



“The Baseline Hillside Ordinance is a major step toward the protection of our city’s hillsides and ensures that development conforms to the land, instead of the land conforming to the development.”

-Director of City Planning Michael LoGrande

THE PROBLEM ON SISTER ELSIE DRIVE



**Appeal of the North Valley Area
Planning Commission’s
Determination
ZA 2012-3329 (ZV) (ZAD
ENV 2009-2926-MND-REC1
November 4, 2014**

Sunland –Tujunga Alliance, Inc.

The evidence is MOUNTING.

The issue is becoming HEATED.

The city has a serious MANSIONIZATION
issue.



FRANCINE ORR Los Angeles Times

A BALINESE-INSPIRED contemporary in Bel-Air owned by Joseph Horacek III is being overshadowed by a home he calls the “Starship Enterprise.”

Houses, tensions grow

Huge home projects concern Bel-Air residents

BY MARTHA GROVES
AND JOSEPH SERNA

When Joseph Horacek III looks at the “Starship Enterprise” — as he calls the mansion going up above his low-slung, Balinese-inspired contemporary in Bel-Air — visual pollution isn’t his primary concern.

The veteran entertainment attorney is afraid the whole thing will come sliding down the hill and crush his household.

With post-recession construction booming on the Westside, architects are building up and under: creating wine cel-

lars and subterranean bowling alleys, altering slopes and ridgelines.

Convoys of dirt haulers and cement mixers compete with residents for space on the narrow roads winding through Bel-Air and Trousdale Estates. Some of the vehicles have sheared tree branches, crumpled utility boxes and toppled stop signs. Atop those more mundane problems, homeowners worry that there is a real risk their hillsides are being destabilized.

“No one is protecting our community,” said Fred Rosen, former chief executive of Ticketmaster and [See Bel-Air, A16]

Los Angeles
Times

August 30,
2014

For some residents, the hills have eyesores

[Bel-Air, from A1]
co-founder of the Bel Air Homeowners Alliance, which wants the city of Los Angeles to impose stricter limits on construction.

When building codes were implemented, no one anticipated the enormous residential projects in the hills, Rosen said. Planners and engineers could not have envisioned the need for caisson foundations and vast retaining walls.

"We have 2014 technology with 1980 regulations,"

Rosen said. "They approve sites on top of each other, without understanding the consequences and collateral damage for the neighborhood."

"You can buy a 3,000-square-foot house, regrade the lot and make a 35,000- to 40,000-square-foot house," he said.

Robert Steinbach, chief of the Los Angeles Department of Building and Safety's inspection bureau, said the agency works to minimize construction-related

traffic and disruptions. But summer is prime season for builders.

"Right now you're talking about a nuisance issue because people see and hear idling trucks and they worry about fire and rescue vehicles," he said. "But if they do [the construction work] in the rainy season, you're talking about really dangerous effects."

"So it's the lesser of the evils."

Building officials say their role is to make sure that properties are built safely, but they also note that city codes allow construction of huge homes, even in hillside areas.

Residents became more vocal about their concerns after separate but eerily similar accidents earlier this year that killed two Los Angeles police officers on steep Loma Vista Drive in Beverly Hills' Trousdale Estates.

After the second incident, in which an out-of-control cement truck struck an off-duty detective's pickup, Beverly Hills imposed a 30-day moratorium on haulers weighing more than three tons. Contractors now are required to have the vehicles inspected by police, and they may travel to and from job sites only on pre-approved routes.

Beverly Hills' City Council also stopped new grading on hillside properties until tighter construction rules could be put into place.

Los Angeles, Rosen said, has been slower to react to the construction-related perils.

Until recently, he and fellow crusaders, including actor Leonard Nimoy and director William Friedkin, had saved their harshest criticism for Los Angeles Councilman Paul Koretz, saying he had ignored the ramifications of a "construction bombardment."

Koretz countered that he has worked closely with the Bel-Air Assn., a longtime neighborhood group that in July wrote him a letter of support.

"We're aware of a new problem that never existed anywhere in the city," Koretz



JOSEPH HORACEK III at his Bel-Air home. The veteran entertainment attorney says he is afraid the mansion above him will come crashing down.

"They approve sites on top of each other, without understanding the consequences and collateral damage for the neighborhood."

— FRED ROSEN, former chief executive of Ticketmaster and co-founder of the Bel Air Homeowners Alliance

said. "We're looking at legislative fixes. ... We have to get more of a handle."

On July 30, he introduced two motions to strengthen the city's hillside ordinance, which was implemented in 2011 to rein in some of the more daring slope-side building. One would potentially limit exemptions for developers seeking to grade hillsides and require more robust notification of neigh-

bors. The other would be aimed at developing more proactive inspections and enforcement of building and haul route rules.

According to a consultant Horacek hired, the multi-level "starship" project on Strada Vecchia is at least 61 feet tall, 25 feet above the maximum. (The size, at 30,000 square feet or so, is not that outlandish by today's standards, Horacek acknowledged. A home going up nearby is thought to be more than 85,000 square feet.) He said chunks of the hillside outside his front door already have cascaded onto his street.

In an appeal filed with Los Angeles, Horacek contended that developer Mohamed Hadid had unlawfully demolished the existing house, had not obtained appropriate permits for the residence he is building on spec and had improperly altered the hill's topography.

Last month, Koretz sent a letter to city officials saying in part: "It is hard to believe that a project that looks more like the Getty Center than a home could have been

built without a single discretionary entitlement or public input — not even a mere haul route."

Building officials then ordered Hadid to stop construction and told him they intended to revoke his permits because of multiple violations. The matter remains under investigation.

Benjamin Reznik, Hadid's attorney, said a surveyor has filed revised topographical and grading documents with the city and that the project "is within the legal limits."

Hadid, who has appeared on "Shahs of Sunset" and "The Real Housewives of Beverly Hills," said in an interview that the trend toward larger homes would end up benefiting the city by expanding its tax rolls.

"It might not be good for the neighbors for a little bit," Hadid said, "but values go up."

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ANNE CUSACK Los Angeles Times

"IT'S NOT about the size of the structure, it's about the size of the structure in relationship to its surroundings," says Shelley Wagers, who lives in Beverly Grove, which has an anti-mansion ordinance.

Humble home endangered

Residents watch helplessly as big houses replace bungalows. L.A. should act quickly to close loopholes in mansionization ordinance.

STEVE LOPEZ

Amy Aquino has lived in one of the bungalows lining a lovely block of Curson Avenue in Hollywood for 23 years. Nancy Halbert has lived in her house across the street for 39 years. Last December, Aquino heard a clatter and looked out to see a bulldozer tearing down the sweet little Craftsman next door to Halbert.



"It was gone in a day," Aquino said. "When I saw the bulldozer, it was so sad," said Halbert, whose own house was built in 1920. "That was the hardest day."

"We were crying," Aquino said. Today, in the very spot where the Craftsman sat, a 4,500-square-foot, two-story behemoth is nearing completion.

"People call it a McMansion," said Halbert, a retired nurse who now looks out her kitchen window across a narrow driveway at a solid wall of concrete. "But it looks like a giant cement box to me."

Conversions like this one have been going on for years across Los Angeles, and led to a 2008 mansionization ordinance aimed at reducing their size and protecting neighborhoods. But the ordinance had loopholes, as my colleague Emily Alpert Reyes reported in May, and developers are taking full advantage.

So what's City Hall doing about it? You'll be shocked to hear that city officials are dragging their feet on a simple, straightforward proposal to close the loopholes.

"It's not moving as fast as I'd like," said Councilman Paul Koretz, who recommended revisions to the ordinance way back in May. He guessed it could take "eight or nine months" before there's any movement.

But by then, angry residents argue, developers will have scooped up many more homes that sit gracefully on modest-sized lots and replaced them with imposing hulks that ignore history and alienate neighbors.

On Aquino's block, residents

find business cards from a real estate agent offering cash for their houses, presumably for more tear-downs. Around the corner, on Stanley Avenue, another longtime resident has lost sight lines and natural light — not to mention her privacy — in the shadows of a looming edifice nearing completion next door.

It doesn't look like a house so much as a cruise ship, and when the developer saw me taking it all in, he asked what I was up to. I told him the house struck me as demonstrably out of place both in size and appearance.

"I can't tell you what car to drive or what hat to wear," he said, telling me his name was Eddie.

Thanks for that, Eddie. But cities do have the power to impose and enforce zoning regulations. The monstrosity Eddie built is legal, apparently. But one can only hope that houses just like it will be illegal in the very near future.

"It's not about the size of the structure, it's about the size of the structure in relationship to its surroundings," said Shelley Wagers, a homeowner in Beverly Grove, where activists worked for years to get a neighborhood ordinance that knocks McMansions down to size.

She said she and her neighbors are being contacted by homeowners across the city who want advice on how to get their own ordinances. Three such neighborhoods now have protection, said Wagers, but she believes the better strategy would be for the entire city to be governed by the revisions Koretz has proposed.

As it is, Wagers said, a 6,000-square-foot lot can have a 2,000-square-foot house. But attached garages and balconies aren't counted in the square footage, and bonuses for things like recessing 20% of the front of a house make it possible to go way beyond the 3,000 square feet.

"A 4,350-square-foot house is not too big in absolute terms. But it is too big for a 6,000-square-foot lot in an established neighborhood," Wagers said.

Wagers said she's not trying to dictate necessity or architectural sameness, nor is she suggesting large

space, although a lot of the spec houses are being bought by singles or couples without children.

I'm not as polite as Wagers, so here's my take:

Whether we're talking about the obscenity of Bel-Air homes as big as 85,000 square feet, or U2 guitarist The Edge insisting on building a rock 'n' roll compound atop a pristine ridge in Malibu, or a 4,500-square-foot shoe box that dwarfs the 10-year-old house next door, wretched excess is on display in the Southland, and humility is on vacation.

"The statement is, 'Look at me in my gigantic home and my Cadillac Escalade and my Lincoln Navigator and all my great stuff,'" said Clark Carlton of Beverly Grove.

Jason Neideman, another neighbor, said the community is being exploited. Speculators target a desirable neighborhood, build houses that make it less desirable, and walk away with bags of money while longtime residents see property values fall in the shadows of aircraft carriers posing as houses.

Which brings us back to City Hall, and call me a cynic, but you have to wonder if city officials would rather keep the real estate lobby happy than protect neighborhoods from being ravaged.

Councilman Koretz said he's been told the Planning Department doesn't have adequate staffing to deal with his proposed ordinance revisions. Why, because they're too busy approving all those monstrosities?

He also fears there may be a call to delay any action until new building restrictions can be folded into a broader, years-long plan to revamp planning and zoning codes.

But thousands of McMansions could pop up in that time. I don't see why City Hall can't put a rush on ordinance revisions or a temporary moratorium on mega-houses.

The city has no greater asset than the pride people have in their own homes and communities. Before the next bulldozer rolls, city officials need to quit dawdling, step up and protect that interest.

Los Angeles Times

September 24, 2014

Los Angeles Times October 22, 2014

Pushed to the wall by mansions

BY EMILY ALPERT REYES

With “mansionization” marching on in some Los Angeles neighborhoods and city officials saying stricter regulations are still a year and a half away, some vexed residents are taking matters into their own hands.

Beverlywood resident Pam Roberts-Malay said she was moved to act after a new, bigger home was built on a modest lot next door, blocking her treasured view of the Century City skyline with an eyeeful of gray wall.

The new home, roughly twice the size of the old one, obscured the western sunlight and scenery she had loved. So she gave her neighbors an eyeeful of their own.

Big signs across the western windows of her Cresta Drive home proclaim in block letters: “Your house [See Mansions, AA7]



FRANCINE ORR Los Angeles Times

WHEN THE HOUSE next door was replaced by one roughly twice as large as the old one, Pam Roberts-Malay posted signs in her windows denouncing it.

Some hit the ceiling over mansions

[Mansions, from AA1] destroyed our privacy" and "Your house blocks our sunlight." Roberts-Malay posted the signs after failing to hear back from the owners or persuade her homeowner association that the house should not have been allowed under neighborhood restrictions.

"I am not the type that likes to feel powerless," Roberts-Malay said.

The owners of the neighboring home, Ezra and Aviva Sagi, declined to be interviewed. In a September letter to Roberts-Malay and her husband, the Sagis' attorney said they were seeking a temporary restraining order, arguing that the couple were "deliberately seeking to annoy them" and making it harder for them to sell the vacant house.

Such squabbles represent the latest round in the long-standing tug of war over how far the rights of L.A. homeowners — and their neighbors — extend.

Los Angeles leaders say they want to tighten restrictions on mansionization, but citywide fixes are expected to take at least 18 months, city officials say.

As the gears of city bureaucracy grind on, irritated Angelenos are planning protests at open houses of fresh "McMansions" near Beverly Grove, and passing out tip sheets on how to report suspected building violations at the bigger, often boxier houses that irritate them in the La Brea Hancock area.

In North Beverly Grove — an epicenter of the mansionization backlash — the frustration has even shown up on the fences of demolished or soon-to-be demolished homes, some of which have been spray-painted with slogans or festooned with bags of dog poop, said longtime resident Clark Carlton, an outspoken opponent of mansionization.

Carlton said he and his



FRANCINE ORR/LOS ANGELES TIMES

PAM ROBERTS-MALAY was upset that her views were ruined when the house next door in Beverlywood was replaced by a bigger one. She posted signs in her windows. "Your house destroyed our privacy," one says.

allies don't condone the destruction of private property. "But people are frustrated because they feel like they've done everything they can do legally," he said.

Discussions about mansionization on the neighborhood website NextDoor have escalated into tense arguments over the rights of homeowners and neighbors. People living in the bigger houses lamented by neighborhood activists say they should have the right to build the more spacious homes they want for growing families and other needs.

"It's not that anybody wants to purposely rob people of light and air and sun," said Tamar Andrews, who has lived in Beverly Grove for decades. "We have bigger homes because lifestyles have changed."

Her family expanded their home to roughly 3,600 square feet to accommodate their four children after dis-

covering that the foundation of their existing house had shifted, she said. After construction started, letters began to pepper the fencing around the property, Andrews said — "hateful mail saying, 'You're going to destroy the neighborhood. You and your developer friends need to get out of here.'"

"They assume anyone tearing down their house is a developer looking for a quick buck," she said.

Local politicians and planning officials say that L.A.'s rules against mansionization — meant to prevent bloated houses from being built on modest lots — have fallen short. The restrictions, put in place six years ago, curb the size of new and renovated homes based on lot size. But the rules also include "bonuses" of 20% or 30% more space than otherwise allowed.

The Cresta Drive house in Beverlywood, for exam-

ple, got a 20% bonus because of the way its floors were proportioned. Builders can also get extra space if they use environmentally friendly methods or scale their facade to a certain ratio. Critics also point out that the city excludes some parts of houses from its calculations, including as much as 400 square feet of "covered parking area."

City Councilman Paul Koretz has vowed to wipe out such loopholes and tighten the rules. But planning officials say it won't happen right away.

They say they need time to check compliance with the California Environmental Quality Act, hold repeated public hearings, get language drafted by city lawyers and give neighborhood councils a chance to vet the amended rules. It doesn't help that the planning department is still rebuilding its staff after an early retire-

ment program reduced its workforce by a third, city officials said.

In the meantime, city planners have suggested temporary rules to curb demolitions and give residents "breathing room" in neighborhoods that have mobilized against mansionization, including Sunset Square, Studio City and North Beverly Grove.

The Los Angeles chapter of the Building Industry Assn. is worried about those moves, saying that the temporary restrictions could "result in a flurry of lawsuits."

Homeowners have not been given enough warning about the restrictions, which "will immediately remove property owner rights," the group's chief executive, Tim Plasky, said.

Planning officials say the temporary restrictions would immediately address the problem in mansioniza-

tion hot spots: desirable areas with older, smaller homes targeted for tear-downs.

Demolitions of single-family homes and duplexes dropped during and immediately after the recession, but have rebounded in the years since: More than 1,300 permits to tear down such structures were issued last year in Los Angeles, compared with roughly 700 three years earlier, according to the Department of Building and Safety.

But the temporary restrictions fail to satisfy many neighborhood activists, who argue that the city is singling out a few areas for protection while dragging its feet on fixing the bigger problem.

"It creates a situation of haves and have-nots," said Traci Considine, whose Faircrest Heights neighborhood has been recommended to get temporary curbs on home demolitions. "If you do a few Band-Aids for a few select neighborhoods, the target is just bigger on the backs of the neighborhoods that aren't protected."

One of the "unprotected" neighborhoods would be Beverlywood, where Roberts-Malay posted her signs. The Beverlywood Homes Assn. issued a letter asking her to immediately remove them.

Roberts-Malay refused, saying she was exercising her 1st Amendment rights. The association ultimately decided not to take any action against her. Roberts-Malay and her attorney said the Sagis also stopped pursuing their legal claim.

Instead of taking down the signs, Roberts-Malay sent out for more. The slogans now speckle a few of the neatly trimmed lawns along Cresta Drive: "No More McMansions in Beverlywood."

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THE APPEAL

Why We Oppose the North Valley Area Planning Commission's Determination:

- ❖ The proposed size of the dwelling and attached garage exceed the maximum amount of floor area allowed on the property (1,147 square feet).
- ❖ The grant of the requested variances and undermines the intent of the City's Hillside Ordinance (LAMC, Section 12.21.A.17).
- ❖ Sister Elsie Drive in the vicinity of the proposed project is a poorly improved "paper street" which is inadequate to accommodate safe access to the site.
- ❖ Development of the site threatens the health, safety, and welfare of residents that live in the area.
- ❖ Approval of the project establishes precedence and invite other speculative developers to build over-sized dwellings on narrow and steep lots in the area.
- ❖ The Mitigated Negative Declaration does not adequately address the impacts of the project and includes insufficient measures to address project impacts.
- ❖ There are no unique hardships associated with the development of this site to warrant findings in favor of the applicant's request.

Sister Elsie Drive



A Question of Public Safety

- ❖ Inadequate Access for Emergency Vehicles including Fire Trucks.
- ❖ Deteriorated Street Condition.
- ❖ No turn-around areas on Sister Elsie Drive.
- ❖ Earthquake Fault Transverses Project Site.
- ❖ Inadequate Infrastructure to support new development.
- ❖ Over- building on steep hillside lots invites increased traffic and congestion and interferes with the emergency evacuation of residents in the area.

- ❖ ***Policy 1-1.2:*** Protect existing single-family residential neighborhoods from encroachment by higher density residential and other incompatible uses.
- ❖ ***Policy 1-1.3:*** Require that new single and multi-family residential development be designed in accordance with the Urban Design Chapter.
- ❖ ***Policy 1-3.2:*** Seek a high degree of architectural compatibility and landscaping for new infill development to protect the character and scale of existing residential neighborhoods.

The Result of the Approval of Hillside Development Variances



Day Street Homes

Multiple Variances were approved for the three larger structures shown in this photograph. The granting of these variances resulted in out-of-scale and incompatible hillside homes.

Summary

“Our community is united in the belief that this project will undermine the intent of the General Plan and of the Hillside Ordinance by furthering development of hillside dwellings that are out of scale and which are incompatible with existing development in the area. The granting of these variances will encourage future developers to ask for and be granted similar variances for their projects. The end result will be an abrogation of the City’s responsibility to uphold its own hard-fought regulations to control mansionization in the City’s hillsides. The proposed project is opposed by the Sunland-Tujunga Alliance, the Sunland-Tujunga Neighborhood Council and its Land Use Committee and the homeowners directly impacted who live on Sister Elsie Drive”



Sister Elsie Drive