



Etta Armstrong <etta.armstrong@lacity.org>

CF13-1478-- Communication from the public

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Tue, Apr 29, 2014 at 10:43 AM

----- Forwarded message -----

From: **Helene Toomey** <helenetoomey@gmail.com>
Date: Tue, Apr 29, 2014 at 11:18 AM
Subject: PLUM Committee meeting April 19, 2014, Item 6 (CF13-1478)-- Communication from the public
To: sharon.gin@lacity.org, Patrice.lattimore@lacity.gin
Cc: Bruce@kuyper.name

Dear Ms. Gin and Ms. Lattimore,

Please distribute this email to the members of the PLUM committee before this afternoon's committee meeting.

Regarding the following public comments submitted earlier by Bruce Kuyper, we would like to express to the PLUM committee that we are in complete agreement with his comments and opposition. We are homeowners at 1050 Acanto Place, a neighboring street to the proposed development. Unfortunately, we are unable to be present at today's meeting, but would like to publicly express our opposition to this proposed small lot subdivision on a residential street and a residential neighborhood.

Respectfully submitted,

Helene and David Toomey
1050 Acanto Place
Los Angeles, CA 90049

Dear Honorable Councilmembers of the Planning and Land Use Management Committee,

I respectfully request that you consider my following comments before taking action on Item 6 (CF13-1478).

I am a property owner and resident at 11805 Bellagio Rd, Los Angeles, CA 90049. I am a close neighbor of a proposed small lot subdivision (Case No. VTT-72465-SL, 11767 Bellagio Rd). I

respectfully request that you vote against the proposed ordinance.

1. The Proposed Ordinance Is Unrelated to the Assigned Council File.

As an initial, procedural matter, the proposed ordinance is unrelated to the motion that commenced this council file.

This council file was commenced on November 1, 2013 by the motion of Councilmember LaBonge, which was seconded by Councilmember Krekorian. (See http://clkrep.lacity.org/onlinedocs/2013/13-1478_MOT_11-01-2013.pdf.) The motion states in part that "Small Lot Subdivisions have disrupted the character of existing neighborhoods. They are not compatible with nearby buildings and do not relate well to the street." Accordingly, the motion directs "that the Department of Planning be instructed to update and improve the Small Lot Subdivision Guidelines." The motion also directs that "the Department of City Planning, with the assistance of the City Attorney, be instructed to evaluate the Small Lot Subdivision Ordinance and prepare any changes to the Ordinance that are necessary to ensure that future Small Lot Subdivisions are compatible with the neighborhood."

The proposed ordinance was not in response to the motion. Instead, the Planning Department's proposed ordinance's staff report in Council File 13-1478 clearly indicates that it was instead the result of the Planning Director's initiation "[o]n February 12, 2013," (http://clkrep.lacity.org/onlinedocs/2013/13-1478_misc_a_01-30-14.pdf), months before the November 1, 2013 motion that opened this council file. Also, the substance of the proposed ordinance (to accelerate the construction of small lot subdivisions) is clearly unrelated to the substance of the council file's motion. I would further submit that the acceleration of the construction of small lot subdivisions in fact contradicts the substance of the motion.

Separate Council File 13-1478-S1 (Item 7 on today's agenda), however, appears to be related to the first directive of the motion, because it references the Planning Department's new (January 2014) Small Lot Design Guidelines (http://clkrep.lacity.org/onlinedocs/2013/13-1478-S1_misc_03-13-14.pdf).

2. The Planning Department Should Be Directed to Comply with the Second Directive of the Motion.

The second directive of the motion is that "the Department of City Planning, with the assistance of the City Attorney, be instructed to evaluate the Small Lot Subdivision Ordinance and prepare any changes to the Ordinance that are necessary to ensure that future Small Lot Subdivisions are compatible with the neighborhood." But the Council File contains no indication that the Planning Department has performed any evaluation or prepared any changes to ensure neighborhood compatibility. I therefore request that you refer this motion back to the Planning Department to comply with the second directive of the motion.

3. The Proposed Ordinance Should Be Rejected Because It Violates the City's Charter.

City Charter Section 562(c) requires that 5 separate "findings shall be made before a variance may be granted." The proposed ordinance directly contradicts this. As the Planning Department's Deputy Director Lisa Webber admitted at the City Planning Commission's December 19, 2013 hearing on the proposed ordinance, the proposed ordinance gives the Department of Building and Safety "the

ability to avoid all of these variances." (<http://planning.lacity.org/StaffRpt/Audios/CPC/2013/12-19-2013/08CPC13-2450.mp3>, at 32:57.)

Subdivided lots do not exist until a map is recorded by the County. The City cannot grant variances on existing lots, before the subdivided lots exist, without making the findings required by the City Charter. Granting building permits before the subdivided lots exist without making the required findings therefore violates the City's Charter by granting variances without the required findings.

If the delay by the County in map recording causes a problem for developers, then they should seek reform from the County.

Please reject the proposed ordinance because it violates the City's Charter. At a minimum, please refer it to the City Attorney for an opinion of its validity under the Charter. The council file does not indicate that the City Attorney ever considered the validity of the proposed ordinance.

4. Consideration of the Proposed Ordinance Should Be Postponed until the Small Lot Subdivision Ordinance Has Been Reevaluated.

In addition to the motion, there have been other expressions of concern with the Small Lot Subdivision Ordinance and calls for its reevaluation. Among them, the Los Angeles Neighborhood Council Association ("LANCC") recently overwhelmingly voted for a moratorium on further small lot subdivisions until the ordinance is reevaluated:

Proposal to draft letter to Los Angeles City Council to enact a moratorium on the small lot subdivision ordinance until a complete staff report can be commissioned to review the merits of the 2004 ordinance and to see if current construction is meeting the intent of the original ordinance for infill density and affordable housing options. The process would include Townhall meetings in the five geographical areas to hear input from NC members and the public.

(<http://www.lancc.org/resources/LANCC%20agenda%202014.04.05.pdf>.) 80% of the attending councils voted in favor of this proposal.

Because of the concerns expressed by the motion, LANCC, and others, the proposed ordinance to accelerate the construction of small lot subdivisions should at least be postponed until after the Small Lot Subdivision Ordinance itself has been reevaluated.

Conclusion

The unelected Planning Department serves only the interests of developers who pay its fees and generate higher property taxes and revenue for the City and the Planning Department itself. Only the City Council can truly and fairly represent the interests of Councilmembers' taxpaying, voting constituents who neighbor developments that the Planning Department cannot seem to resist. Please act in the interests of your constituents by either rejecting this proposed ordinance or at least referring it to the City Attorney for an opinion as to its validity under the City's Charter.

Thank you very much for your consideration.

Respectfully submitted,

Bruce Kuyper
Owner and Resident
11805 Bellagio Rd (CD5)
Los Angeles, CA 90049
cell 213-304-3150
home 310-889-9826
bruce@kuyper.name

—
Sharon Gin
City of Los Angeles
Office of the City Clerk
213.978.1074
Sharon.Gin@lacity.org





Etta Armstrong <etta.armstrong@lacity.org>

CF13-1478--Communication from the Public

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Tue, Apr 29, 2014 at 11:01 AM

----- Forwarded message -----

From: **Jane Wyler** <jane@wylers.net>
Date: Tue, Apr 29, 2014 at 11:00 AM
Subject: Plum Committee Meeting April 29, 2014, Item 6 (CF13-1478)--Communication from the Public
To: sharon.gin@lacity.org, patrice.lattimore@lacity.org
Cc: bruce@kuyper.name

Dear Ms Gin and Ms. Lattimore,

We, Jane and David Wyler, owners and residents of 989 Moraga Drive, fully and definitively agree with our neighbor, Mr. Bruce Kuyper and his comments regarding the above mentioned Agenda item. Please find said comments below. We have been residents of this neighborhood for over 25 years, and thank you in advance for you attention to these comments. Again, our thanks to the Honorable Council Members.

Respectfully Yours,

Jane and David Wyler
989 Moraga Drive
Los Angeles, CA 90049

310.472.7472

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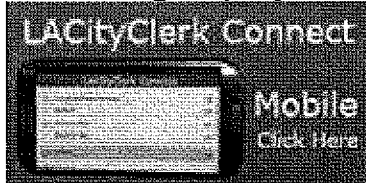
Thank you very much for your consideration.

Respectfully submitted,

Bruce Kuyper
Owner and Resident
11805 Bellagio Rd (CD5)
Los Angeles, CA 90049
cell 213-304-3150
home 310-889-9826
bruce@kuyper.name

—
Sharon Gin

City of Los Angeles
Office of the City Clerk
213.978.1074
Sharon.Gin@lacity.org





Etta Armstrong <etta.armstrong@lacity.org>

Fwd: PLUM Committee Meeting April 29, 2014, Item 6 (CF13-1478) - Communication from the Public

1 message

Sharon Gin <sharon.gin@lacity.org>
To: Etta Armstrong <etta.armstrong@lacity.org>

Tue, Apr 29, 2014 at 11:12 AM

----- Forwarded message -----

From: **Andrew Harwood** <andrewharwood4@gmail.com>
Date: Tue, Apr 29, 2014 at 11:12 AM
Subject: PLUM Committee Meeting April 29, 2014, Item 6 (CF13-1478) - Communication from the Public
To: sharon.gin@lacity.org, patrice.lattimore@lacity.org
Cc: Lauren Sand <lauren@grabbit.com>, Mojgan Manavi <mmanavi@gte.net>, Emerson Torres <emerson@usaish.com>, Arne Schmidt <arnelschmidt@mac.com>, Lois Linden <Lois.tvimes@verizon.net>, Jayson Sher <drjsher@hotmail.com>, Judy Sher <jss222@hotmail.com>, George Gorgy <doublegginv@msn.com>, Marlene Gorgy <mksalib@yahoo.com>, Eli Dubrow <hfdcebd@aol.com>, Eli Dubrow <edubrow@hfdclaw.com>, Carenia Alden-Deutsch <caldendeutsch@me.com>, "Deutsch, Joel D." <JDD@jmbm.com>, Jane Wyler <jane@wylers.net>, David Wyler <david@wylers.net>, Greg Egemo <gegemo@rpm-mtg.com>, Harold Igdaloff <higdalloff@aol.com>, Joan Rimmon <JoanGR@aol.com>, Marilyn Garber <klinklevin@aol.com>, Lisa Levin <lisa@packhappy.com>, Peggy Hattendorf <peggy@peggyhattendorf.com>, Helene Toomey <helenetoomey@gmail.com>, Shahin Tehrani <shahin1826@aol.com>, Richard Gruber <rgruber@pszjlaw.com>, Susan Claman <susanlclaman@gmail.com>, Linda Williams <cindyann001@gmail.com>, Connie Somerfeld <onphotoalbum@gmail.com>, John Seitz <res19tao@verizon.net>, Ray W Sanders <rws@sainnetworks.com>, Andrea Scharff <andreascharff@aol.com>, Diana Messadi <dmessadi@gmail.com>, Patricia Stricklin <pattistricklin@earthlink.net>, Marikay Ohayon <marikayohayon@yahoo.com>, "Jennifer N. Owens" <jnielso@msn.com>, Andrew Harwood <andrewharwood4@gmail.com>, Israel Massachi <israelmassachi@gmail.com>, Julie Clemente <jgclm@ucla.edu>, Avelen Schondorf <avelene@yahoo.com>, Mavis Presler <mop8@juno.com>, Owen Gillchrist <og1218@aol.com>, "Patricia A. Cunningham" <pat@bellagiohouse.com>, bruce@kuyper.name

Dear Ms. Gin and Ms. Lattimore,

Please distribute this email, which below contains my public comments on agenda item #6, to the Honorable Council Members of the Planning and Land Use Management Committee before the Committee meeting being held this afternoon.

I, Andrew Harwood, am a long-time resident of 1072 Casiano Road, which is located up the street from the proposed construction project at 11767 Bellagio Road.

I wholeheartedly and definitely agree with and endorse the comments being submitted by my neighbor Mr. Bruce Kuyper of 11805 Bellagio Road. For ease of reference, Mr. Kuyper's comments are copied below.

I wish to thank you and the Honorable Council Members in advance for your kind and prompt attention to the

above mentioned request and comments.

Respectfully submitted,

Andrew P. Harwood
1072 Casiano Road
Los Angeles, California 90049

I respectfully request that you consider my following comments before taking action on Item 6 (CF13-1478).

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Owner and Resident
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Los Angeles, CA 90049
cell 213-304-3150
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bruce@kuyper.name

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