

palisades preservation association

January 17, 2017

City Council,
City of Los Angeles
City Hall, Room 395,
200 N. Spring Street,
Los Angeles, CA 90012

Re: Council File: 16-1471
CPC -2016-2112-ZC
Opposition to Ordinance relative to amending
Sections 12.03, 12.07, 12.07.01, 12.07.1,
12.08, 12.21, 12.23, and 12.28 of the Los
Angeles Municipal Code to establish new
regulations for all single-family residential zoned
properties including RA, RE, RS and R1 citywide,
updating the existing Baseline Mansionization
Ordinance and Baseline Hillside Ordinance
provisions relating to the size and bulk of new
single-family residences and modifying grading
provisions for single-family lots in designated
Hillside areas.

Dear Councilmembers,

Our Association is strongly OPPOSED to the upzoning of the Pacific Palisades
Neighborhoods included in the proposed ordinance for the following reasons:

1. The upzoning will eliminate affordable housing by encouraging the demolition of over half of the one-story single family homes in the neighborhoods to be replaced by mansions which only the wealthy can afford.
2. The upzoning will eliminate the diversity of the neighborhoods.
3. The upzoning was initiated and supported by the greedy development industry to maximize profits at the expense of those who cannot afford to buy mansions they will build.
4. The upzoning is not only a bad public policy but it is bad planning to give certain neighborhoods privileges that are not enjoyed by other neighborhoods in the City.
5. The Findings by the Planning Commission are not supported by the evidence.

In contrast to all the other neighborhoods that are recommended by the Planning Commission for exclusion from the provisions of the Amendments to the BMO/BHO ordinances, the proposed Pacific Palisades ordinance will upzone a vast number of properties located in the community as well as 20 dissimilar neighborhoods.

The term “upzoning” means that instead of being subject to the limits set forth in the Amendment to the BMO/BHO Ordinance, the properties will for all practical purposes, be allowed to develop as provided in the existing BMO/BHO Ordinance. Thus, the purposes of adopting the Amendment are defeated, in particular preserving affordable housing in the City and preserving the quality of life in the neighborhoods as well as their character.

The Pacific Palisades Community.

Currently, the community of approximately 20,000 residents consists of a variety of single family housing. There are neighborhoods such as the Riviera and the Huntington in which only mansions exist and in which they are appropriate. Generally speaking most other neighborhoods consist of a mix of housing. Basically these neighborhoods were almost exclusively one story single family residences until the late 1980's when more homeowners began to remodel adding a second story onto their homes. At the same time real estate developer also began to demolish homes and build mansions on them. By the mid-1990s mansionization was slowly creeping into the neighborhoods. With the real estate market booming after 2011 and with Chinese investors buying up properties for cash, mansionization accelerated. The price of the new mansions began exceeding \$4 million and now it is not uncommon for them to sell for over \$5 million thus pricing out the upper middle class.

Currently, about 60% of the R-1 homes in the neighborhoods that the proposed ordinance will upzone, are one-story houses. (Approximately 30% of the R-1 zoned lots are in the Coastal Zone and are not subject to BMO/BHO ordinances and are not included in the proposed zone.

The Findings Adopted By the Planning Commission Are Not Supported by the Evidence.

Both the Findings that:

1. “The proposed zone change will promote the objectives, policies and goals of the Brentwood-Pacific Palisades Community Plan by continuing to protect the character of the existing single-family neighborhoods in the Pacific Palisades area. By instituting the new R1V1 and R1H1 development regulations, new development would be compatible with the existing neighborhood character of Pacific Palisades. As new houses are developed in conformance with the proposed regulations, and are built within the proposed site, floor area and lot coverage restrictions, the overall existing character of Pacific Palisades community is preserved.”

and the finding that:

2.”The proposed Zone Change conforms to public necessity, convenience, and general welfare, and good zoning practice in the following respects: a proposed single family development standards of the R1V1 and R1H1 create guidelines and standards for new development which helps protect the character of the Pacific Palisades. The new single family standards within the R1V1 and R1H1 Zone will ensure that new construction is

compatible with the existing context; new projects will enhance and reinforce the existing environment, and that the aesthetic and visual quality area will be improved and complement the character of the Community.”

are not supported by the evidence. The findings supporting the other zone changes for the neighborhoods are based on the character of the neighborhoods, not the character of the communities. However, the both findings are false and neither conform to the purpose of the proposed changes. All the other communities involved are small and really just neighborhoods. The Pacific Palisades on the other hand dwarfs the other neighborhoods involved. The fact is that in the community, with the exception of two or three neighborhoods, the dominant character of the single family residences is single story. Moreover, the nature of most neighborhoods is mixed housing. The impact of the proposed ordinance will be to provide incentives for developers to buy and demolish every small house and replace with a luxury mansion.

Additionally, the neighborhoods in the Palisades differ in character. The Alphabet Streets which are by far the largest neighborhood that is proposed to be included, is composed of approximately 900 lots 94% of which are narrow 40 foot wide lots with only a 12 foot setback facing onto a 20 foot wide street. Upzoning the Alphabet Streets to R1V1 would result in what is now primarily one story homes, being mansionized with mansions crowded tightly together.

Moreover, several neighborhoods north of Sunset between El Medio and Lachman Lane and the Highlands will not be exempt from the BMO/BHO Ordinance thus those neighborhoods will not be the same character as the rest of the community as envisioned by the Planning Department. It will be of a mixed character which the areas proposed to be made R1V1 and R1H1 are now. Thus, adopting the R1V1 and R1H1 upzoning will not:

1. Continue to protect the character of the existing single-family neighborhoods in the Pacific Palisades area;
2. Make the development compatible with the existing neighborhood character of Pacific Palisades by instituting new development in accordance with the new R1V1 and R1H1 development regulations;
3. Preserve the overall existing character of Pacific Palisades;
4. Ensure that new construction is compatible with the existing context;
5. Enhance and reinforce the existing environment by building new projects in accordance with the R1V1 and R1H1 zoning regulations;
6. Improve the aesthetic and visual quality area and complement the character of the Community.

Therefore, the proposed adoption of the proposed R1V1 and R1H1 zoning regulations will neither conform with the objectives of the General Plan or the Brentwood-Pacific Palisades Community Plan contrary to findings of the Planning Commission. The evidence does not support those conclusions.

Contrary to the Staff, implementing the R1V1 and R1H1 zoning regulations is not only bad zoning policy, it is bad public policy to demolish more affordable housing and to create an

environment. Moreover, given the narrow width of the lots and streets in the Alphabet Streets, the proposed zoning regulations will not achieve the goal of “enhancing the overall visual quality of the streets by providing a more unified and low scale appearance which increases light and air and circulation.” The bulk of the buildings will overwhelm the neighborhood.

The Majority of the Property Owners in the Affected Neighborhoods Do Not Support the Proposed Upzoning.

The City Planners stated in their report that:

“The proposed zone change began with a desire voiced by the community to preserve the built character of the Pacific Palisades community.”

The problem with that statement is that members of the community who are satisfied with the existing built character of the community support the enactment of the BMO/BHO Ordinance, not the proposed zone change. Many of the property owners are tired of mansions being built next door that block their views and allow the occupants of those mansions to look down into their houses and yards as well as eliminate much of the sunlight.

The impetus for the proposed zone changes came from a well organized real estate lobby composed of real estate brokers and their agents, architects, contractors, and developers who fear that application of the Amendment to the BMO/BHO Ordinance will substantially reduce their profits. Houses built under the Amendment to the BMO/BHO Ordinance will be smaller and thus will sell for far less. Thus, not only do the developers gain a smaller profit from their investment but the real estate agents and architects get smaller commissions.

The only thing more abundant in the Palisades than bankers are real estate agents. The brokers Coldwell Banker, Berkshire Hathaway, Rodeo Realty, Michael Edlin, Amalfi Estates among others joined with the architects that form the Civic League (the Civic League does not represent the property owners in Tract 9300 as they claim, just the architects that form the Governing Board) to get the Palisades out from the Amendment to the BMO/BHO Ordinance. This coalition mailed letters to every property owner in the Palisades telling them that if the Amendment to the BMO/BHO Ordinance passed that the value of their property would suffer (completely false) thus scaring some property owners, particularly elderly ones, to support the proposed R1V1 and R1H1 ordinances. The real estate agents went door to door telling the residents that if the Amendment to the BMO/BHO Ordinance passed, it would hurt property value. Moreover, the coalition financed visits by the Planning Department staff to community meetings and then flooded the meetings with their people in order to dominate the conversation.

Lastly, members of the coalition dominated the Community Council and succeeded in getting the Council to oppose adoption of the Amendment to the BMO/BHO Ordinance. While the Council chair permitted opponents ample time to speak, she limited supporters.

Despite their efforts, a majority of the persons who attended the Planning Department hearings opposed the adoption of the proposed R1V1 and R1H1 ordinances. One petition from property owners in the Alphabet Streets contained over 50 signatures.

Despite that, a representative from Councilman Bonin’s office told the Planning Commission that the proposed R1V1 and R1H1 zoning regulations had strong support from the community. That was based on the communications that his office received. But most of those

communications did not come from property owners in the affected neighborhoods. They came from real estate agents, architects, contractors, and other members of the development community as a result of the coalition's efforts to get every member of the coalition to communicate with the Council office. Many of those did not either live in the affected neighborhoods or even in the Pacific Palisades.

Worse yet, when they appear at the hearings, they never tell the Hearing Officer, the Commission, and probably not the Council, that they are real estate agents.

In conclusion, It isn't fair to give property owners in the Palisades special privileges over other property owners in the City. Palisadians should bear our fair share of providing affordable housing. The BMO/BHO Amendment does this. Its application to the Palisades will mean that there will be a diversity of housing available to people wanting to live there, not just for the wealthy.

The only way that we can do this is by downzoning our neighborhoods, not upzoning them as will be done if the R1V and R1H zones will do. The R1V and R1H zones will not make the current property owners any richer. It will only make the real estate agents, architects, and mansionizers richer.

Respectfully,

A handwritten signature in black ink, appearing to read "Jack Allen", with a long horizontal flourish extending to the right.

JACK ALLEN, President