

Cheviot Hills News

Cheviot Hills Homeowners Association

Autumn 2007

GENERAL MEETING

Cheviot Hills Homeowners Association

Tuesday, October 23, 2007

7:30 p.m.

Vista del Mar
3200 Motor Ave.

Please Attend

LIGHT RAIL

Since April, Neighbors For Smart Rail and the CHHA Light Rail Committee have been working with the Expo Phase 1 community group called Expo Communities United (ECU) headquartered in South LA. Expo Phase 1 will run from South Flower Street west to Culver City, Phase 2 is planned to continue through the Westside to Venice or Santa Monica. 20 years ago the Westside and Southside communities were fighting Expo side by side in defense of school safety on this route and it is ironic that we are important allies fighting the same fight this far down the road.

Most recently Neighbors For Smart Rail (CHHA is a charter member) has committed time and resources to helping ECU protest against the grade crossing approval sought by Expo before the California Public Utilities Commission (CPUC). ECU is opposing the safety risks and unmitigated environmental impacts to schools, parks, neighborhood cohesion, and residences as a result of the many at-grade (street-level) crossings planned for their communities. ECU is requesting a fully grade-separated, **below-grade alignment**. ECU has the same concerns for their communities that NFSR has



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MANSIONIZATION ORDINANCE

On June 28, 2007, following public hearings and meetings, the City Planning Commission approved a proposed ordinance to control the construction of large structures that are incompatible with the existing surrounding neighborhoods or "Mansionization". The Planning Department's staff reported that current regulation for single-family residential zones is "extremely permissive and has resulted in the construction of large structures that are incompatible with the existing surrounding neighborhoods. The proposed ordinance provides for the reduction in FAR (floor area ratio) in order to" directly address the issue of house size, prevent the worst case scenarios, establish a new base from which to work for future code amendments and/or overlays dealing with mansionization, and for the protection of neighborhood character.

On July 24, 2007, the Planning & Land Use Management Committee of the City Council (PLUM) reviewed the proposed ordinance

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MESSAGE FROM THE PRESIDENT



On October 23, 2007, at 7:30 pm at Vista del Mar, the CHHA will hold a General Meeting. This is NOT an election meeting. We will have a speaker (probably from the LAPD), and we will discuss options for paying a security service to patrol the neighborhood. Please come and let us know what you think (and whether you would favor a dues increase to pay for patrol service).

We now have gathered 450 of your email addresses, which helps us communicate with many of you much more cheaply and efficiently. However, our email service tells us that typically only 150 of the 450 emails we send are opened. This probably means that many of our emails are being intercepted by spam filters. To see if this is happening to you, and what to do about it, please contact our tech-savvy neighbor and CHHA website webmaster Mitch Griner, who can be reached at website@cheviotills.org.

Your volunteer Board has been very actively involved in the issues that concern Cheviot Hills most. Here are some updates:

— Light Rail: The MTA intends to publish a list of its project priorities this Fall. In light of proposed State budget cuts, the Expo Line's rank on this list will be a strong indicator of how quickly the Expo Authority will be moving on the project. In other news, the Expo Authority has bowed to popular demand and agreed to study a prospective route that would run from Robertson along Venice all the way to the ocean. What remains to be seen is whether the will of the people and common sense can prevail over (a) the City of Santa Monica's political muscle; and (b) the MTA's stubborn insistence upon building rail as dangerously, disruptively, and cheaply as possible.

— McMansions: The City is considering an ordinance aimed at curbing McMansionization. See the article by our Neighborhood

Preservation Committee Chair Steve Moyer in this issue.

— Landscaped Medians: It has taken far longer than it ever should have, but finally we are seeing some vegetation in the medians on Manning and Motor Avenue. Now, we'd like to see some trees, and monuments on Motor letting people know they are entering a residential community.

— The City has engaged an architecture and design firm to study and design models of a new vision for Century City. Think "sustainable", mass transit (access to the planned Wilshire Subway) and pedestrian friendly. Contact the Council's Office for more details.

Finally, if you have not paid your \$35 membership dues for 2007, please send them in with the enclosed envelope, provide us with changes to email addresses and give us your feedback in the space provided.

Kevin Hughes
President
Cheviot Hills Homeowners Association

Cheviot Hills Traffic Matters

The continuing traffic pressure imposed on our community and adjoining neighborhoods by Westside development, in Century City and elsewhere, has kept the CHHA involved in a number of issues on an ongoing basis. Here is a list of matters, not comprehensive, that CHHA has spent time dealing with in the last few months. New threats of increasing and unsafe traffic pressure arise regularly and CHHA seeks to address these matters as they arise to best protect our community and its neighbors.

1. The Neighborhood Traffic Management Plan (NTMP) to calm traffic through Cheviot

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Jack Weiss Recall Effort

A group of residents of Council District 5 has initiated an effort to recall councilmember Jack Weiss. Due to its charter CHHA is not allowed to take a position on this issue.

NEIGHBORHOOD SAFETY

Cheviot Hills remains one of the safer neighborhoods in Los Angeles; however, we are not immune to crime. Our Community has been targeted by “smash and dash” criminals, who break into cars by smashing windows and removing property. Laptop computers, briefcases/purses, cell phones, and ipods are frequent targets - please do not leave valuable items visible in your car. Unfortunately, there have also been a number of home burglaries in Cheviot Hills.

If you see suspicious activity, please contact the LAPD. If you are the victim of crime, please complete a police report. The level of police presence in Cheviot Hills is based solely on our neighborhood crime statistics and we must keep our LAPD officers informed.

If you would like to receive information on neighborhood safety, including LAPD crime reports and community safety events, please sign up for the Cheviot Hills Crime Blog. Please email crime@cheviot hills.org to be placed on the distribution list.

Mark Roggenkamp
Neighborhood Safety Chair

Street Medians & Maintenance

With almost all the Cheviot Hills traffic mitigations in place, a big remaining question is how the landscaping along the raised medians will be maintained. The original agreement with Century City developer Trammell Crowe called for TC to pay for the mitigations and maintenance for one year only.

The LA City Council has very recently passed a motion, introduced by our Councilman, Jack Weiss, for the city to fund and complete all our mitigations.

The Board of the Cheviot Hills Homeowners Association believes the city should assume the duty of maintaining these medians, and we'd like to organize our homeowners in a campaign to elicit councilman Weiss' support.

We suggest Cheviot Hills homeowners call or email Jack Weiss' office and ask our councilman to resolve this issue with the city. And thank him for insuring that all our mitigations are implemented.

Phone: (310) 289-0353

Fax: (310) 289-0365

E-Mail: councilmember.weiss@lacity.org



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for ours. The Expo Authority's response to the protests so far has been (paraphrased), "There is no money for grade separation, and, oh, yeah, this is safe enough for government work."

This has been a lengthy, time consuming process that can be best characterized as a "David and Goliath" effort pitting a transit savvy, grass roots activist group against the combined might of MTA (and a hearty welcome to its new chair, **Santa Monica Councilwoman Pam O'Connor!**); Expo and their lawyers ("we're just following orders..."); the County Board of Supervisors (starring **Zev** and **Yvonne**), and local politicians who are tripping over themselves to fight for a coveted position on the fence (anyone seen **Jack?**).

The CPUC is the state agency charged with rail crossing safety and it is they who rule on the need for **grade separations when safety is at issue**. Expo currently has 27 crossing applications pending and ECU is protesting them all at this point as the "domino effect" dictates that the configuration of any one crossing will likely affect the design of those adjacent. The CPUC is looking at the entire line as a corridor (though jurisdiction is limited to crossing safety), and so will not approve any application until the protest procedures are exhausted.

What does all of this have to do with the CHHA? The experience we gain working on Phase 1 will serve well on Phase 2. Through requests made by NFSR pursuant to the Public Records Act, and Discovery Rights of the CPUC proceedings, we have been able to get scores of documents which provide a three-dimensional view of the Expo project and the fuzzy thinking behind it. This material along with meetings and communication with the US Department of Transportation, Federal Transit Administration, and the Federal Railway Administration, among others, provide ECU and neighbors (for smart rail...) with support **against at-grade crossings**. With the huge sums of tax payer money on the line, all the transportation dreams sold by Expo advocacy groups, and the tremendous political leverage brought to bear to ram this project through, we all thought we might uncover some important, weighty, transportation imperative underlying this project that would stop us in our tracks. The

gut check wasn't necessary. When you **balance all of the issues against public safety** there is not enough lipstick in the world to gussy up this pig!

In all of the planning and design of this line Expo has never had any intention to build this project anywhere but at-grade. Though MTA/Expo will tell you that there is no money for grade separation, it is because **none was seriously sought**. Sloppy planning in the early stages caused Phase 1 to lose out on Federal New Starts Funds, twice. Further, it was Expo's choice not to accept federal help in redesigning the project to qualify for matching funds. Those funds would have required federal standards and oversight on the project, which would have benefited the LA public but ham-strung Expo.

Thoughts to ponder:

- Expo admits that **grade separation is safest** but saw no need to pursue the funding to build it that way on Phase 1.

- Expo is respecting Culver City's City Council resolution **not to allow at-grade crossings anywhere in Culver City** but turns a deaf ear to Los Angeles communities who want grade separation, calling them NIMBY's. Why the double standard?

- Without grade separation, for safety reasons, the trains will not run fast enough to encourage ridership. Even some of the transit advocacy folks are starting to flip on this one as they realize the inefficiency of at-grade crossings in a complex urban area with high pedestrian and vehicle volumes.

- Yes, traffic is bad, but the Expo LR **will not relieve congestion** on the I-10 Freeway and north/south surface street traffic congestion and air pollution at train-blocked intersections will be worse if Expo is built at grade.

- **Phase 1 doesn't want trains running on an elevated two-lane freeway, 2 stories above their community**, creating noise, visual blight and privacy issues. Phase 2 doesn't either. Elevated trains are unacceptable.

- Current **per lane traffic counts** at Overland Ave. do not qualify it for grade separation under MTA Grade Crossing Policy guidelines. If they

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widen Overland near the National Blvd. freeway entrance that count will go down even further. What are the real chances that Phase 2 will have a below grade crossing at Overland Avenue? If the other side has it's way there will be no rail under Overland Avenue.

The most important thing we have learned so far is to start your protests early (remember our scoping comments? Well done.), and keep them going loud and long. Los Angeles **communities have been excluded from planning of Expo Phase 1**, in fact, it is clear that every effort has been made to obscure the details and intentions of MTA/Expo on that project. We cannot expect the Phase 2 experience will be any different. Public input and acceptance is the standard for transit projects all over the country. It is beyond understanding how this principle has been turned upside down in Los Angeles. MTA/Expo has made their mandate and intentions very clear. **They will not listen unless we make them listen.** NFSR asks for your continued support and your signatures as we fight to have community concerns heard. We also need your generous contributions to help underwrite the costs of our work on your behalf. Currently the CHHA will match members' tax-deductible contributions so your gift goes even further!

Thank you.

Colleen Mason-Heller
Light Rail Chair



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and instructed Planning Department staff to work with the Department of Building & Safety on implementation issues, and to work concurrently with the City Attorney's Office as they review the draft ordinance for form and legality.

On August 23, 2007, Department staff reported, "We are expecting the Baseline Mansionization Ordinance to be revisited by PLUM in September. We don't have a specific date yet, so keep an eye on their agendas starting then." PLUM usually meets every Tuesday. Go to www.lacity.org and click on "City Meeting & Agendas" on the left side of the page to go the full calendar; agendas are typically released on Fridays before the meeting by the City Clerk's Office."

Consequently, we expect that PLUM will review the proposed ordinance sometime in October. We will report the results of the Commission's review. If the Commission recommends City Council approval of the proposed ordinance, we will prepare a report for the CHHA an analysis of its main provisions.

Steve Moyer
*Chair- Neighborhood Preservation Committee
Member, Board of Directors*

For those interested, details of the amended ordinance follow. This information is also available on our website.

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This ordinance also prevents the irreversible adverse impacts associated with the new construction and additions at the current 3:1 FAR which result in out-of-scale structures that will otherwise be permitted by-right, and further degrade the quality of life in existing single-family residential neighborhoods. Another reason for the proliferation of out-of-scale structure is the use of Buildable Area to determine maximum development potential on a single-family zoned lot. The proposed solution utilizes the lot area as a base from which FAR is determined, rather than the

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Buildable Area currently used in the Municipal Code. By tying development potential directly to lot size and to individual zones, the ratio of house size to lot size is maintained proportionally across different lot sizes within each zone, and the development standards for each of the eight zones are further distinguished.

New Floor Area Ratios for Each Single-Family Zone

There are eight distinct single-family zones affected by the proposed ordinance. The proposed solution reflects the differences in the eight zone designations and establishes a base floor area ratio for each zone, based on lot size. As a direct result, two-story structures will automatically have larger setbacks than single-story structures of the same floor area. Under the current code standards, setbacks do not increase by default as the lot size increases. This has resulted in the construction of two-story homes on large lots with little air space between neighboring structures. To remedy this, the reduced floor area ratio is tied directly to lot size and is in addition to setback requirements in the zone, resulting in larger setbacks on two-story structures. The new base Floor Area Ratios ranging from 0.25:1 on RA lots to 0.5:1 on R1 lots respect the characteristics of these zones and address most of the factors that contribute to Mansionization.

Articulation Bonus

The purpose of the Articulation Bonus is to encourage quality design of single family homes. There are two ways of achieving the bonus. The Proportional Stories method allows for slightly larger two-story structures by granting a floor area bonus of 20% of the maximum Single-Family Residential Floor Area as long as the stories other than the Base Floor are not greater than seventy-five percent of the Base Floor. This tool will provide a floor area incentive that encourages articulation by requiring that the second floor be smaller than the first floor, thereby changing the perception of size and scale of a structure. The Facade Modulation Bonus allows for slightly larger

two-story structures by granting a floor area bonus of 20% of the maximum Single-Family Residential Floor Area as long as 25% of the building frontage facing the street is stepped back from the front façade by a minimum of 20% of the total building depth. To ensure that the FAR reduction does not result in inequitable restrictions on substandard R1 lots, the Bonus is raised to 30% in order to allow for reasonably-sized homes that are also well-designed on the exterior. Both the Proportional Stories method and the Facade Modulation method are flexible in terms of design, allowing the property owner to determine where this area is to be used.

b) Amend Height Limits for Single-Family Zones

Roofs are a defining characteristic of single-family homes; articulated roofs add visual interest to a structure and provide transitions between properties. Therefore, the proposed ordinance establishes new standards to differentiate between sloped and flat roofs. The proposed ordinance lowers the allowable height for buildings with flat roofs and maintains the existing height limits for buildings with sloped roofs.

Section 12.21.1 has been amended to allow building heights of up to 33 feet in the R1, RS, and RE9 zones and 36 feet in the RE11, RE15, RA, RE20, and RE40 zones, for buildings that provide a roof slope of at least 25 percent (25%). For buildings with a flat roof, or a slope of less than 25%, the maximum height would be 28 feet in the R1, RS, and RE9 zones and 30 feet in the RE11, RE15, RA, RE20 and RE40. A structure can combine flat and pitched roof sections, however, the allowable heights for each section will vary as described above.

c) Add New Single-Family Residential Floor Area and Base Floor Definitions Single-Family Residential Floor Area The existing Floor Area definition does not differentiate between the various building types and zones, and is applied to all development in the same manner, unless otherwise stated. This means that the floor area of a single-family home is calculated in the same manner as a commercial shopping center

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or an industrial park, yet the structures are very different. The existing Floor Area definition also excludes areas such as garage space, atriums, and stairwells that contribute significantly to the mass and scale of residential structures. The new Single-Family Residential Floor Area definition would include such areas that are currently excluded from the maximum development potential for a lot. The existing definition still applies to uses other than single-family residential.

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Hills has gradually been implemented over the last couple years. A final burst of construction of designated medians on Motor Avenue and traffic mitigations in the California Country Club and Beverlywood area are due to commence, we are told by our Councilman's office, any week now. Funding for completion of the project was incomplete until recently, when the City found and earmarked funds for completion to supplement a funding shortfall due to the project's increased cost over time. Cheviot will see short medians on Motor Avenue at Dunleer Drive and long center medians in Motor Avenue parallel to Cheviot Hills Park between Monte Mar and Pico. City-managed landscaping and a City required irrigation system are being implemented in all existing medians on Manning Avenue and Motor Avenue. (See the accompanying article on the matter of maintaining the median landscaping.) The City Department of Transportation has recently been restriping Motor Avenue to provide safer room for bicyclists around the famous "bumpouts" on Motor and to provide a wider safety buffer for cars passing those bumpouts.

2. The CHHA along with several other homeowners groups has challenged the City's approval of construction of a very large condominium project in Century City at Constellation Boulevard and Avenue of the Stars. This project will, if completed, put 483

condominium units plus some supporting businesses at 10131 Constellation Boulevard, where a bank and an underutilized restaurant used to be located, yet the City accepted the developer's position that this project, with two 47 story towers and a 12 story loft building (1,300,000 square feet) and over 1208 parking spaces, will generate less traffic than the small bank, underutilized restaurant and open space that previously occupied the site. Amazing but true. Our lawsuit is pending against the City for its acceptance of what we consider a flawed Environmental Impact Statement (EIR) and issuance of permits for construction based on that EIR. With a realistic expectation that the City would approve this project for construction without regard to strong and substantive community objection and objective facts CHHA had with other homeowners associations worked to negotiate a financial settlement with the developer in the form of a financial contribution to the community to be used to support community institutions and deal with Westside traffic and other issues. Due to a dispute with Councilman Jack Weiss over how the funds would be managed and administered, the developer contributed the settlement funds negotiated to a City fund that Councilman Weiss would then supervise with community input from community residents chosen by Councilman Weiss.

3. Supervisor Zev Yaroslavsky over the last 12 months has proposed that, to mitigate traffic congestion on the Westside, the City should study making Olympic one way west and Pico one way east. The CHHA attended several hearings on this matter sponsored and managed by Councilman Weiss and CHHA responded with homeowners concerns in writing to the Councilman and DOT. Though still under study by the City our sense is that the project has many severe practical implementation issues that outweigh whatever marginal benefits to traffic speed might result from a one-way configuration. Not that practically always trumps a political initiative...

4. Fox Studio is building a new parking garage at the southwest corner of its studio lot on Pico Boulevard. Fox had requested, in fact

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claimed a right to have, a stop light on Pico at this site to allow its employees easy access to and exit from this new parking structure. CHHA opposed this proposed additional stop light on Pico and, for now, DOT and the City have not approved such a light. Vigilance on this issue is necessary, however, as Fox may again attempt to have a new stop light placed at the site.

5. Traffic pressure on Motor in the morning has been mitigated somewhat by a new “no turn between 7 and 10am” sign on westbound National Boulevard at Motor Avenue which has reduced some cut-through traffic that was avoiding the metered traffic limits on Motor during those morning hours. DOT intends to monitor the results of this change in our neighborhood and in adjoining neighborhoods.

6. Word has it that capacity of the Overland Avenue bridge over the 10 will receive additional lane capacity in the next couple years, a project that has been on the books since the last century.

7. CHHA has been reviewing and commenting on new development in areas adjacent to our neighborhood, such as on Motor Avenue in Palms, south of Cheviot Hills, where several large mixed used residential and commercial buildings have been proposed and are in the process of being reviewed by the Planning Department. Similarly, the Westfield Shopping mall is contemplating a major expansion and a new mixed used office and condominium tower on its property in Century City. Beverly Hills is reviewing two mixed used condo and commercial projects at the already traffic-troubled corner of Santa Monica and Wilshire Boulevards at the site of the old Robinsons May department store and as an addition to the Beverly Hilton Hotel. And a big project will no doubt be proposed for the vacant site at 10100 Little Santa Monica Boulevard in Century City at the edge of Beverly Hills. These projects, along with plenty of smaller mixed-use and residential projects filling in existing neighborhoods with larger, denser housing, will

contribute to increasing traffic on the Westside, all flowing in to a street grid that has not had any large capacity increases (other than, arguably, the new old Santa Monica Boulevard) for decades.

8. See a traffic problem? Let us know. Though traffic changes are fluid and the process is slow, we are always identifying concerns to the City and our elected representatives.

Greg Pulis
CHHA Traffic Chair

BLOCK CAPTAINS NEEDED

The Cheviot Hills Homeowners Association is attempting to improve our ability to communicate with our residents and our elected officials. When issues such as development, traffic and mansionization come before our representatives, often with very little prior notice, it is important that our voices be heard. We are looking for people to help us update the email addresses we have on file, and deliver flyers a few times a year. Please help your community. Please go to the website to sign up. Thanks for your help.

CHHA- Website

We are in the process of improving our website www.cheviot hills.org so that residents will have easy access to general information and updates on ongoing issues.

