

# Cheviot Hills News

*Cheviot Hills Homeowners Association*

*Winter 2007*

## ***Does Jack Weiss Represent us?***

**Jack Weiss and the City Council recently approved developer JMB Realty's plans to build two 47-story condominium towers in Century City.** *Weiss* and the City expressly based their decision on the assumption that the condo towers would somehow generate less traffic than the current uses of the property (a vacant lot, a little-used drive through bank, and a fading nightclub). This means that the developer will have no obligation to mitigate traffic impacts or to devote money to reduce Century City and Westside Traffic congestion.

Your Cheviot Hills Homeowners' Association, along with six neighboring homeowners' associations, spent the last several months negotiating with the developer and its powerful lobbying firm, *Latham & Watkins*, to mitigate traffic and to provide a substantial fund to benefit local schools, parks, libraries, fire and police. In a move that stunned all but the most jaded observers, *Jack Weiss* intervened at the last moment to change the terms of the deal to favor the developer and to give *Jack Weiss* control over the fund. Where the coalition had worked out an equitable sharing of the fund (e.g., area schools could not be favored one over the other), *Jack Weiss* reworked the deal to empower him alone to allocate the funds, allowing him to punish or reward as he alone sees fit. *Weiss* then issued a press release taking credit for the developer's contribution.

LA WEEKLY has published a story on the whole sordid mess, suggesting *Jack Weiss*

sided with *JMB Realty* and *Latham & Watkins* in exchange for campaign contributions. See the LA WEEKLY article ("Failing the Smell Test: City claims Westside traffic will ease, thanks to two skyscraper condos") at [CheviotHills.org](http://CheviotHills.org). Read more in this issue and visit [TellJackWeiss.Org](http://TellJackWeiss.Org).

## ***WILL WE HAVE LIGHT RAIL? IF SO, WHERE?***

**Light Rail will connect Downtown to Culver City by 2010.** The Exposition Metro Line Construction Authority is planning for connecting the line to Santa Monica several years later. The exact route to be taken is an open question. The map on page 7 (derived from earlier studies) shows the routes to be studied. Station locations and types are yet to be proposed. (*Cont'd. on p. 2.*)

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LOOK FOR THIS IMAGE ON THE CHEVIOT HILLS WEBSITE FOR LINKS TO MORE LIGHT RAIL INFORMATION

## *Light Rail (cont'd)*

**Exposition Light Rail was planned for two phases for two reasons:** “Lack of Funding for Project to Santa Monica” and “Lack of Consensus of a Route from Culver City to Santa Monica.” (Federal Transportation Agency (FTA) Record of Decision (Phase 1), pp. 6-7 see [CheviotHills.org](http://CheviotHills.org).) The FTA explained: “The Draft EIS/EIR considered an alignment for LRT that followed Venice Boulevard and Sepulveda Boulevard and did not use the MTA owned former railroad right of way in the areas adjacent to South Robertson, Castle Heights, Cheviot Hills, Westwood Gardens and the West of Westwood communities. Many comments were received that said that additional consideration should be given to an alignment that remained on the MTA owned right of way and did not divert around this segment. Due to a lack of consensus on this issue, no decision was made concerning the route of the future project from Culver City to Santa Monica and this question was deferred to a future study.” (Record of Decision (Phase 1), p. 7.)



SANTA MONICA AIR LINE  
CROSSES OVER MOTOR AVENUE

**Who Decides?** The construction of Phase 1 and the study of Phase 2 is under the auspices of the *Exposition Metro Line Construction Authority* (“Construction Authority”).

The Authority’s members are: County Supervisors *Yvonne B. Burke* (chair) and *Zev Yaroslavsky*; L.A. City Council members *Jan Perry* (vice-chair), *Bernard Parks* and *Herb Wesson*; Culver City vice-mayor *Alan Corlin*; Santa Monica City Council member *Pam O’Connor*; Metro CEO *Roger Snoble* (non-voting member); and *Richard D. Thorpe* (CEO). The Construction Authority’s website is [www.buildexpo.org](http://www.buildexpo.org); the phone is (213) 922-3976. Metro (formerly know as MTA) will operate the Expo line once opened – whatever the length and wherever the route.

**The Construction Authority has commissioned an Environmental Impact Review (EIR) concerning Phase 2.** Scoping hearings will begin shortly. CHHA has set up a committee to participate in, publicize and monitor the EIR process and to advise the CHHA Board.

## **Exposition Right of Way (Expo ROW)**

Contiguous strip of land through:  
Los Angeles, Culver City and  
Santa Monica.



Steam railroad starting in  
1875.



Electric “Red Cars” for freight  
passengers until 1953.



Diesel freight trains through  
the 1980s.

Acquired by MTA c. 1990.

## Cheviot Hills Bulletin Board

When people inside and outside our neighborhood could post anonymously to our bulletin board ([cheviot hills.org/board](http://cheviot hills.org/board)), it was quite busy. Now, it is used hardly at all. What *is* active on the bulletin board are registrations by computerized “bots” trying to spread advertising.

We do not have the time or the expertise to keep ahead of these registrations. Should the bulletin board not get more use, and without someone able to beat the bots, the bulletin board may be dropped. Regardless, we will continue our webpage and our periodic email “blasts” to keep in touch.

## *Homeowners Coalition Declares Partial Victory, Partial Defeat, Deep Frustration*

By now you may have received Jack Weiss’ email co-opting the “Community Benefit Fund” negotiated by the coalition of homeowners associations including your Cheviot Hills Homeowners’ Association. The full description of the coalition plan can be found at [www.TellJackWeiss.Org](http://www.TellJackWeiss.Org).



### ONE TOWER OF PROPOSED PROJECT

**The Victory.** The HOA coalition had sought millions of dollars from JMB dedicated to local infrastructure to offset impacts of current and past development. The coalition’s plan was adopted – in part. The coalition’s plan, which was co-opted by Jack Weiss as his own, was to have a fund which would generate interest in perpetuity for the community to offset the perpetual impacts of development, including the impacts of the JMB project.

**The Defeat.** As stated above, despite almost 500 requests from constituents and the requests from the leadership of all major HOAs around Century City, *Jack Weiss* chose to consolidate power for himself and deny the community the power to fund itself outside of the political process.

The economic portion of the deal negotiated by *Jack Weiss* falls short of the deal negotiated by the coalition in several respects. Most notable is that the coalition package included \$5M up front with all but \$250K going to the community benefit fund. Under the Councilman’s plan, the developer must only contribute \$2.5M up front, and an additional \$2.5M only if the developer chooses to build the second tower. This will delay the second \$2.5M and its community benefits for years, or even eliminate the \$2.5M entirely. Also, under *Weiss*’ plan, a significant portion of the \$5M will go to pay for mitigations that were supposed to be funded by past development projects, meaning *(cont’d. on p. 4.)*

### *Coalition (cont'd)*

that the community will be “paying twice” for these mitigations.

The arrangement accepted by *Jack Weiss* also falls short of the public accountability, transparency and predictability that the coalition sought. As final funding decision power rests exclusively with the council office, the same back-room power that allows flawed development projects to go forward will now be another tool of the powers-that-be in trying to “influence” residents – precisely what the coalition was working to avoid. Funding for facilities such as schools which was formulaic under the coalition plan can now be doled out based on other motivations

We hope that the fund will be operated in such a fashion that each facility gets identical funding as other like facilities. In this way, we can avoid inter-area concerns over inequitable distribution of the funds.

**The Frustration.** The HOA coalition was also reminded, yet again, that the process of approving large projects in the City is under the complete control and guidance of lawyers and lobbyists. They have the power to influence and control every organ of City government and have the access to ensure that the City passes projects that should not be approved.

In this case, the frustration was coupled with disappointment when counsel for the developer decided to disclose confidential settlement communications, correspondence and other confidential material in support of their client. They also chose to trash good people that they have known for years.

**Next Steps.** Tract No. 7260 along with other homeowner groups will likely file a lawsuit challenging the City’s approval of the JMB

project on multiple grounds. Central to any lawsuit would be the outrageous assertion that a combined 106 stories of high-rise residential towers, comprised of 1,300,000 square feet with 483 units creates less traffic than approximately 35,000 square feet of a walk-up bank and nightclub.

With the lawsuit the community will either have a reduced project and proper evaluation of impacts/development rights OR, should we lose the suit, some form of the community benefit fund will be in place. Either way, the community will be better off than it was before.

□ by *Mike Eveloff*, President, Tract 7260 Homeowners’ Association

## *General Meeting*

Around 250 residents attended our November 15th General Meeting. Board member (and Westside Neighborhood Council representative) *Stacy Antler* arranged the meeting with the able assistance of her board, including *Alisa Griner*, who saw to the refreshments and signage at the meeting. Special thanks go to Vista del Mar, which provided the meeting space gratis. (See xx for more information about Vista del Mar.)

The meeting agenda included committee reports, revising the Association’s bylaws, and a light rail presentation.

**Committee Reports.** Among committee reports, *Greg Pulis* reported for the **traffic committee** that the newly installed traffic islands will have irrigated plantings. He also reported on the efforts of a coalition of homeowners associations which caused JMB Development to agree to contribute \$5 million in funding toward schools, traffic mitigation, and public safety to clear the way for building (*cont'd. on p. 5*)

### **General Meeting (cont'd)**

condominium towers in Century City. Curiously, *Jack Weiss* is publicly taking the credit for arranging the contribution – after usurping the coalition which negotiated the contribution in the first place. Emails and letters from within this Association and other coalition members helped to keep the JMB settlement on track – at least in a watered down version.

*Carol Bahoric* reported for the **schools, parks and library committee** that the proposal for a several story fence around the Rancho Park Golf Course driving range has been withdrawn. Any renewed proposal is expected to be reduced in scope through a cooperative effort with the neighborhood, including concerned golfers.

*Stacy Antler* reported for the **trees and streets committee** that the City is making free trees available.

*Jeff Berman* reported that his **neighborhood preservation committee** is supporting a City Council proposal to limit McMansions through an ordinance correlating new construction footage to lot size. The Association's survey found neighborhood support for such limits. *Mr. Berman* also reported that his committee has succeeded in getting City enforcement of law concerning setbacks and illegal fences.

All committee chairs can be reached by email through addresses listed at [www.cheviothills.org/homeowners](http://www.cheviothills.org/homeowners) or by mail at P.O. Box 64458, Los Angeles, California 90064-0458.

**Bylaws Revised.** The members present approved the first major revision of our bylaws in the Association's history. Significant changes include staggered, two-year terms for the Board of Directors and

limitation of voting membership to home owners (as opposed to renters).

These bylaws were previously circulated, and they were approved with two amendments. First, directors or officers can be removed at properly noticed special meetings – as well as at general meetings, as originally proposed. Second, the stated purpose of the association was changed from the more restrictive “projects of significance within its boundaries” to “projects of significance to the Association.”

The Association again thanks Bylaw Revision Committee co-chairs *Art Naselow* (a former director) and *Glen Friedman* along with each of the other members who worked for years to update our bylaws. The revisions committee reviewed other associations' bylaws and worked with a parliamentarian to propose the revisions.

**Light Rail.** Light Rail Committee chair *Kurt Kroner* gave an overview of the light rail issue. He then turned over the dais to Friends 4 Expo ([www.friends4expo.org](http://www.friends4expo.org)), a volunteer light rail advocacy group, which gave a 20-minute audiovisual presentation on the light rail that is coming to the Westside. Speakers advocating opposition to Light Rail on the Expo ROW were unavailable and will be available at a later date.

Phase 1 of the Exposition Light Rail project is slated for completion from Downtown to Culver City by 2010. Phase 2 is approaching the environmental hearing phase. No route and no station locations have yet been proposed pending public “scoping” meetings, which are set to begin in early-2007. Alternate routes to be considered include the existing track south of Cheviot Hills and a jog further south along Venice and Sepulveda Boulevards. (*Cont'd. on p. 6.*)

### *General Meeting (cont'd)*

The Association encourages all members to participate in the scoping project, during which the Construction Authority will consider alternative routes for Phase 2 as it extends westward from Culver City.

## ***Should You Run for the Board of Directors?***

You may have considered it, but hesitated because you were not sure what would be involved. If you have read this far, it shows you have an interest in your community. This is the first qualification for serving your community through participation on the Board of Directors. To find out more, please read on.

**A Few Good Reasons for Serving Your Homeowners' Association.** The stated purpose of our Association is to promote and maintain an organization for the mutual benefit, advantage and welfare of its members and the community it represents; and to exchange and disseminate information regarding, and take action concerning, public or private improvements or other projects of significance to the Association. Therefore, serving as a member of the Board of Directors requires focus, organizational skills and a sense of community. Serving as a Director requires interest, objectivity, caring and concern for your neighbors.

If you have an interest in serving your community, getting to know your neighbors and making a difference, then here is your chance. All that is needed is for you to contact the nominating committee chair, Stacy Antler, NO LATER THAN January 25, 2007.

## **RANCHO LA LOMITA**

Los Angeles, at the turn of the Twentieth Century, was a growing metropolis with a population of 100,000. *Henry E. Huntington's* Pacific Electric Railroad connected the heart of the city with the outlying districts. The Owen's River Aqueduct had been dug assuring Los Angeles an adequate water supply. Southern California's reputation for frostless citrus groves, winter vegetables, and unlimited business opportunities continued to attract newcomers by the thousands. One such gentleman lured west by economic possibilities was *Ferdinand R. Bain*.

While on a business trip to California in 1910, *Bain* had become interested in the possibilities of natural gas. In 1911 he returned permanently and organized a syndicate to purchase several artificial gas plants in Orange County. This was the nucleus of the Southern Counties Gas Company of which he was later to become Chairman of the Board, a position he was to hold until his death in 1945.



***THE BAIN RANCH HOUSE IS A CENTERPIECE  
OF THE NOTRE DAME ACADEMY AT  
2851 OVERLAND AVENUE***

*(Cont'd. on p. 7.)*

### Rancho La Lomita (cont'd)

During *Bain's* early years in California, he began purchasing lots in the Westwood Gardens area with the intention of developing a cattle ranch. By 1924 he had acquired nearly 90 acres of land extending from Overland Avenue to just beyond Westwood Boulevard and south from the Southern Pacific tracks to National Boulevard. Mr. Bain built a red brick colonial home atop the Overland Hill and named his entire estate "Rancho La Lomita" or "Little Hill Ranch." He criss-crossed the acreage with white fences and stocked the grazing land with purebred Jersey cattle many of which he had personally selected on his trips to Europe and to the Isle of Jersey.

Mr. *Bain* was extraordinarily proud of his herd. Many times he would invite friends to dinner and, at its conclusion, throw open the dining room French doors so his guests could admire his prize cattle as his men drove them by.

The Depression, however, affected *Mr. Bain* as it did many others. On February 24, 1939

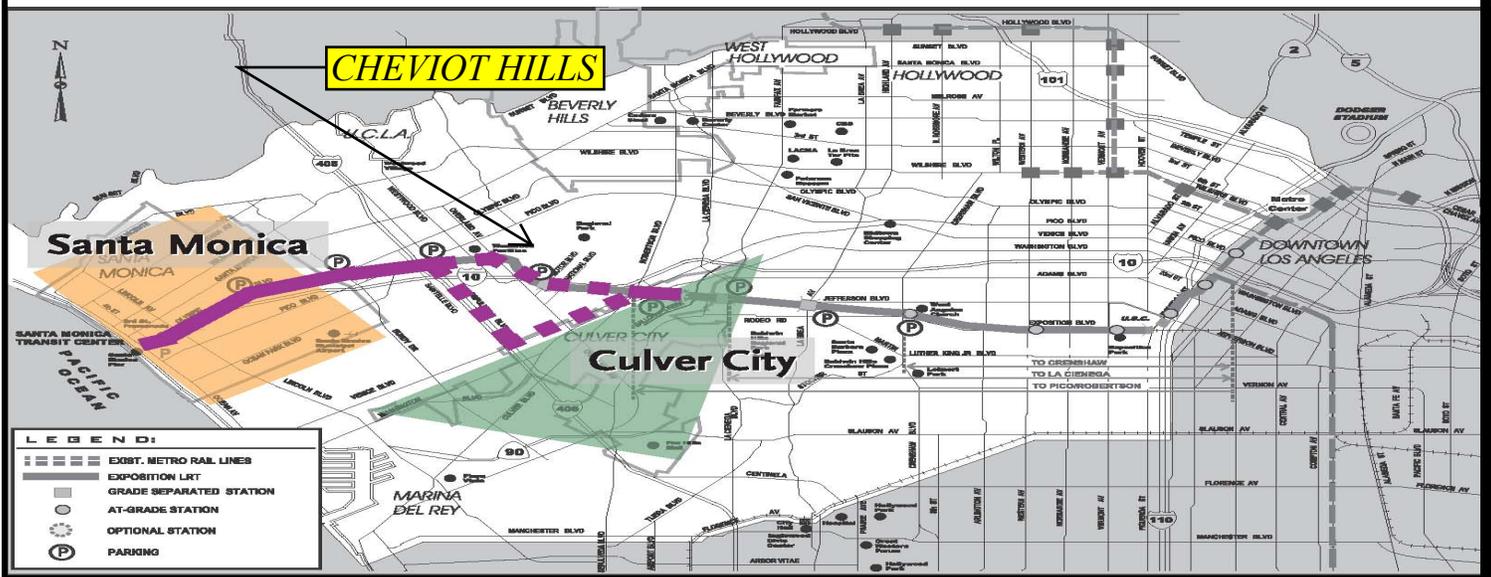
Rancho La Lomita became the property of the Security First National Bank.

In late 1939 Paramount Pictures Incorporated was searching for a site on which to build a \$12,000,000 motion picture studio. On September 18 Paramount purchased Rancho La Lomita's 90 acres. Two days later they acquired the 60 acres north of the Southern Pacific tracks to Pico Boulevard which gave the studio a 150 acre tract.

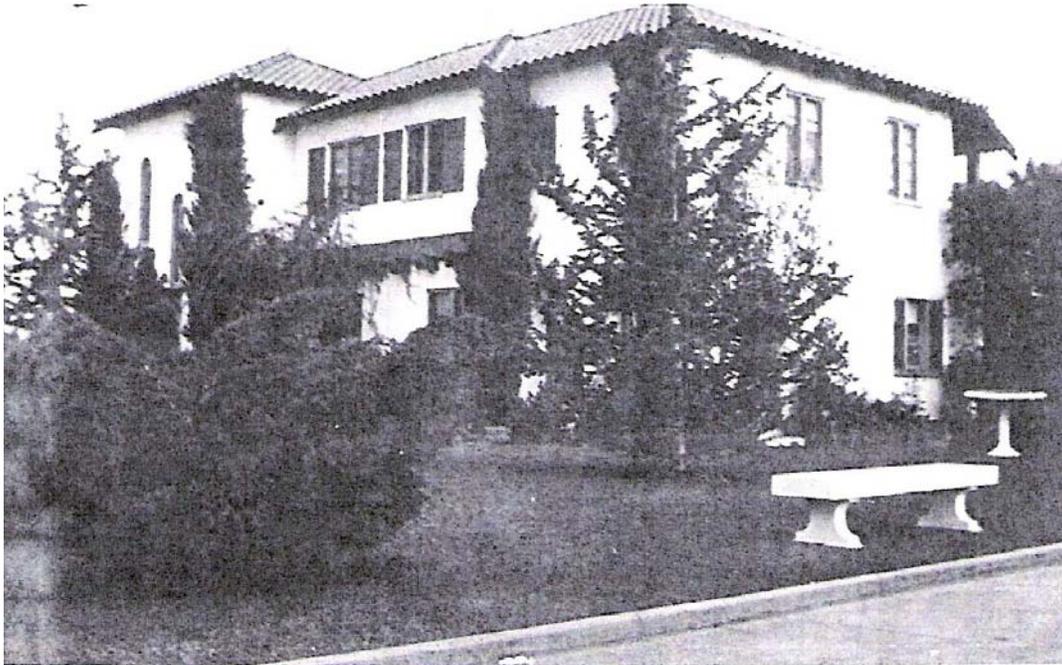
Paramount City, however, never became a reality. American involvement in World War II, coupled with the noise of planes taking off from nearby Douglas Aircraft, made a new studio impossible. Plans were abandoned. Paramount retained title of the property, however, until 1944 when the Overland Housing Company, headed by *Edward Pauley* and *Paul W. Trousdale*, purchased the acreage for 640 homes for defense workers.

by *Sisters of Notre Dame*, Los Angeles, California, May 13, 1969. To read the entire history – before and after Rancho La Lomita – see [www.CheviotHills.org/history.htm](http://www.CheviotHills.org/history.htm).

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## ANYONE RECOGNIZE THIS HOUSE?



VINTAGE CHRISTMAS & NEW YEARS CARD APPARENTLY SHOWING DEVELOPER FRANS NELSON'S CHEVIOT HILLS HOME. "FRANS NELSON & SONS" WAS THE DEVELOPER OF THE CHEVIOT HILLS TRACT, WHICH HAS LENT ITS NAME TO THE ENTIRE NEIGHBORHOOD.

□ courtesy of *Harriet D. Nelson-Keyton*



*With Kindest Thoughts  
and Best Wishes for a Merry Christmas  
and a very Happy New Year  
Mr. and Mrs. Frans Nelson*