

Historical Architectural Consulting Memorandum:

PROPOSED BROOKSIDE PLANNING ZONING CHANGE

memorandum for the Public record; issue date 14 May 2018

Dear Councilmember Mr. David Ryu:

We would like to acknowledge our gratitude for your support in preserving the character of your various districts in Los Angeles, and particularly the unique neighborhood of Brookside. This is a special place in the development of Los Angeles and well deserves proper attention as a very distinctive and historic neighborhood on the Wilshire corridor and the Park Mile Specific Plan. We appreciate all of your efforts to keep Brookside the special place it is today.

We hope you help us to maintain these special qualities of Brookside as enjoyed by generations of residents, many of whom are concerned by this proposed zone change that will affect everyone's property for decades to come. We believe it prudent to state our concern that CD-4's petition process on the Split-Zoning issue recommended by Planning denies over half of our community of their opportunity to voice their opinion on this critical issue affecting our neighborhood. Unfortunately, many of the Brookside community's homeowners and stakeholders have been excluded from this petition and due process.

Given a flawed and unequal process was employed to gauge the sentiment of Brookside, we strongly recommend that your best option is to remove this item from the 23 May 2018 City Council agenda. We recommend that you propose to extend the ICO expiration date. This will allow a fair and equal process to be held that allows **all** of your constituents and Brookside stakeholders to have an opportunity to state their preference for rezoning, with a proper administration of the public outreach started by the Planning Department in November and December of 2017. We strongly recommend the Planning Department administer the actual process of zoning determination to avoid unfortunate neighbor conflicts as now exist and that sadly continue to grow day by day.

Your office's public outreach since that time has been woefully inadequate. Many people we have surveyed for the petition had no knowledge of the proposed zoning change. Further, the Brookside HOA board has conducted no survey nor made any formal public outreach with neighborhood residents to gauge their opinions. On 1 March 2018 the Brookside HOA Board changed from their long-standing "no-opinion" policy to one of strong support for V-3. There is one elected board member who does not support a V-3 zone, and consequently no consensus of the Board.

Also we have concern that you have allowed insufficient time for your office to properly perform a due-diligence effort to vet the signatures gathered by neighbors by the time you expect to make your own determination of a decision.

We also believe this zoning change consideration where V-3 has been championed is in fact inconsistent with the Community Plan Goals and Objectives. These have somehow been ignored during the various community discussions, particularly from the V-3 proponents.

This suggests that applying V-3 throughout all of Brookside is non-compliant with the defined Planning Policy for the Brookside area. Excerpting from the Planning Department's documents presented at their 2017 community outreach meetings, **document Number CPC-2017-4556-ZC:**

The proposed Zone Change Ordinance (Exhibit A) is consistent with the following goals, objectives, and policies of the General Plan Framework:

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.

Policy 3.5.2 Require that new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.

Please remember that your original position was support for R-3, and that we were encouraged by your former Planning Deputy to support a split zone instead in order to insure harmony. We made this concession in the interest of consensus for the neighborhood. Instead supporters of an R-3 zone have experienced unfortunate personal attacks by some V-3 proponents, receiving hate emails and being publicly accused of being "Communists." We have not responded in-kind to this unfortunate behavior that demonstrates a complete lack of a "civil process of community self-determination" as you requested in the packet information. These emails have been copied to your Planning Deputy.

We have heard from many Brookside residents in the proposed V-3 area voice their concern and anger over being denied their chance to express their opinion. They feel excluded with little explanation at **all** of the houses on Highland, **all** houses on Longwood, and **all** houses on the 800 block of Tremaine, the 800 block of Keniston, the 800 block of Hudson, and the 800 block of Rimpau. We heard that **more than 50% of Brookside stakeholders feel disenfranchised**. We believe that this does not provide a fair representation of the Brookside community's interests.

In the 15 days since receiving your petition survey packet to gather signatures on 30 April at 4:02 PM, we have collected 112 individual signatures from homes in the highlighted area of the map your office suggested to receive an R-3 subzone. Most problematic is the unequal start of the survey process. We understand from your office the V-3 proponents were allowed to make their own petitions and allowed to commence gathering signatures several weeks ahead of when we could start. This appears unfair. We have collected an additional 45 signatures from residents on Highland and the other blocks where your office has excluded them all from their opportunity to respond with their choice. Considering and including their voice in support of R-3 we have a total as of this date of 157 signatures.

And if you consider the 270-plus Brookside stakeholders who signed their interest in pursuing an HPOZ (which has effectively the same principles of front-offset second floor additions as the R-3 requirement,) we assert that an overwhelming majority of Brookside stakeholders do not support a "Variable" zone, improperly applied throughout all of Brookside. This concern was strongly felt by the blocks on both sides of Highland. While these properties of roughly 7,500 square feet are the same small sizes that border Muirfield and Mullen, their properties have been lumped in with the V-3 properties in the far larger lots areas of Longwood, Tremaine and Keniston. Support of these Highland residents for an R-3 zone was so strong we believed it appropriate to at least include them in our survey. Of note, only 2 of the 45 residents we talked with and received signatures from in support of an R-3 zone had even heard of this proposed zone change. Hard evidence of their interest in receiving an R-3 zone is evidenced by multiple instances where the owners have in recent years built additions- all onto the rear portion of their homes.

We strongly recommend that you include **all** of the Brookside residents in a renewed information outreach process that was started by Planning, and one that includes an opportunity for **all** of your constituents to be given an opportunity to state their opinion. For such a significant conservation of quality of life issue affecting community character and preservation principles, we believe you will make a correct decision with proper conservation for all.

Reviews and process

Planning's recommendations and conclusions were presented to and passed by the Planning Commission, and subsequently also unanimously by the Planning Land Use Management (PLUM) committee, and the Greater Wilshire Neighborhood Council's Land Use subcommittee. We respect their research and their conclusions, which are based on facts and consistency with the goals, objectives and policies of the General Plan.

Finally, at their 9 May 2018 meeting the Greater Wilshire Neighborhood Council expressed their concern that they were forced to adjudicate a complex zoning issue where as one member stated, "they have no skin in this game." The GWNC clearly stated their discomfort in voting on this issue and felt they were not sufficiently informed on this issue to be able to make an adequate determination. GWNC Members were also heard to state that the CD-4 office had "dropped this in their lap" with inadequate information by which to properly make a determination on this issue.

We understand the Brookside HOA does not have unanimous support of their Board in favor of V-3. We believe their support as a Board reflects only their personal opinions in this matter and should be considered as such.

Recommendations and suggestions:

Number 1:

Postponement of Vote at the 23rd May 2018 City Council meeting, combined with an extension of the ICO.

Number 2:

Resume the public outreach campaign by the City Planning Department, to include at a minimum two publicly noticed community meetings.

Number 3:

Have the City Planning Department conduct a fair and transparent referendum for all stakeholders in Brookside.

Comments:

1. In overview, an ICO-interim control ordinance- is scheduled to expire in July 2018. The Planning Department recognizes the risk of reverting back to the Baseline Mansionization Ordinance, and in two community meetings they hosted in November and December last year they presented two options for how to transition to a model more in keeping with the size and scale of the existing neighborhood. In either option a new requirement that garages be located at the rear yard rather than the front acknowledges the existing and historical pattern of the neighborhood. Front, side and rear yard setbacks will still apply, as will the requirement that a percentage of the size of the lot limits the size of the house.
2. What separates the two options are where one can add- V-3 allows development of new houses or additions to existing structures to have the massing allowed anywhere within the allowed footprint within setbacks.
3. R-3 limits additions to thirty feet back from the existing street façade. This results in an appearance more in

keeping with the majority of the existing neighborhood homes and coincides with the requirements of additions to existing homes in HPOZ's (Historic Preservation Overlay Zones.) This is also more consistent with the Community Plan Goals and Objectives, specifically to "*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.*" Additionally, that "*new development in single-family neighborhoods maintains its predominant and distinguishing characteristics such as property setbacks and building scale.*"

4. It is this 30-foot setback distinction that has created the drama and tension in Brookside. Our neighborhood is in fact naturally divided into two areas based on lot size. Towards the east, at Muirfield and Mullen, and to the west at Highland are almost entirely smaller lots (50' x 150', 7,500 SF overall.) Primary to the west are larger lots of more than 10,000 SF, up to the largest that is over 23,000 square feet. These lot sizes consequently determine the size of houses. Consequently, the V-3 designation would appear to have a far less negative impact on houses on these larger lots. When a development flip happens, few if any would tear down a two story home to build one story. But the loss of the original structure, and the overall community's character, is destroyed forever.
5. To apply V-3 throughout Brookside is inconsistent with the Planning Department's professional judgment, and absent of a reasonable planning policy. No matter if an R3 or V3 subzone, a defined percentage of the lot size limits the maximum size of the house. Larger houses relate to larger lots; smaller houses on smaller lots. This variety represents the existing community character of Brookside and gives rise to its distinctive appearance.
6. A great majority of people we have been talking to and gathering signatures from over the past several years agree that preservation of a community matters. When a smaller house on a smaller lot is torn down, there is inevitably greater lot coverage by the new structure and less open green space. Also, there is less character of a community where insensitive additions and enlargements have been made over the years- even without the sacrifice of outright destruction. Planning's map of the neighborhood showing dates of construction shows that over 91% of the houses were built between 1920 and 1929- an astonishing figure for a neighborhood that proves it has retained substantial historical integrity. This is also at the root of our desire for an HPOZ status, or alternately an R-3 designation. To apply a V-3 zone throughout Brookside would open our neighborhood to development and forever render a future historic designation impossible. The zone changes created by a V-3 zone would mean the HPOZ pursuit- favored by 270-plus residents who signed a petition survey delivered to CD4 offices last year- would be lost. Along with losing Brookside's community character as unique as the stream that runs through it. Having protection from new, "big box" homes, or additions to original homes that are out of scale with the house, adjacent neighbors, and the neighborhood, matters to many Brookside residents. We believe maintaining the existing historical integrity and character of this unique neighborhood is critical to its uniqueness, and the consequent value of the properties.
7. The existing Brookside community's historical character is at risk by the proposed "Variable" zone, especially when applied over the entire community. Many neighbors who live in a house on a smaller lot want protection from overbuilding of "big box" houses that represent none of the unique character of Brookside. The V-3 Variable zone results in a box-like appearance that is common of new construction replacing the tear-downs recently experienced in the smaller lot areas. Smaller lots with new larger houses built to the existing front yard setback are consequently out of character with the historic scale of Brookside. A "Variable" zone applied throughout would not recognize that difference nor a distinctiveness that characterizes Brookside.

Summary comments for consideration in what has been a divisive concern for all in Brookside:

We have community opinions deeply divided between the two proposed zones. Having the current R1 zone split into two subzones should not “divide” a community, any more than the four zones that already exist in Brookside.

If there is division in this community it appears to primarily stem from neighbors who have been allowed NO CHANGE to address the proposed Zoning options and express their opinion- particularly those who live in the V-3 designation areas on the side of Brookside where larger houses on larger lots are located.

Of note is the HPOZ interest petition survey conducted from 2015 through 2016 and forwarded to CD-4 offices to demonstrate the community’s interest in neighborhood preservation. CD-4 did not act and eventually rejected the petitions as “invalid” as they did not include telephone numbers nor email addresses for CD-4 to use to verify their authenticity. Imagine the surprise when the CD-4 office’s own petition released late last month included neither telephone numbers nor email addresses. We assert that this either:

>invalidates the CD-4’s own survey, or

>validates the HPOZ interest survey signed by over 270 households.

This indicates in the interest of an overall democratic process that a new survey be administered by the City without a vested interest in the outcome and with adequate training in what is a complex rezoning proposal.

And equally of note is that the majority of the V-3 supporters live in a V-3 area, where that zoning applies. And their voice is to apply the more liberal new development options on the smaller lots where those V-3 rules would have a far greater impact on that community’s character- and coincidentally NOT where most V-3 supporters live.

Developers would appreciate the open season that a V-3 designation would have on the smaller lots representing a less costly investment, setting up their next opportunity in the ongoing run of tear downs we have experienced on the eastern R-3 parts of Brookside.

And the western areas would be safe- for now- from development to come when financial reasons are more available for the developer’s profit- not typically a profit realized by the property owner looking to sell.

This is an issue of property rights-and for all neighbors, including those who want to maintain the existing historical integrity and character of this unique neighborhood. A “big box” two story house, front loaded on the lot diminishes the value of adjacent properties. Proof of this is readily available in other neighborhoods in L.A. Developers then descend on the nearby property owners creating a domino -like effect where the original properties are lost by attrition.

As a historical architect I believe the cause here is fundamentally one of preservation. For preservation of a community’s character, while allowing appropriate and compatible residential development. Thank you for the opportunity to achieve this goal.

Sincerely;

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