles Housing Element for the rest of this decade calls for "sustainable development policies and programs that support conservation and reduce demand."

The remedy is at hand. The proposed ordinance based on Councilmember Koretz is a model of simplicity and sensible compromise.

- The ordinance will set the limit on home size at just over 3,000 square feet. That's about 50 percent bigger than the average older home in the neighborhood.
- By including attached garages in square footage and offering incentives for detached garages, it will take 400 square feet of bloat out of houses and restore the buffer that a driveway provides.

The proposed RFA ordinance allows for change and renewal but keeps the scale and character of the neighborhood. It honors community values and City policy. Now the City just needs to pass it.

To follow the preparation and adoption of the Beverly Grove RFA, log on to this website: beverlygrove.org/

RFA supporters have a Facebook page.

You can also reach them by e-mail at mcmansionsurvey@yahoo.com or by phone at 310-849-3649.

(Shelley Wagers is a long-time community activist. She lives in Beverly Grove.)

A note about the following pages

Council office conducted a community survey on mansionization in May 2011. They sent all Beverly Grove households a proposal for tighter limits on home size.

- 50 percent of households responded to CM Koretz's survey – more than twice the voter turnout in the recent mayoral election.
- 60 percent supported the proposal – in electoral terms, a landslide.

Council office tabulated the results and created an Excel file.

The following pages are from that file, highlighted to show the breadth of support for meaningful new limits on home size.

Councilmember Koretz's subsequent Motion and the RFA ordinance set limits more liberal than the initial proposal.

BWHA SURVEY RESULTS

<u>Date</u>	<u>Name</u>	<u>Address (if given)</u>	<u>Satisfied</u>	<u>Tighter</u>	<u>BWHA</u>	<u>Other</u>
4.28.11	Kurt Egget	6507 Maryland Drive		X	X	
3.30.11	Grey Rembert	122 S La Jolla Avenue		X	X	
3.30.11	Rose April	6434 Colgate Avenue		X	X	
3.30.11	Jessica Dabrey	6520 Maryland Drive		X		X
3.25.11	Rochelle D. Ventura	6236 W. Fifth Street		X	X	
3.30.11	Arthur Ersepke	6410 Maryland Drive	X			
3.30.11	Babale and Jessica Azizzadeh	6220 W. Fifth Street	X			
3.30.11	Sylvia Epstein	6433 Colgate Avenue		X	X	
3.25.11	William Pierce	6586 Colgate Avenue		X	X	
3.23.11	Rachel Igel	6520 Colgate Avenue		X	X	
3.23.11	James Summers	6657 Maryland Dr.		X	X	
3.31.11	Regina and Stephen Silver	6144 Lindenhurst Ave		X	X	
3.23.11	David and Rachel Azari	6211 W 5th Street	X			
3.25.11	Deborah Fabricant	6650 Maryland Dr		X	X	
3.25.11	Michael Conway and Jim Manzano	6630 Maryland Dr		X	X	
3.23.11	Simi Dabah	6727 Drexel Avenue		X	X	
N/A	Mr.Benson	454 S Crescent/6213 Drexel Ave	X		X	
3.23.11	J and R Fieu	6417 Lindenhurst Avenue		X	X	
N/A	Marcus and Lori Grapes	6684 Colgate Avenue	X			X
3.23.11	Nan Norris	6336 Maryland Dr	X			
3.25.11	Hazie and Julie Lazarof	6500 Maryland Dr	X			
3.26.11	Carla Lubow and Thomas Cook	6530 W. 5th Street		X	X	
N/A	Davis Marcus	6376 Drexel Avenue		X	X	
4.10.11	Betty Kazmin	6630 Drexel Avenue		X	X	
4.12.11	Lila Mazo	6319 Colgate Avenue	X			

4.25.11	Joe Cardo(sp?)	6200 W. 5th Street		X	X	
4.24.11	Vella Ortiz Jones	6316 Drexel Ave		X	X	
4.21.11	Carey Simon	6310 Drexel Ave		X	X	
4.6.11	Clara Abrohamson	6321 Maryland Dr.	X			
4.3.11	David Termeforoosh	6376 Maryland Dr.	X			
4.7.11	Perez Hinton	6317 Lindenhurst Ave		X	X	
4.8.11	Jerry Ross	132 S. Sweetzer Ave/6380 Maryland Ave	X			
3.29.11	Jay and Jackie Warner	6351 Drexel Ave		X	X	
4.24.11	Michael Robbins	6351 Maryland Dr.		X	X	
4.2.11	Ronald and Gina Bowman	6671 Maryland Dr.		X	X	
4.19.11	Michael and Iris Franker	6227 Maryland Dr.		X	X	
4.19.11	Rachel Young	6368 Drexel Avenue		X	X	
4.19.11	Nick Giordano	6211 Maryland Dr.		X	X	
4.25.11	Robert Olson	6346 Drexel Ave.		X	X	
4.14.11	Ed Pinchasi	6410 Lindenhurst Ave	X			
4.9.11	Dr.Hammer and Dr.Kellner	6307 Maryland Dr.		X	X	
3.30.11	Vera Mindy Kaling	6339 Colgate Ave		X	X	
4.9.11	Alex Harwood and Ron Morgenstern	6677 W. 5th Street		X	X	
4.6.11	Ronen and Alexandra Brown	6617 Lindenhurst Ave	X			
4.11.11	Dan Levine	6141 Lindenhurst Ave	X			
3.25.11	Peter David Harris	6526 Drexel Ave		X	X	
4.11.11	Greg Nise	6217 Maryland Drive		X	X	
3.24.11	Ingrid Easy	6637 Maryland Ave		X	X	
4.15.11	Will Thompson	6715 Colgate Ave			X	
4.5.11	Bonnie Schiffman	6455 Colgate Ave			X	
4.7.11	Baseman	6626 Drexel Ave	X			
3.25.11	M. Ekaireb	6357Lindenhurst Ave		X	X	
3.23.11	Fank and Kathleen Valcarso	6743 Colgate Ave	X			
4.18.11	Sagiv Rosaro	6326 Drexel Ave			X	
3.24.11	Joseph and Guerta Tomaszewski	6530 Maryland Dr.	X			
3.26.11	Stanley Oda	6366 Maryland Dr.		X	X	

5.2.11	?	6641 Lindenhurst Avenue		X	X	
5.2.11	Sherry Safardi	6336 W. 5th Street		X	X	
5.1.11	Elean Sadet	6607 Lindenhurst Avenue	x			
4.30.11	Arnon Gurmon	6545 Colgate Avenue	x			
4.30.11	Arnon Gurmon	6380 W. 5th Street	x			
4.30.11	Arnon Gurmon	6436 Lindenhurst Avenue	x			
4.30.11	Joseph Accardo	6200 W. 5th Street	x			
4.30.11	Paulette Wilde	6237 W. 5th Street	x			
4.30.11	Alan Bursten	6310 W. 5th Street	x			
5.1.11	Anthony Chirikos	6563 Colgate Avenue	x			
5.1.11	Susan Woodman	6420 Lindenhurst Avenue	x			
5.1.11	Louise Nathan	6350 Lindenhurst Avenue	x			
5.1.11	Isaac Kazan	6354 Lindenhurst Avenue	x			
4.30.11	Arturo Peracta-Ramos	6370 Lindenhurst Avenue	x			
5.1.11	Debra Shuwarger	6360 Lindenhurst Avenue	x			
5.1.11	Betty Stein	6336 Lindenhurst Avenue	x			
5.1.11	Joshua Kahchen	6322 Lindenhurst Avenue	x			
5.1.11	Ely Abukasis	6134 Lindenhurst Avenue	x			
5.1.11	Dan Lazan	6119 Lindenhurst Avenue	x			
5.1.11	Kyle Long	6211 Lindenhurst Avenue	x			
4.20.11	Patricia Perkal	6585 Colgate Avenue	x			
4.27.11	Michael Bachrach	6416 Maryland Drive	x			
3.29.11	Skip Sperling	6527 Maryland Drive	x			
4.27.11	Anat Abutbul	6431 Maryland Drive	x			
4.6.11	Sander Gomberg	6623 Colgate Avenue	x			
4.10.11	Max Trumpower	6637 Lindenhurst Avenue	x			
4.8.11	Kourosh Darougar	6620 Maryland Drive	x			
4.18.11	Kourosh Darougar	6446 Lindenhurst Avenue	x			
4.8.11	Kourosh Darougar	6661 Lindenhurst Avenue	x			
4.9.11	Miriam Bick	6650-6552 Colgate Avenue	x			
4.12.11	Radnila Fulton	6377 W. 5th Street	x			
4.18.11	Justin and Bree Saliman (Turner)	6533 Colgate Avenue	x			
4.1.11	Barbara Hurnitz	6503 Colgate Avenue	x			
4.2.11	Charles Tarlow	6540 Colgate Avenue	x			
4.2.11	Dov Katz	6332 Colgate Avenue	x			

3.25.11	Benjamin Clavan	6241 Maryland Drive	x			
3.28.11	Barry Karas	6341 Drexel Ave		X	X	
3.31.11	Stephen O'Hara, M.D.	6380 Lindenhurst Ave	x			
3.31.11	Carole Sackley	6647 Lindenhurst Ave		X	X	
4.4.11	Holly Fader	6600 Maryland Drive			X	
4.6.11	Michael Moses	6371 Drexel Avenue		X	X	
4.9.11	Robert and Annika Krasney	6437 W. 5th Street		X	X	
N/A	Ira and Carla Fwsezne	6311 W. 5th Street		X	X	
4.26.11	Karina Bertino	6677 Drexel Ave		X	X	
5.5.11	Leon Massofh	6506 W. 5th Street		X	X	
4.30.11	Soul Panski	6441 Maryland Dr.		X	X	
4.29.11	Marvin Alperin	6501 Maryland Dr.		X	X	
4.28.11	Gertrude Packer	6431 Lindenhurst Ave		X	X	
4.28.11	Alan and Lois Krane	6416 Lindenhurst Ave		X	X	
4.29.11	Rabineau	6641 Maryland Dr		X	X	
4.27.11	Lilly Day	6671 Drexel Ave		X	X	
4.29.11	Belle Salyan	6667 Maryland Dr		X	X	
4.29.11	Charles Coy	6430 Maryland Dr		X	X	
4.29.11	Salaymen	6656 Maryland Dr		X	X	
4.28.11	Molly Davis	6131 W. 5th Street		X	X	
4.28.11	Ray Weiner	6500 Lindenhurst		X	X	
4.25.11	Ashley Grshaw	6366 Drexel Ave		X	X	
4.29.11	Huong Do	6417 Maryland Dr		X	X	
4.28.11	Ed Sweeney	6252 Drexel Ave		X	X	
4.29.11	Moshkovitz Ester	6402 Maryland Dr		X	X	
4.29.11	Laura Ansley	6424 Colgate Ave		X	X	
4.29.11	Ruth Zeitzen	6646 Maryland Dr		X	X	
4.29.11	Lesley McCambridge	6450 Maryland Ave		X	X	
N/A	M Jannol	6671 W. 5th Street		X		
4.27.11	Ian Arthur	6620 W. 5th Street		X		X
4.26.11	Tom Lorber	6307 W. 5th Street		X	X	
4.27.11	Dale Hoffer	6621 W. 5th Street		X	X	
4.27.11	Richard Marlowe	6306 W. 5th Street		X	X	
4.29.11	Rachel Green	6421 Maryland Dr		X	X	

4.28.11	Judy Goldberg	6417 W. 5th Street		X	X	
4.28.11	Natalie Weiss	6676 W. 5th Street		X	X	
4.28.11	Julie and Mick Cirello	6685 W.5th Street		X	X	
4.28.11	John Freeman	6700 Drexel Ave		X	X	
4.28.11	Benjamin Rush	6681 W. 5th Street		X	X	
4.28.11	Monique Wilson	6656 W. 5th Street		X	X	
4.28.11	Marshall Goldberg	6340 W. 5th Street		X	X	
4.28.11	Patreses Calheiros	6400 Colgate Ave		X	X	
4.28.11	Blake Horn	6601 W. 5th Street		X	X	
N/A	Gabriela Tabet	6420 Colgate Ave		X	X	
4.28.11	Cipra Nemeth	6600 Lindenhurst Ave		X	X	
4.29.11	Menachem Dagan	6661 Maryland Dr		X	X	
4.26.11	Steve Factor	6140 W. 5th Street		X	X	
4.25.11	Arnold Marion	6360 Drexel Ave		X	X	
3.25.11	John Hein	6330 Maryland Dr		X	X	
4.26.11	Howard Kapp	6129 Maryland Dr		X	X	
4.23.11	Christine Vert	6356 Maryland Dr		X	X	
N/A	Angela Mao	6226 W. 5th Street		X	X	
4.26.11	Adam Strauss	6366 W. 5th Street		X	X	
4.26.11	Marc Werderott	6410 W. 5th Street			X	
4.23.11	Kannika Viravan	6331 W. 5th Street		X		
4.23.11	Valerie Poltorak	6320 Maryland Dr.		X	X	
4.24.11	Aghdas Israel	6350 Maryland Dr			X	
4.23.11	Zima Sahi	6380 Maryland Dr			X	
4.26.11	Leroy Kundo	6115 W. 5th Street		X	X	
4.26.11	Sylvia Rivera	6139 Maryland Dr		X	X	
4.23.11	Alix Maurer	6316 W. 5th Street		X	X	
4.23.11	John Thorpe	6327 W. 5th Street		X		
4.26.11	Lora Jerugim	6406 W. 5th Street		X	X	
N/A	Richard Klahn	6650 Drexel Ave		X	X	
4.24.11	Koorosh Kohan	6660 Drexel Ave		X	X	
4.27.11	Mike Carlson	6607 W. 5th Street		X	X	
4.27.11	Maria Jhulmon	6407 W. 5th Street		X	X	
N/A	Laurie Fortier	6451 W. 5th Street		X	X	
4.27.11	(can't read signature)	6326 W. 5th Street		X	X	

4.30.11	Julianne Scott	6431 Drexel Ave		X	X	
5.1.11	Rosy Genten	6464 Colgate Ave		X	X	
4.22.11	Norm Levine	6141 Colgate Ave		X	X	
4.22.11	Laura Norton	6130 Lindenhurst Ave		X	X	
5.2.11	Dora Klein	6627 Colgate Ave		X	X	
4.27.11	Sasha Goodman	6680 Colgate Ave		X	X	
4.27.11	Andrew Lichtstein	6631 W. 5th Street		X	X	
5.2.11	Adria and Jeff Schumann	6516 Drexel Avenue		X		

TOTAL

369

BWHA 226/376 - 60.1%

*Names in bold have comments

BEVERLY-WILSHIRE HOMES ASSOCIATION, INC.

**A NON-PROFIT CORPORATION DEDICATED TO
COMMUNITY IMPROVEMENT AND LOWER PROPERTY TAXES**

8443 West Fourth Street, Los Angeles, CA 90048-4101 – Phone 323/653-6254 & 323/653-5357 – email The BWHA2@AOL.COM

September 9, 2013

Planning and Land Use Management
Committee (Attn. Sharon Gin)
Los Angeles City Council
City Hall, Room 395
200 N. Spring Street
Los Angeles, CA 90012-2601

**RE: Support letter for Council File 11-1938, the Beverly Grove
Residential Floor Area District with additional support material**

Dear Council Member:

The Beverly Wilshire Homes Association strongly supports the proposed Beverly Grove Residential Floor Area District that falls within our boundaries for the following five reasons:


1. The purpose of the Baseline Mansionization Ordinance (BMO) is to stop mansionization, a formally adopted policy of the Los Angeles City Planning Commission through Do Real Planning, as well as the adopted City of Los Angeles General Plan and the Los Angeles Zoning Code (LAMC).
2. In neighborhoods where the BMO has not succeeded in reaching its goal of ending mansionization, the BMO offered the option of establishing Residential Floor Area (RFA) districts where different zoning provisions would apply.
3. The RFA option perfectly applies to the Beverly Grove neighborhood, where 10 percent of the houses have been bulldozed and replaced with McMansions over the past decade. Furthermore, as demonstrated through the attached table, list, and maps, three-quarters of these McMansions (70/690) obtained their permits since August 2008, when the City Planning Commission and City Council adopted the BMO.
4. These Beverly Grove McMansions are out-of character, out-of-scale, and deprive neighboring houses of privacy, air, and sunlight, all RFA criteria presented in the Baseline Mansionization Ordinance, and reinforced by Do Real Planning, the General Plan, and the Los Angeles Municipal Code, for establishing an effective Residential Floor Area District.

September 9, 2013

Page 2

5. The proposed Beverly Grove RFA District hits the "sweet spot" of reasonably changing R1-1 zoning provisions in Beverly Grove for five reasons:
- (A) The RFA allows property owners ample opportunities to improve their properties, with many existing examples of remodeled and modernized homes that are consistent with the proposed RFA District.
 - (B) The RFA precisely conforms to the parameters of the City Council's adopted Beverly Grove RFA motion.
 - (C) The RFA's Floor Area ceiling of 3000 square feet is 15 percent larger than an RFA proposal that 62 percent of local households supported in a Council District 5 survey that had over a 50 percent response rate.
 - (D) A previous Council District 5 survey conducted by Councilmember Jack Weiss also demonstrated that a similar super-majority of local residents supported an overlay ordinance to stop the mansionization of the Beverly Grove neighborhood.
 - (E) The proposed Beverly Grove RFA District substantially reduces the carbon footprint of extremely large houses, and, therefore, assists the City of Los Angeles in aligning its city planning and zoning policies and practices with the City's established goal of complying with the SB 375, the State of California's primary climate change legislation.

Sincerely,



Diana Plotkin, President
Beverly Wilshire Homes Association

BEVERLY-WILSHIRE HOMES ASSOCIATION, INC.

*A NON-PROFIT CORPORATION DEDICATED TO
COMMUNITY IMPROVEMENT AND LOWER PROPERTY TAXES*

8443 West Fourth Street ● Los Angeles, CA 90048-4101 ● Phone 323/653-6254 & 323/653-5357 e-mail TheBWHA2@AOL.COM

June 27, 2013

TO: Bryan Eck, Department of City Planning

Cc: Council Member Paul Koretz, Kevin Keller, Shawn Bayliss, Conni Pallini-Tipton

SUBJECT: Beverly Wilshire Homes Association (BWHA) Letter of Support for the Department of City Planning's Draft Beverly Grove Residential Floor Area Ordinance / RFA District Proposal A

The Beverly Wilshire Homes Association (BWHA) has represented homeowners and renters in Los Angeles's Fairfax neighborhood for over 50 years. This area includes Beverly Grove, where the BWHA has been a strong and consistent supporter of municipal ordinances to stop a rampant mansionization process that began in 2004. In fact, the BWHA's proposed Residential Floor Area Overlay Ordinance (RFA) is 15 percent tighter than City Planning's draft RFA District Proposal A, as well as the RFA ordinance that Councilmember Paul Koretz presented in his August 2011 City Council motion calling for the preparation of a Residential Floor Area district in the Beverly Grove neighborhood.

When put to a community vote by Council District 5, our proposed RFA had overwhelming support from Beverly Grove residents. Over half of its 690 households responded to Councilmember Koretz's recent RFA survey, and over 60 percent of these respondents supported the BWHA's proposed RFA. Furthermore, an additional two percent of survey respondents called for zoning regulations that would be even tighter than our proposed RFA. Furthermore, in Council District 5's RFA survey, nearly all respondents offered written explanations for their vote, which are attached. These comments are a prima facie refutation of the frequent claim from the investors, contractors, and realtors building and selling McMansions that Beverly Grove residents did not understand the BWHA RFA proposal when they overwhelmingly voted in favor of it.

Let us quickly review, therefore, why the BWHA has consistently opposed mansionization and why our organization now supports City Planning's RFA District Proposal A, even though it is more permissive than our own proposal.

Does the proposed ordinance protect the property rights of Beverly Grove residents?

Yes, other than the McMansions built since 2004, and largely since June 2008, nearly every existing older home could be rebuilt, fully modernized, or rehabilitated as is. The extensive improvements permitted by the proposed RFA ordinance could include drought tolerant landscaping, major additions, re-piping, re-wiring, seismic and insulation retrofits,

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roofing tiles, security systems, new bathrooms and kitchens, spas and pools, and much more. Furthermore, nearly every existing house could be expanded – by 800 square feet on average -- to reach the proposed RFA's 3,050 square foot limit on house size. As for the smaller homes that the mansionizers have routinely bulldozed over the past nine years, they could double their size through tasteful additions and still conform to the proposed RFA ordinance. In fact, the Beverly Grove neighborhood has many recent examples of such extensive remodels and rehabbed homes, all of which could be routinely re-permitted under City Planning's RFA District Proposal A.

Does RFA District Proposal A have widespread local support?

Yes, Council District 5, under both Councilmembers Jack Weiss and Paul Koretz, conducted two independent community surveys of all Beverly Grove households on mansionization. Both surveys came up with nearly identical results. They both had a response rate of over 50 percent, which is over twice the local voter participation rate of 23 percent in Los Angeles's recent municipal elections. In both Council District 5 surveys about 62 percent of local residents -- a super-majority -- wanted to see substantially tighter zoning regulations that would prevent the mansionization of the Beverly Grove neighborhood. While RFA opponents claim they have counter-petitions that refute these results, these petitions, if they even exist, have never been released, reviewed, verified, or validated. Furthermore, when Councilmember Koretz asked these RFA opponents to produce the local residents who they claimed had changed their mind on mansionization, all those who met with the Councilmember were long time supporters of McMansions, and none of them had changed their mind.

This means that the only valid measures of local opinion on mansionization are the two independent surveys conducted by Council District 5.

Has City Planning properly noticed their public meetings?

Yes, in addition to the creation of a Beverly Grove RFA website, City Planning has sent two mailers to all local residents for their Open House, and today's Workshop and Public Hearing. In addition, City Planning has repeatedly e-mailed all those who have contacted them or signed up for RFA-related notifications.

Has the proposed RFA ordinance been correctly initiated?

Yes, Councilmember Paul Koretz properly submitted his Beverly Grove RFA motion to the Los Angeles City Council in August 2011, and the City Council unanimously adopted his Beverly Grove RFA motion in November 2011. City Planning's proposed Beverly Grove RFA District Proposal A, which the BWHA thinks is superior to Proposal B, precisely conforms to the direction and parameters of Councilmember Koretz's Beverly Grove RFA City Council Motion.

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Has the Baseline Mansionization Ordinance failed to stop mansionization in the Beverly Grove neighborhood since its adoption in June 2008?

Yes, the area demarcated for the Beverly Grove Residential Floor Area Ordinance now has nearly 70 McMansions, about two-thirds of which have been permitted since June 2008 through the Baseline Mansionization Ordinance (BMO). The photographs that have been and will be submitted to the Department of City Planning clearly demonstrate that that these BMO-consistent McMansions are completely out-of-scale (4,350 square feet versus 2,200 square feet, on average) and out-of-character (enormous suburban houses with attached, front garages versus classical Tudor and Spanish revival homes with detached garages in the rear of the lot) with the Beverly Grove community.

Since a failure to stop mansionization is the Baseline Mansionization Ordinance's explicit criterion for a community to request and obtain relief from mansionization through a Residential Floor Area Overlay Ordinance, the Beverly Grove neighborhood fully meets this requirement. Furthermore, the BWHA is submitting detailed documentation of Beverly Grove's mansionization timeline, as well as a background report that analyzes, lists, and maps all Beverly Grove McMansions. These maps also differentiate those McMansions that have been permitted before and after the adoption of the Baseline Mansionization Ordinance in June 2008.

Has the Department of City Planning's proposed RFA correctly removed the BMO's Floor Area Ratio exemptions for attached garages, enclosed patios and breezeways, stairwells, and vaulted ceilings?

Yes, garages, patios, breezeways, vaulted ceilings, and stairwells should not be exempted when computing the size of a house. They not only cumulatively add to the overall bulk of a house, but the most troublesome exemption that has lead to the failure of the Baseline Mansionization, attached garages, are seldom used for parking cars. In most cases, in fact, these exempted garages are used as living spaces, with either storage or recreation as their dominant use. This failure to use the exempted garages for parking cars is documented in the photographs Beverly Grove residents are submitting to the Department of City Planning. These photographs show McMansion after McMansions with cars parked on the double driveways in front of the exempted attached double garages permitted and exempted through the Baseline Mansionization Ordinance.

Furthermore, the City of Beverly Hills, to the immediate west of the Beverly Grove neighborhood, no longer permits attached garages for new or remodeled homes when

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residential building permits are processed through the city's mandatory design review process. This new Beverly Hills requirement for detached garages in the rear of the lot has, in no way, undercut the quality or value of the Beverly Hills new or remodeled homes.

Is Planning's Beverly Grove RFA District Proposal A based on a "sweet spot" formula that corrects the failures of the Baseline Mansionization Ordinance while preserving the right of local homeowners to further invest in their private property?

Yes, Councilmember Paul Koretz's Beverly Grove RFA motion, which conforms to City Planning's RFA District Proposal A, has reached this sweet spot. The Councilmember's 3000 square foot RFA ceiling has been expanded to a 3050 square feet maximum in the draft ordinance identified as RFA District Proposal A. This formula is more than twice the size of the smallest Beverly Grove houses (1400 square feet versus 3,050 square feet), 40 percent larger than the average existing house (2,200 square feet versus 3,050 square feet), and 15 percent larger than the BWHA RFA option (2,625 square feet versus 3,050 square feet) supported by 62 percent of local residents responding to Council District 5's recent community survey to assess community support for a Beverly Grove RFA district. On one hand, RFA District Proposal A rectifies the provisions of the Baseline Mansionization Ordinance that have allowed approximately 45 McMansions to be permitted since June 2008. But, on the other hand, the same draft ordinance allows nearly all homeowners to improve, enlarge, and/or remodel their homes and still conform to the provisions of RFA District Proposal A.

This is why the BWHA believes that City Planning's RFA District Proposal A has reached the exact compromise formula to garner widespread local support and meet the criteria for a successful Residential Floor Area district: the prevention of mansionization but the preservation of ample opportunities for homeowners to improve their properties.

Is the RFA District Proposal A consistent with relevant policies approved by the Los Angeles City Planning Commission?

Yes, *Do Real Planning* is a formally approved city planning policy document that is expressly opposed to mansionization. *Do Real Planning* further defines mansionization as houses that are out-of-scale and that sacrifice greenery, breathing room, light, and air at the expense of neighboring homes. This is exactly what has happened over the past nine years in the Beverly Grove neighborhood, and the City Planning Commission's official anti-mansionization statement underscores the BWHA's support for RFA District Proposal A.

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Is RFA District Proposal A consistent with the policies adopted by the City Council through the Los Angeles City Charter, the General Plan Framework Element, and the Wilshire Community Plan, to protect the character and scale of single family home residential neighborhoods, such as Beverly Grove?

Yes, the attached policies from legally adopted elements of the Los Angeles General Plan fully support City Planning's RFA District Proposal A. They clearly demonstrate that the General Plan is opposed to the mansionization process that has unfolded in the Beverly Grove neighborhood since 2004. It further indicates that the proposed Beverly Grove RFA ordinance A is fully compliant with the City of Los Angeles's General Plan and with the relevant sections of the Los Angeles City Charter, in particular Los Angeles City Charter Sections 556 and 558. These two Charter sections require all adopted land use ordinances, such as the creation of a Residential Floor Area district, to comply with the Los Angeles's General Plan.

Is RFA District Proposal A consistent with other ordinances adopted by the Los Angeles City Council?

Yes, the preamble of the Los Angeles Municipal Zoning Code (LAMC) states, "... such regulations are deemed necessary . . . to provide adequate open spaces for light and air..." This adopted purpose of the City's zoning code also underscores the BWHA's full support for an end of the mansionization of Beverly Grove through City Planning's RFA District Proposal A. This adopted LAMC goal will be clearly advanced through the Beverly Grove RFA.

In addition, the City Council also adopted the Baseline Mansionization Ordinance in June 2008, including the Residential Floor Area provision that City Planning has meticulously followed to prepare the draft Beverly Grove Residential RFA ordinances submitted for public comment at today's Public Hearing.

Is RFA District Proposal A fully consistent with the Department of City Planning's technical memo on the preparation of a Residential Floor Area District?

This detailed technical memo requires extensive research on the history and scope of mansionization in a community to carefully assess and document that the Baseline Mansionization Ordinance has not successfully stopped the mansionization process. To assist in this effort the BWHA has prepared and is submitting two research documents: (1) A timeline of Beverly Grove mansionization, and (2) An analysis, table, address list by approval date, and maps of Beverly Grove's McMansions. This research reveals that about two-thirds of Beverly Grove's McMansions have been permitted since June 2008, when the City Council adopted the Baseline Mansionization Ordinance. These two research documents will be updated, if necessary, for Beverly Grove RFA hearings before

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the City Planning Commission and the City Council, including the City Council's Planning and Land Use Committee (PLUM).

This research also indicates that nearly all BMO approvals in Beverly Grove were granted by the City of Los Angeles's Departments of City Planning and Building and Safety. These permits appear to be based on the Baseline Mansionization Ordinance's "Green" FAR bonus, either through compliance with LEED at the Certification Level or Tier One of the Los Angeles Green Building Ordinance. Since the proposed RFA District eliminates this "Green" bonus, the RFA should finally be able to achieve the stated goals of the Baseline Mansionization Ordinance: the elimination of the mansionization process in Los Angeles's residential neighborhoods.

Is RFA District Proposal A consistent with the State of California's legislation imposing climate change and alternative transportation mandates on California cities, including the City of Los Angeles?

The provisions of California landmark climate change legislation, specifically AB 32 and SB 375, direct the City of Los Angeles to minimize automobile-centric features in land use regulations, such as bonuses and exemptions that incentivize large, attached garages and double-width front yard driveways. These design features, in combination with the McMansions' substantial mass, heated pools and spas, large appliances, full house heating and air conditioning, and large cars and SUV's, are responsible for their sizable energy consumption, carbon footprint, and Green House Gas emissions, all of which contribute to climate change. The overall reduction in house size and the elimination of attached garages will help the City of Los Angeles comply with AB 32, SB 375, and other climate change requirements imposed on the City of Los Angeles by the State of California.

Is RFA District Proposal A consistent with the California Environmental Quality Act (CEQA)?

Even though CEQA excludes single-family homes from environmental review through its list of Categorical Exemptions, CEQA does contain other provisions that invoke environmental review for exempted categories, such as single-family homes, when their cumulative impacts reach a critical threshold. In the case of Beverly Grove, that critical threshold has been met, in part from the new double driveways and curb cuts resulting from the McMansions' attached garages. This feature has led to the loss of about 50 Beverly Grove city-owned parkway trees and 50 street parking places in Beverly Grove's Preferential Parking District 34. The McMansions large, double-width driveways also pave over former permeable areas and incentivize automobile use, two other features that cumulatively contribute to the McMansions' significant, local environmental impacts.

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The elimination of these environmentally destructive features, will, therefore, help mitigate the cumulative environmental impacts resulting from the size and design of Beverly Grove's McMansions.

The RFA ordinance should not, however, offer a CEQA Categorical Exemption to any new houses if they exceed the Council motion's upper floor area limit. Instead, permits for houses above the Council Motion's approximate 3,050 square foot ceiling should be discretionary, already the case in the Mount Washington Specific Plan, where all proposed homes are subject to CEQA and must submit an Environmental Assessment Form (EAF) to obtain a Mitigated Negative Declaration (MND).

A potential model for such a building permit review process would be Marin County, where all homes larger than 3,500 square feet are subjected to design review based on neighborhood context, and homes larger than 4,000 square feet require a detailed energy audit and zoning variance.

Is the draft RFA District Proposal A simple and transparent in its implementation?

Since June 2008, when the Departments of Building and Safety and City Planning began to administer the Baseline Mansionization Ordinance's extensive system of exemptions and bonuses, the public has not had access to building plans and on-site inspections. What local residents do know is that most McMansions appear to have received a .2 FAR bonus by claiming they are consistent with LEED at the Certified Level or Tier One of the Los Angeles Green Building Ordinance. Local residents also know that the Los Angeles Department of City Planning and Department of Building and Safety are not able to identify which bonuses and exemptions they granted to permit Beverly Grove's 45 BMO-compliant McMansions.

These entirely opaque permitting procedures will be partially remedied by the elimination of the bonuses and exemptions that have allowed Beverly Grove's concealed mansionization process to unfold over the past nine years, especially since the adoption of the Baseline Mansionization Process in June 2008. Therefore, RFA District Proposal A will lead to a building permit approval and inspection process that is much simpler and transparent in comparison to the Baseline Mansionization Ordinance's approval process, which is impervious to public scrutiny.

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Sincerely,

BEVERLY WILSHIRE HOMES ASSOCIATION

A handwritten signature in dark ink, appearing to read 'Diana Plotkin', written over the printed name.

Diana Plotkin
President

Beverly Grove Mansionization Timeline as of July 28, 2013

1920s	Former orange grove zoned for single-family homes on 6,100 s.f. R1-1 lots.
1920 – 1999	About 690 homes are built, most in late 1920s, designed by named architects. Spanish style predominates; Norman and English styles are also common based on an LA City Planning architectural survey conducted in early 1990s. All homes feature detached double garages at the back of a driveway. Homes average 2,000 s.f., with several slightly over 3000 s.f.
2004	McMansions begin to appear. Nearly all feature double height entryways, pools, flat roofs, flat walls, double driveways, and attached garages that add 400 s.f. of bulk. These new houses average about 4,450 s.f.
2004	<p>Councilmember Jack Weiss's staff holds many constituent meetings and conducts a survey of Beverly Grove residents to gauge homeowner support for an ICO to set appropriate limits on home size. Over 50 percent of households respond.</p> <p>Over 60 percent of respondents support the ICO and most add written comments. Weiss asks for still further evidence, and three-quarters of local residents sign petitions calling for tougher regulation of McMansions.</p> <p>Contractors, realtors, and sympathizers claim the process is flawed.</p>
2006	City Council adopts Beverly Grove ICO. Even though the ICO permits by-right construction of houses with FAR 1.1 or 6,730 s.f. with a 400 s.f. garage exemption, contractors, realtors, and sympathizers claim the process is flawed. The ICO has no impact on house size, and mansionization continues unabated.
2008	<p>Citywide Baseline Mansionization Ordinance (BMO) supersedes ICO in 08/08.</p> <p>Contractors, realtors, and sympathizers first claim the process is flawed, then support the ordinance when they realize they can still build the same McMansions as before by claiming they comply with LEED for Homes (sustainable architecture) and later the LA Green Building Ordinance.</p>
2008 – date	Conforming to the BMO's exceptions and bonuses, dozens more homes are bulldozed and replaced with spec McMansions. With attached garages, double-height entries, and several other exemptions, these new houses average around 4,450 s.f., the same size prior to and during the ICO.
July 2009 – May 2011	<p>Councilperson Paul Koretz elected and again holds many constituent meetings regarding mansionization. After two years of such meetings, the Council Office surveys Beverly Grove homeowners to gauge support for the RFA proposal supported by the Beverly Wilshire Homes Association, to set tighter limits on home size.</p> <p>Over 60 percent of Beverly Grove households vote for houses limited to 2,628 s.f. with few exemptions and bonuses. Most respondents also offer written explanations of their vote. Two percent want a tighter ordinance.</p> <p>Contractors, realtors, and sympathizers claim the process is flawed, and the Baseline Mansionization Ordinance should not be amended for Beverly Grove because "it is working" and the super-majority of local resident who voted a second time to stop McMansions really wanted them.</p>
August 2011	<p>Based on his neighborhood survey, Councilmember Koretz submits a compromise City Council motion for the Beverly Grove Residential Floor Area (RFA) overlay district calling for new houses to be restricted to 3000 s.f., without bonuses or exceptions, especially for attached garages.</p> <p>Contractors, realtors, and sympathizers again claim the process is flawed.</p>
November 2011	<p>LA City Council adopts Beverly Grove RFA Motion, at which time about 36 McMansions have been constructed.</p> <p>Contractors, realtors, and sympathizers claim the process is flawed and create a pro-McMansion "Beverly Grove Home Owners Association" website.</p>

December 2011 through October 2012	<p>Mansionization accelerates. Contractors and investors distribute personal letters offering to pay \$900,000 in cash for immediate purchase of existing homes. About 17 more homes are fenced off or razed and replaced by McMansions, raising total to 53.</p> <p>Council Office assures homeowners that the Beverly Grove RFA is "next up" at Planning Dept., once the Hollywood Plan Update is completed.</p>
June 2012	City Council adopts Hollywood Community Plan Update.
July 2012	Senior City Planner Kevin Keller says the Beverly Grove RFA is merely "on a long list" of projects competing for scarce Planning Department resources.
October 2012	Director of Planning Michael LoGrande meets with Beverly Grove representatives and CD 5 Planning Deputy. Questions are presented and answers are emailed back, including a detailed explanation of how all McMansions are built by-right through bonuses and exemptions, without any discretionary actions.
November 2012	Planning Department indicates that the Beverly Grove RFA is not yet on its work program, but sends a new planner out to look at the neighborhood.
December 2012	<p>Council Office and City Planning indicate they will soon begin work on the Beverly Grove RFA.</p> <p>Latest neighborhood report indicates that 25 McMansions have come on line since the RFA motion was adopted in November 2011. This brings the grand total since 2004, when mansionization began, to about 59.</p>
January 2013	City Planning begins preparation of the Beverly Grove RFA and holds focus groups with supporters and opponents.
February 2013	<p>City Planning briefs Beverly Wilshire Homes Association on the RFA and makes announcement about the RFA to the local Neighborhood Council.</p> <p>"Beverly Grove Home Owners Association" announces its first meeting.</p> <p>Two more McMansions break ground, bringing total to 61.</p> <p>Nearby residents north of Third Street count 55 McMansions built in the past few years by the same contractors operating below Third Street in the RFA area.</p>
April 2013	<p>City Planning holds a neighborhood workshop and does not present the RFA alternative supported by 60 percent of Beverly Grove residents. All six workshop ballot Alternatives are larger than the Council Motion's RFA parameters. The Motion's 3000 s.f. ceiling is the floor for Planning's options.</p> <p>Local residents learn of three new McMansions, bringing Beverly Grove total to 64 in the RFA area.</p>
June 2013	<p>Neighborhood survey reveals that Beverly Grove now has 66 McMansions, 71 % of which were approved since the adoption of the Baseline Mansionization Ordinance and about half since the City Council adopted the RFA motion.</p> <p>City Planning holds public workshop at Pan Pacific Park on proposed Beverly Grove RFA. RFA alternative A conforms to Council Motion. About 2/3 of attendees support the proposed RFA ordinance that City Planning presents at the hearing.</p>
July 2013	Two more McMansions break ground, bringing total to 68, 10 percent of all Beverly Grove houses. About three-quarters approved since 2008 through BMO.

Table, List, and Maps of Beverly Grove McMansions (As of August 5, 2013)

	Number of McMansions	Percent of all McMansions	Percent of area's 690 Homes
Pre-BMO McMansions (ca. 2004 – 2008)	19	27 %	3 %
Post-BMO and Pre-RFA Motion McMansions (August 2008 – November 2011)	15	21%	2 %
Post-BMO and Post-RFA Motion McMansions. (November 2011 to date)	36 (Includes four addresses added since 06/27/13 public hearing.)	51 %	5%
Total BMO McMansions	51	73 %	7%
TOTAL McMANSIONS	70	100%	10%

Table: The Los Angeles City Council adopted the Baseline Mansionization Ordinance (BMO) in June 2008 and the Beverly Grove Residential Floor Area (RFA) Overlay Zone Motion in November 2011. The table above includes all Beverly Grove houses that began the mansionization process, defined as structures that have been vacated and fenced off, through the completion of construction. It reveals that 10 percent of Beverly Grove has been mansionized, and 73 percent of Beverly Grove's McMansions were permitted through the Baseline Mansionization Ordinance.

Increased Rate: Furthermore, the rate of mansionization dramatically increased during the 21 months following the City Council's adoption of the Beverly Grove RFA motion, from November 2011 through August 2013. Fifty-one percent of all McMansions broke ground in this period, at the rate of about 1.5 new McMansions per month. Prior to the RFA motion, McMansions were built at the rate of about one every three months. In other words, after the City Council adopted Councilmember Koretz's

Beverly Grove RFA motion, the rate of mansionization more than quadrupled.

Methodology: Two teams collected these data. Each team inventoried the Beverly Grove RFA area to identify all McMansions and determine which ones were constructed before the adoption of the Baseline Mansionization Ordinance and which ones appeared after the adoption of the Beverly Grove RFA motion. Each team reviewed the other team's lists. All discrepancies were resolved by two separate field checks, as well as by reviews of on-line Department of Building and Safety permit data. The table, lists, and maps are accurate as of August 5, 2013.

By-Right: The Department of Building and Safety has permitted all Beverly Grove McMansions by-right. None required any discretionary actions, such as an Adjustment or Zone Variance. Depending on the date when the Department of Building and Safety issued a building permit, the McMansions are consistent with the LAMC's original requirements for R1-1 lots or the provisions of the Beverly Grove Interim Control Ordinance (ICO).

In addition nearly three-quarters of Beverly Grove's McMansions have been permitted through the Baseline Mansionization Ordinance (BMO). These McMansions appear to have obtained their building permits through the BMO's 20 percent FAR bonus for compliance with LEED or the Los Angeles Green Building Ordinance. We say "appear" because the Department of Building and Safety and the Department of City Planning cannot identify which McMansions received these 20 percent bonuses.

There is also no evidence that the LEED requirement, copied on the next page from the BMO's page 9, was actually followed. Despite the BMO's detailed requirement that the Department of City Planning undertake five stages of LEED review for a McMansion to obtain its .2 FAR Green bonus, the Department of Building and Safety only referred a handful of houses in the entire city to the Department of City Planning for this sign-off. After these few cases, no one in the Department of City Planning reviewed any McMansion building plans for conformity with LEED at the certified level.

Finally, no Beverly Grove McMansions, and apparently no other Los Angeles McMansions, appear in the U.S. Green Building Council's national registry of LEED certificated single-family homes. If correct, these findings suggest that nearly all McMansions in Los Angeles, including those in Beverly Grove, were not properly permitted through the BMO.

The BMO's LEED review requirements are copied on the next page.

c. For new single family dwelling construction only, the new construction shall be in substantial compliance with the requirements for the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED®) for Homes program at the "Certified" level or higher.

Prior to submitting an application to the Department of Building and Safety for a building permit, the applicant shall be required to obtain an authorization to submit for plan check from the Department of Planning. In order to obtain this authorization, the applicant shall provide:

(1) Documentation that the project has been registered with the USGBC's LEED® for Homes Program, and that the required fees have been paid;

(2) A preliminary checklist from a USGBC-contracted LEED® for Homes Provider, which demonstrates that the project can be registered with the LEED® for Homes Program with a target of certification at the "Certified" or higher level;

(3) A signed declaration from the USGBC-contracted LEED® for Homes Provider stating that the plans and plan details have been reviewed, and confirms that the project can be registered with the LEED® for Homes Program with a target certification at the "Certified" or higher level; and

(4) A complete set of plans stamped and signed by a licensed architect or engineer that include a copy of the preliminary checklist and signed declaration identified in Subparagraphs (2) and (3) of this paragraph and identify the measures being provided for LEED® Certification. Each plan sheet must also be signed by a USGBC-contracted LEED® for Homes Provider verifying that the plans are consistent with the submitted preliminary checklist.

The Department of Building and Safety shall refer applicants to the Department of Planning prior to issuance of a building permit to obtain a clearance to verify the project compliance with the originally approved plans.

If changes are made to the project, the applicant shall be required to submit a revised set of plans, including the four requirements listed above, with all revisions necessary to make the project in substantial compliance with the requirements for LEED® Certification.

Final list of pre and post-Baseline Mansionization Ordinance McMansions and pre and post Beverly Grove RFA Motion McMansions. The tally includes houses that have been vacated and fenced off.

These addresses are mapped on the attached pages.

Pre-BMO McMansions listed in green. (ca. 2004 – August 2008)

Post-BMO and Pre-RFA Motion McMansions listed in red.
(August 2008 – November 2011)

Post-BMO and Post-RFA Motion McMansions listed in blue.
(November 2011 to date)

COLGATE

6660 Completed and occupied (*Added since June 27, 2013*)

6639

6612

6533

6460 For rent

6456 Under demolition. No permits posted. (*Added since June 27, 2013*)

6444

6430

6414 Under construction

6352 Under construction

6359 Completed since RFA motion adopted

6660 Completed and up for sale.

DREXEL

6666

6661

6636 Completed and occupied

6510

6517 Under construction. No permit posted.

6507 Completed and up for sale.

6417 Completed and occupied.

6407 Under construction

6406 Completed and occupied

6340 Under demolition. No permits posted. (*Added since June 27, 2013*)

6336

6317 Completed and for sale

6276 House bulldozed and lot cleared. No permits posted.

6237 Under construction, no permit posted

6236

6233 Under construction, no permit posted.

6231 Completed and occupied

6221 Under construction, no permit posted.

Pre-BMO McMansions listed in green. (ca. 2004 – August 2008)

Post-BMO and Pre-RFA Motion McMansions listed in red.
(August 2008 – November 2011)

Post-BMO and Post-RFA Motion McMansions listed in blue.
(November 2011 to date)

FIFTH

6657

6651

6647

6641

6620 Completed and occupied

6611

6501

6411

6421

6450

6366 Completed and occupied.

6357

6341

6316 Under construction. No permits posted.

6230

6142 Under construction. Address not clear and no permit posted.

6130 Under construction. No permit posted.

MARYLAND

6666

6610

6530

6521 Under construction

6520 Under demolition

6514 Vacated and fenced off

6516 Construction almost complete. For sale sign posted.

6426 Early construction. No permits posted. (*Added since June 27, 2013*)

6411 Completed and For Sale sign posted.

6360 Under construction. For Sale sign posted.

6337 Completed and occupied.

6326 Completed and occupied.

6321 Completed and occupied.

6231 Occupied

6221 Under construction

6200

Pre-BMO McMansions listed in green. (ca. 2004 – August 2008)

Post-BMO and Pre-RFA Motion McMansions listed in red.
(August 2008 – November 2011)

Post-BMO and Post-RFA Motion McMansions listed in blue.
(November 2011 to date)

LINDENHURST

6641 Completed and occupied.

6527

6620

6423

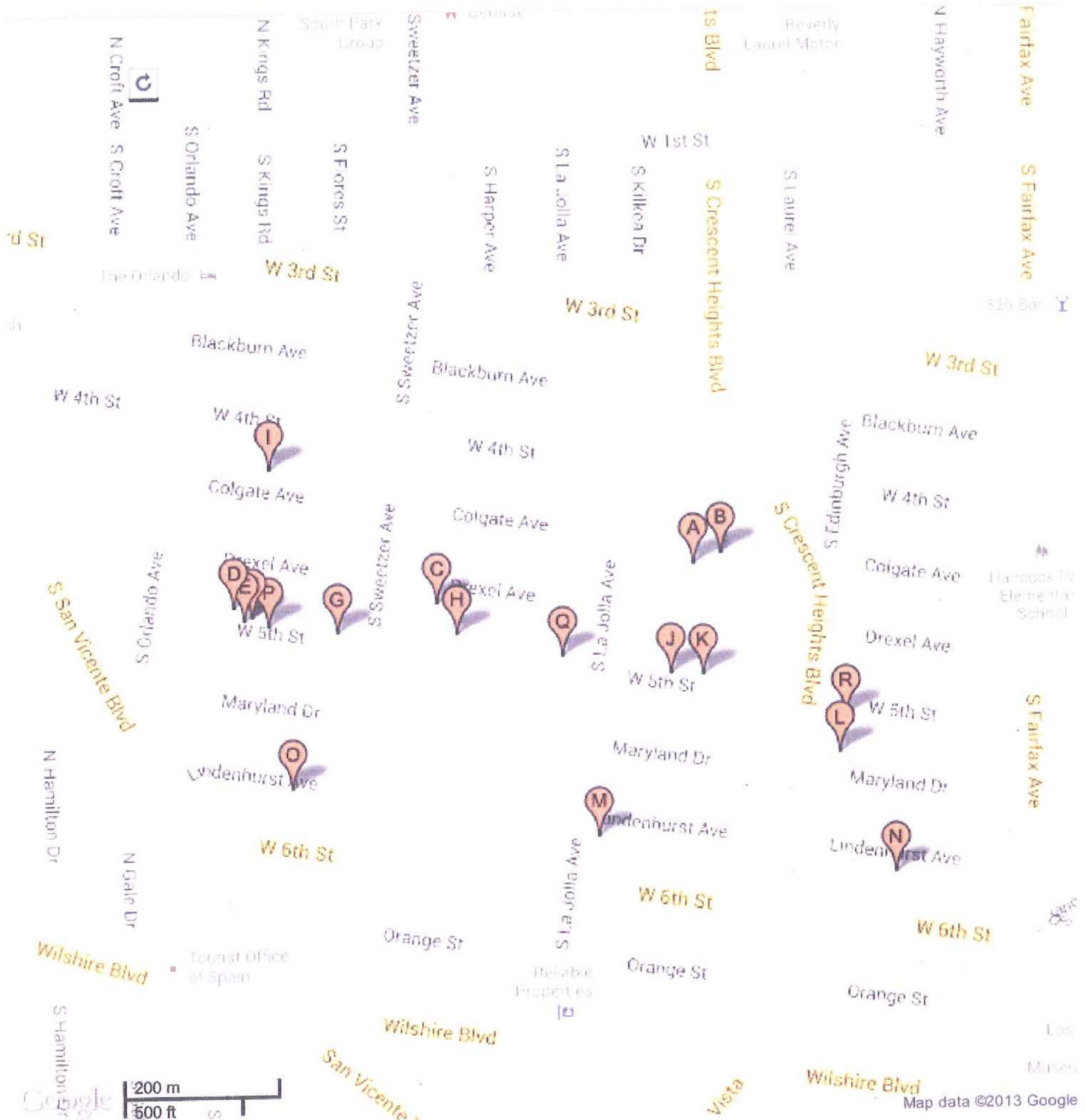
6376

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6200

Pre-BMO McMansions

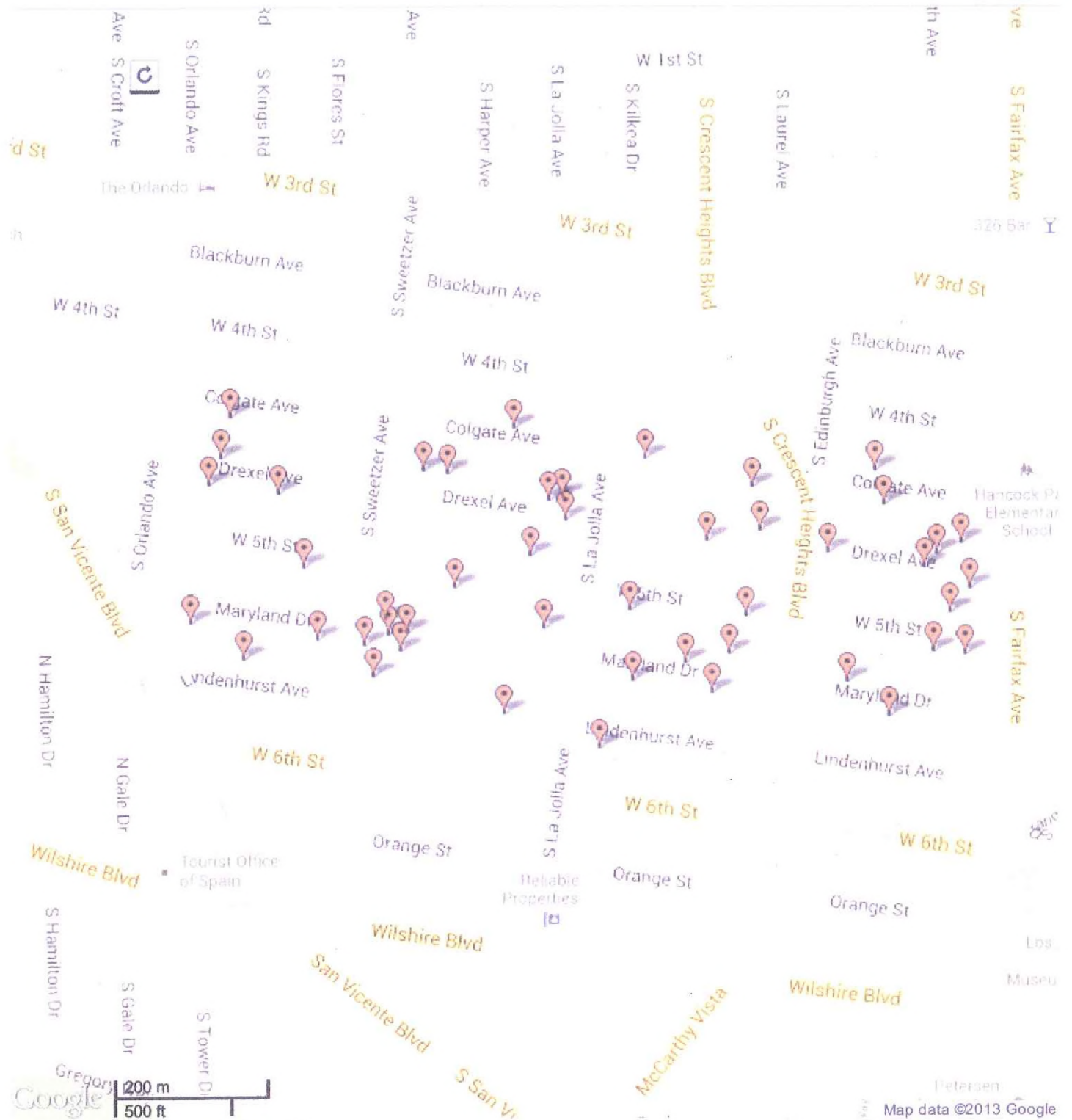
Search



6444 Colgate Avenue, Los Angeles, CA 90048

Post-BMO Beverly Grove McMansions

Search




THE PROPERTY RIGHTS OF HOMEOWNERS OPPOSED TO McMANSIONS

The City of Los Angeles's official policy documents, plans, and ordinances are clear in their opposition to mansionization and their support for residential developments that are consistent with the character and scale of existing development. This means that the adopted plans and ordinances support the right of existing property owners to fully enjoy their property and not have the quality of their lives or the value of their property degraded by nearby developments that are out of character, out of scale, or that deprive them of light, air, and privacy.

From the Los Angeles City Planning Department's *Do Real Planning* Policy Document:

Neutralize Mansionization: Neighborhoods zoned single family deserve our protection. The most pervasive threat they face is the replacement of existing homes with residences whose bulk and mass is significantly larger than the street's current character— sacrificing greenery, breathing room, light, and air. Let's be the champions of a citywide solution to prevent out-of-scale residences.

The Los Angeles Municipal Code on the Purpose of Zoning

 **SEC. 12.02. PURPOSE.** The purpose of this article is to consolidate and coordinate all existing zoning regulations and provisions into one comprehensive zoning plan in order to designate, regulate and restrict the location and use of buildings, structures and land, for agriculture, residence, commerce, trade, industry or other purposes; to regulate and limit the height, number of stories, and size of buildings and other structures hereafter erected or altered to regulate and determine the size of yards and other open spaces and to regulate and limit the density of population; and for said purposes to divide the City into zones of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement. Further, such regulations are deemed necessary in order to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air, and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities such as transportation, water, sewerage, schools, parks and other public requirements; and to promote health, safety, and the general welfare all in accordance with the comprehensive plan.

FROM THE GENERAL PLAN FRAMEWORK ELEMENT'S CHAPTER 5 ON NEIGHBORHOOD DESIGN

Objective 5.5

Enhance the livability of all neighborhoods by upgrading the quality of development and improving the quality of the public realm.

Policies'



Street trees in a residential neighborhood



Street trees in a neighborhood shopping district

- 5.5.2** Install "slow residential streets" where requested by residents and feasible within the established street hierarchy. Techniques include speed bumps, diagonal parking, widened sidewalks and narrowed streets. ([P24](#))



"Slow streets" may include speed bumps and diagonal parking to reduce traffic speed

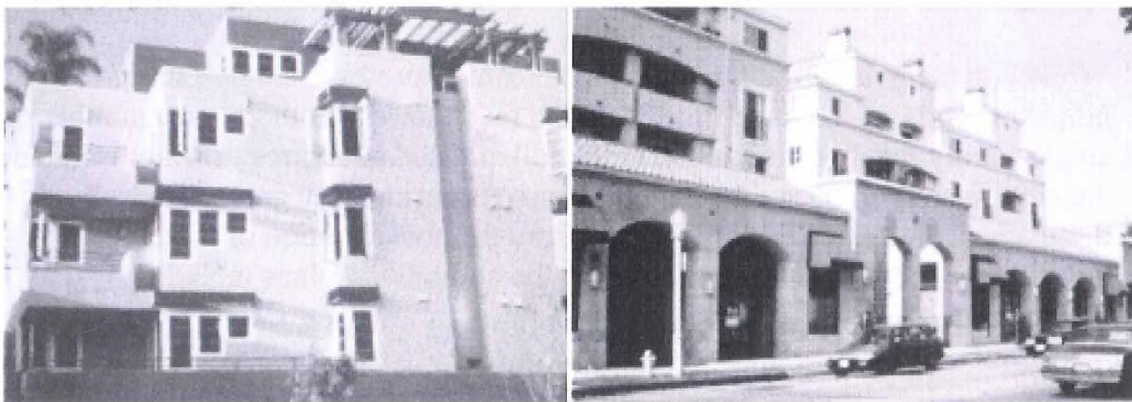
- 5.5.3 Formulate and adopt building and site design standards and guidelines to raise the quality of design Citywide. (P18, P24, P25)
- 5.5.4 Determine the appropriate urban design elements at the neighborhood level, such as sidewalk width and materials, streetlights and trees, bus shelters and benches, and other street furniture. (P1, P3)



special paving

Streetscape elements include trees, lighting, benches, trash receptacles, bus shelters, and

- 5.5.6 Identify building and site design elements for commercial or mixed-use streets in centers that may include: the height above which buildings must step back; the location of the building base horizontal articulation; and other design elements. (P24, P25)



Good building design can take a variety of forms and can vary from one neighborhood to another

- 5.5.7 Promote the undergrounding of utilities throughout the City's neighborhoods, districts, and centers. (P15)

Conservation Areas

Conservation areas (all areas outside designated districts, centers, and boulevards) will not absorb substantial amounts of additional development. By encouraging growth and new development in mixed-use districts, centers and along corridors/boulevards, in revitalized industrial districts and around transit stations, the Framework Element proposes to conserve the City's residential neighborhoods.

For a more detailed discussion of conservation areas, see the introduction to [Chapter 3: Land Use](#).

GENERAL PLAN FRAMEWORK ELEMENT, Chapter 3 - Land Use

GOALS, OBJECTIVES AND POLICIES

ISSUE TWO: USES, DENSITY, AND CHARACTER

SINGLE-FAMILY RESIDENTIAL

Overview

The Framework Element recognizes the importance of existing single-family residential neighborhoods and the need to conserve them. Traditionally, they have formed the fabric that has distinguished the City from other urban areas. Even with substantial growth, the single-family dwelling is still considered to be a major objective of most income and ethnic groups. These areas also afford added opportunities to take advantage of the variety of lifestyles such as water-oriented, rural/agricultural and equestrian-keeping special use neighborhoods.

While it is the goal of the Framework Element to preserve single-family neighborhoods, at the same time, it is also recognized that there are a number of single-family neighborhoods containing dilapidated structures or which abut and are significantly impacted by development of considerably greater intensity. In these areas, the Framework Element allows the consideration of increased development density by amendments to the community plans including extensive public input.

GOAL 3B

Preservation of the City's stable single-family residential neighborhoods.

Objective 3.5

Ensure that the character and scale of stable single-family residential neighborhoods is maintained, allowing for infill development provided that it is compatible with and maintains the scale and character of existing development.

Policies

Uses and Density

- 3.5.2** Require that new development in single-family neighborhoods maintain its predominant and distinguishing characteristics such as property setbacks and building scale. (P1, P18)
- 3.5.3** Promote the maintenance of existing single-family neighborhoods and support programs for the renovation and rehabilitation of deteriorated and aging housing units. (P1, P2, P29)
- 3.5.4** Require new development in special use neighborhoods such as water-oriented, rural/agricultural and equestrian communities to maintain their predominant and distinguishing characteristics. (P1, P18)
- 3.5.5** Promote the maintenance and support of special use neighborhoods to encourage a wide variety of these and unique assets within the City. (P1, P18)

WILSHIRE COMMUNITY PLAN GOALS AND PURPOSES:

The Wilshire Community Plan sets forth planning goals and objectives to maintain the community's distinctive character by:

- Enhancing the positive characteristics of residential neighborhoods while providing a variety of housing opportunities.
- Improving the function, design and economic vitality of commercial areas.
- Preserving and enhancing the positive characteristics of existing uses which provide the foundation for community identity, such as scale, height, bulk, setbacks and appearance.

- Maximizing development opportunities around existing and future transit systems while minimizing adverse impacts.
- Preserving and strengthening commercial developments to provide a diverse job-producing economic base.
- Improving the quality of the built environment through design guidelines, streetscape improvements, and other physical improvements which enhance the appearance of the community

WILSHIRE COMMUNITY PLAN, CHAPTER 3, GOAL 1: PROVIDE A SAFE, SECURE, AND HIGH QUALITY RESIDENTIAL ENVIRONMENT FOR ALL ECONOMIC, AGE, AND ETHNIC SEGMENTS OF THE WILSHIRE COMMUNITY.

Objective 1-1 Provide for the preservation of existing quality housing, and for the development of new housing to meet the diverse economic and physical needs of the existing residents and expected new residents in the Wilshire Community Plan Area to the year 2010.

Policies 1-1.1 Protect existing stable single family and low density residential neighborhoods from encroachment by higher density residential uses and other uses that are incompatible as to scale and character, or would otherwise diminish quality of life.

Program: The Community Plan Map identifies lands where only single family residential development is permitted. These areas are protected by designating appropriate densities for each land use category designation and for each corresponding zone, to minimize incompatible uses

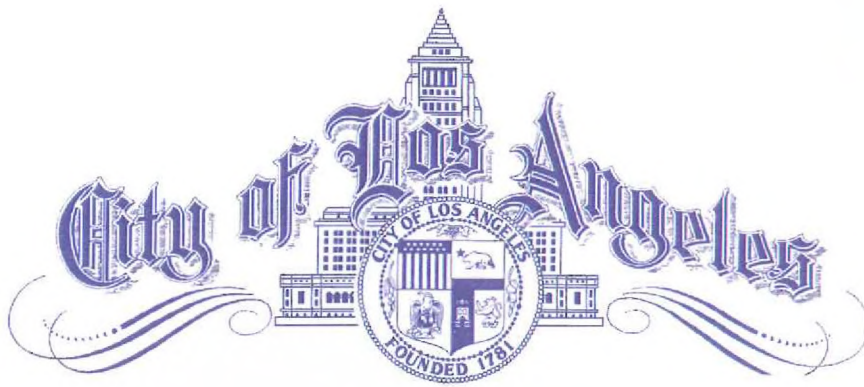
Committees:

Chair
Audits & Governmental
Efficiency

Vice Chair
Personnel

Member
Budget & Finance
Energy & Environment
Transportation

Website: <http://cd5.lacity.org>
Email: Paul.Koretz@lacity.org



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March 23, 2011

PLATKIN RICHARD AND ROCHELLE TRS
6400 W 5TH ST
LOS ANGELES, CA 90048

Dear Neighbor:

As you may know, the Beverly Wilshire Homes Association would like to see changes to the City's regulations on home size in the area. This letter is to inform you about the current rules and some options for changing them. Enclosed is a survey form which you can use to let the City know your views on this important issue.

There are arguments for and against allowing larger homes in a neighborhood. Some argue that larger homes disrespect the historical scale and character of the area and have negative impacts such as increased shade, energy use and loss of privacy. Others claim that larger homes increase property values, accommodate large families, and add variety to the visual landscape.

Two tables are enclosed. One shows the limits under current code, the other is a proposal from the Beverly Wilshire Homes Association (BWhA) to set tighter limits on home size. The chart that follows summarizes the totals for easy comparison. Also attached is a map which shows the area to which these changes would apply.

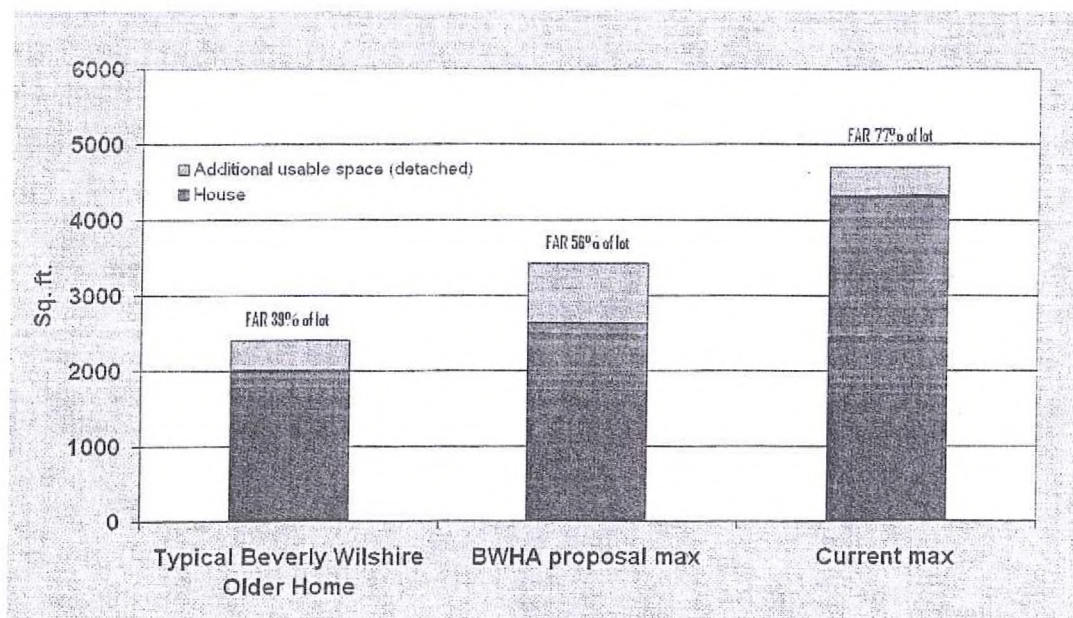
If you have any comments on the current rules, the proposals, or the map, please let staff know by returning the enclosed form, calling the West Los Angeles office at (310) 289-0353, or emailing chris.koontz@lacity.org.

[illegible]

This issue can get a little technical, so this may help:

- Zoning regulations based on proportion use something called a “floor area ratio” (FAR). The FAR compares the size of the building to the size of its lot. The bigger the FAR, the bigger the building relative to the lot.
- In your neighborhood, current rules set a maximum *base* FAR of 50%.
- On top of that base, builders can go 20% larger if they make the second floor smaller than the ground floor or meet new (LEED) environmental standards.
- The rules don’t count the first 400 square feet (sf) of attached garage.
- In your neighborhood, lots average 6,000 to 6,100 sf.
- Counting everything, on a 6,100 sf lot, current rules allow a new houses up to 4,310 sf (FAR 70%) plus 400 sf of detached buildings (total FAR 77%).
- That’s about twice the size of most older homes in your neighborhood. The typical older home is about 2,000 sf (FAR 33%) plus up to 400 sf detached garage (total FAR 39%).

Comparison: maximum size of single-family house
(6,100 sq ft lot)



Typical older home (example 6,100 sf lot zoned R1-1)

		Home Size (sq. ft.)
House		2,000
Areas not counted as floor area	Detached parking	375
Height single story		15 ft
Height two-story		28 ft
Total size of house		2,000
Total usable space		2,375

Not a limit

Limits under existing zoning ordinance (example 6,100 sf lot zoned R1-1)

		Home Size (sq. ft.)
Base Floor Area Ratio (FAR)	50% of lot area	3,050
Bonus, earned by smaller second stories, front stepback, or LEED certification	20% of base FAR	610
Subtotal		3,660
Areas not counted as floor area	<ul style="list-style-type: none"> • 400 sf covered parking, attached or detached • 250 sf of certain porches, patios and breezeways • 400 sf of detached accessory bldgs, each 200 sf max • Basements no more than 2ft above natural grade 	Up to 1,050
Max height for steeper roofs		33 ft
Max height for flatter roofs		28 ft
Total size of house		4,310
Total usable space		4,710

Beverly Wilshire Proposal (example 6,100 sf lot zoned R1-1)

		Home Size (sq. ft.)
Base Floor Area Ratio (FAR)	33% of lot area	2,033
Bonus, earned by smaller second stories, front stepback, LEED certification, etc	17% of base FAR	345
Subtotal		2,378
Areas not counted as floor area	<ul style="list-style-type: none"> • 250 sf of certain porches, patios and breezeways • 400sf detached covered parking • 400 sf total detached single-story accessory bldgs, each 200 sf max • Basements no more than 2ft above natural grade 	Up to 1,050
Max height for steeper roofs		30 ft
Max height for flatter roofs		25 ft
Total size of house	-	2,628
Total usable space		3,428

Survey Form

What is your opinion of the rules on home size in your neighborhood?

- ☐ I am satisfied with the rules as they stand.
- ☐ I want tighter limits on home size.
 - ☐ I like the Beverly Wilshire Homes Association's proposal
 - ☐ I like the alternative proposal

Comments:

Name: _____
Address: _____
Date: _____

Please return this form to:

City of Los Angeles
Attn: John Darnell
West Los Angeles Office
822 S. Robertson Blvd., Suite 102
Los Angeles, CA 90035

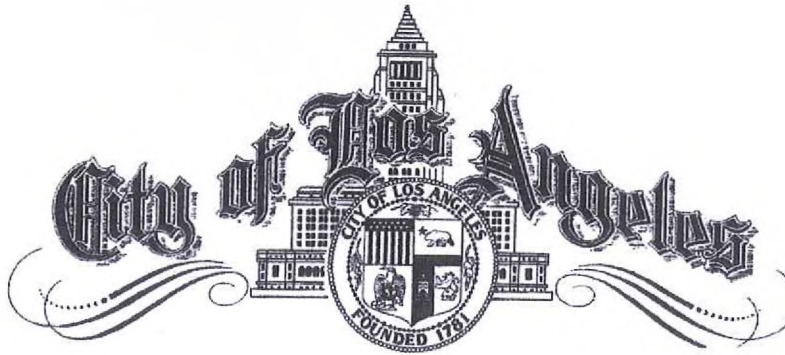
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Member
Budget & Finance
Energy & Environment
Transportation

Website: <http://cd5.lacity.org>
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PAUL KORETZ
Councilmember, Fifth District

March 28, 2012

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Dear Beverly Grove Stakeholder,

As you know I remain very concerned about the stability, beauty and integrity of all the neighborhoods in the Fifth Council District. Last year I conducted a survey among Beverly Grove homeowners to gauge their support for a Residential Floor Area (RFA) overlay to control mansionization. An RFA can be used to protect communities from homes that are so large that they deprive adjacent homeowners of air, light and privacy.

I encourage spirited debate on all civic topics and I have met with individuals who are opposed to my proposal. However, I believe misinformation is circulating regarding my proposal for a Beverly-Grove RFA. What I have asked the Planning Department to study is a proposal to limit home size to 3,000 square feet. I have not, and in fact would not, called for a ban on additions or new construction, controls on paint color or architectural style, or other draconian measures that may be described on various community flyers and websites. It has also been asserted that no other area in the City has such restrictions and that property values will drop. In reality, Beverly Grove is surrounded by neighborhoods with more restrictive HPOZs where property values have not diminished and RFAs exist elsewhere in Studio City and Sunland-Tujunga without detrimental impacts to property values.

My intention with the RFA is to protect the Beverly-Grove community from the largest most out-of-scale homes that may be proposed but to still allow for appropriate additions to accommodate growing families and changing taste. I will continue to work with all sides and all stakeholders on this important issue but sincerely hope that debate can be framed based upon facts rather than misrepresentations and intimidation.

Best regards,


PAUL KORETZ



11-1438
Prior CF 06-0400
CD 5

AUG 17 2011

PLANNING & LAND USE MANAGEMENT

MOTION

Single family homes within the "Beverly-Grove" neighborhood of Los Angeles have a unique Spanish Revival architectural style and remain largely intact as they were developed 75 years ago. This walkable neighborhood contains a blend of home styles and types but the predominant structures average 2,375 square feet. Current zoning requirements allow homes averaging 3,660 square feet plus certain excluded square footage. In addition the traditional homes that create the character in this neighborhood include detached rear garages, but new homes typically include large attached front garages that increase the visual bulk of the home. This mismatch between modest existing homes and much larger new homes results in neighborhood conflict and out-of-scale homes that detract from the ambiance and integrity of the entire neighborhood.

The City's Baseline Mansionization Ordinance (#179883), passed May 6, 2008, establishes a baseline for home-size limits but recognizes that every neighborhood in Los Angeles is unique and has individual needs. For this reason the Baseline Mansionization Ordinance includes provisions allowing for Residential Floor Area (RFA) overlays to further refine and meet neighborhood specific needs. The Beverly Grove neighborhood including residential structures on R1 zoned properties located within the area bounded by Colgate Avenue on the north, Fairfax Avenue on the east, Lindenhurst Avenue on the south, and San Vicente Boulevard on the west is in need of a RFA overlay to protect from intrusive out-of-character oversized homes. A RFA for this area will also be able to address community design concern by encouraging detached garages and providing increased setbacks to limit the impact of large homes that may abut smaller historic structures.

Over the last two years Council District 5 has met with the homeowners association representing the Beverly-Grove neighborhood, held community meetings, conducted a neighborhood survey and held individual meetings with proponents and opponents of a RFA. While the survey and some community organizations support a very tight (2,400 square feet) RFA, I believe a more modest 3,000 square foot compromise will still allow for additions and remodels for changing taste and growing families. It is appropriate at this time to begin the formal approval process for the RFA. This approval process will include time for additional public input, review by the planning department, public hearings and ultimately approval hearings before the City Council.

I THEREFORE MOVE that, pursuant to Section 12.32 and 13.13 of the Los Angeles Municipal Code, the Department of City Planning be directed to draft a Residential Floor Area Overlay for the Beverly Grove area limiting the base Floor Area Ratio to 0.41, increasing side-yard setbacks for two-story homes and eliminating exemptions for over height entries, balconies, covered porches and attached garages.

I FURTHERMORE MOVE to authorize the Chief Legislative Analyst to make any technical corrections or clarifications to the above instructions in order to effectuate the intent of this motion.

Presented By:

Paul Koretz
PAUL KORETZ

Councilmember 5th District

Seconded By:

Paul Zukorin

ORIGINAL

Committees:

Chair
Personnel & Animal Welfare

Vice Chair
Transportation
Ad Hoc on Social Equity

Member
Budget & Finance
Energy & Environment
Ad Hoc on Waste Reduction & Recycling

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March 4, 2013

Michael LoGrande
Department of City Planning
200 North Spring Street, 5th Floor
Los Angeles, CA 90012

Re: Beverly Grove RFA

Dear Mr. LoGrande:

I am writing first to thank you for the work you and your staff have done on this important neighborhood planning issue. As you know and we have discussed, mansionization is a critical issue facing the Beverly Grove homeowners and residents. Your Planning Department team has set an aggressive schedule for completing the overlay. This is important as the pace of mansionization has accelerated throughout Beverly Grove and I welcome your Department's commitment to move the RFA forward as quickly as possible.

Following an Interim Control Ordinance in 2006 and the citywide Baseline Mansionization Ordinance in 2008, this overlay represents the City's third effort to address mansionization in Beverly Grove. Your department's RFA team has toured Beverly Grove and has seen that the current crop of oversized houses demonstrate the need for the RFA and for protections in this unique and historic neighborhood. I trust that what your team brings forward to the City Planning Commission will be innovative but most importantly sufficient and effective.

It is clear that citywide protections are insufficient for the unique neighborhood that is Beverly Grove. The Beverly Grove RFA must set meaningful, enforceable limits on home size, on bulk, mass and height to avoid devastating consequences on adjacent properties and the overall neighborhood. My original motion establishes the broad outlines of a sensible, appropriate, straightforward approach. Under the formula in my motion, the limit on home size would still be about 15 percent larger than what the community endorsed in my broad opinion survey. It would

be about 40 percent larger than the average historic home in the neighborhood. It would however provide critical protections against the largest and most damaging mansionization projects.

Oversized homes in this neighborhood do not just violate the scale and character of Beverly Grove, they reduce the quality of life for their nearest neighbors. A large bulky home towering over an adjacent modest historic home can result in a loss of sunlight and privacy as well as a reduction in appeal and property values.

Protecting the scale and character of established residential neighborhoods is required by the City of Los Angeles's General Plan and shaping a Beverly Grove RFA that achieves that goal is our joint responsibility. I want to thank you again for your work so far and let you know my office stands ready to help in any way we can as we continue this important work.

Very truly yours,

A handwritten signature in cursive script, reading "Paul Koretz". The signature is written in dark ink and is positioned above the printed name "PAUL KORETZ".

PAUL KORETZ

cc: Mid City West Neighborhood Council
Beverly Wilshire Homes Association
CD5 Coalition of Homeowner Associations