

# **ATTACHMENT 7**

## **CORRESPONDENCE RECEIVED BY PLANNING COMMISSION**

Dear Planning Commission and City Council members,

We live with our children at our home at 1139 Coldwater Canyon. We think that the Hillside Ordinance will encourage more responsible building. And hope that this will apply to the project that is happening at 1184-1193 Loma Linda Drive.

We love living here and feel it is important that the integrity of the hillsides be preserved.

Please give consideration to my opinion and pass the Hillside Ordinance.

Thank you,

A handwritten signature in black ink, appearing to read 'Sabrina Heravi', written in a cursive style.

Sabrina Heravi

1139 Coldwater Canyon

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

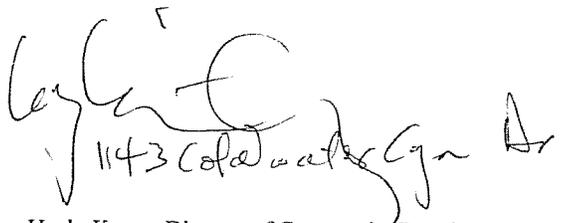
Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

I live ~~off~~ one of the 13 narrow streets specifically mentioned and request that you adopt the ordinance as soon as possible.

We support the Hillside Development Ordinance. The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

Sincerely,



1143 Colwood Canyon Dr.

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrianne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

June 28<sup>th</sup>, 2016

I support the Hillside Ordinance.

I am for responsible development that ensures the scale, integrity and characteristics of our beautiful hillsides are maintained.

Yours sincerely,

  
1160 Calle Vista Dr.

## Ryan Gohlich

---

**From:** Nancy Barth [REDACTED]  
**Sent:** Thursday, June 30, 2016 5:39 PM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire; Susan Healy Keene; Ryan Gohlich; Andre Sahakian; Adrienne Tarazon  
**Subject:** Hillside Ordinance support

Dear Mayor, Councilmembers and Staff,

I want to add my voice to those who are supporting the Hillside Ordinance. I'm living next to a massive construction which is so disruptive even in the flats. Please protect the hillside residences to maintain their quality of life while it's still possible.

Nancy Barth  
510 Walden Dr.  
310-275-7001



Charles Aipert	Beverly Hills, CA, United States	2016-06-28
Elyse Babtkis	Beverly Hills, CA, United States	2016-06-28
Laura Weiss	Beverly Hills, CA, United States	2016-06-28
Franny Rennie	Beverly Hills, CA, United States	2016-06-28
Donna Flade	Beverly Hills, CA, United States	2016-06-28
Patricia Lawler	Beverly Hills, CA, United States	2016-06-28
Leslie Stojka	Los Angeles, CA, United States	2016-06-28
Kathy Bronte	Beverly Hills, CA, United States	2016-06-28
Gina Juszcak	Lomita, CA, United States	2016-06-29
Raymond Flade	Beverly Hills, CA, United States	2016-06-29
Norman Chan	Los Angeles, CA, United States	2016-06-29
Terre Thomas-Gordon	Beverly Hills, CA, United States	2016-06-29
Kristina Cowan	Temple, TX, United States	2016-06-29
N. William& Jacqueline Berk	Beverly Hills, CA, United States	2016-06-29
Robert MacDonald	Beverly Hills, CA, United States	2016-06-29
Spencer Neumann	Beverly Hills, CA, United States	2016-06-30
Mieke Neumann	Beverly Hills, CA, United States	2016-06-30
Dena Schechter	Beverly Hills, CA, United States	2016-06-30
Irv Schechter	Beverly Hills, CA, United States	2016-06-30

→ 4 new signatures

PETITION TO SUPPORT THE HILLSIDE DEVELOPMENT ORDINANCE

Name	Address	E-mail	Signature
Judy Kunt	309 So. Rodeo Dr.	judiokunt@yahoo	Judy Kunt
Rob Bled	339 N. OAKHURST DR	rbleb@yahoo.com	Rob Bled
Nancy Barth	510 Walden	nbarth@ix.netcom.com	Nancy Barth
Bojeaux	123 N. Palm Dr.	bojeaux@earthlink.net	Bojeaux
Steve Weinglass	127 N. HAMILTON DR #11	STEVEN WEINGLASS@gmail.com	Steve Weinglass
Renee Young	1231 Coldwater Canyon	renee.young@gmail.com	Renee Young
Pushing	1254 Lago Vista Dr	pushing@yahoo.com	Pushing
Gina Cohen	1280 Lago Vista Dr		Gina Cohen
Lynn Leipzig	1143 Coldwater Canyon Dr	theleipziggroup@gmail.com	Lynn Leipzig
Subrata	1139 Coldwater Canyon		Subrata
William	1160 CAUSE VISTA DR	leg9536@gmail.com	William

6 new 6/30

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

I live on one of the 13 narrow streets specifically mentioned and request that you adopt the ordinance as soon as possible.

We support the Hillside Development Ordinance. The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

Sincerely,

*Gina Cohen*  
*1280 Lagovista Dr.*

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

June 30<sup>th</sup> 2016

Dear Planning Commission,

I support the Hillside Ordinance. I live at the end of Lago Vista Drive and think that the measures support responsible building.

Yours Sincerely,

Michael  
1089 Lago Vista Dr  
Beverly Hills, CA 90210-4410

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

We support the Hillside Development Ordinance.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We request that you adopt the ordinance as soon as possible.

Sincerely,



1231 COLDWATER CYN DR / CORNER OF LAGO VISTA

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

Dear Beverly Hills Planning Commissioners,

I am writing to you and your commission in reference to the policy decision being decided this week, June 30<sup>th</sup> to potentially retroactively make regulation changes to the Municipal Code. As a resident in this city, I am not opposed to policy changes that will improve the general planning and potential quality of life of our community, however I am strongly opposed and feel that it is in severely bad taste to make said changes retroactive. In my opinion there is always an answer to get things done in efficient way where all parties involved can at least be ok with the outcome. Making such abrupt changes to the code could potentially have negative financial implications for all residents despite them knowing it or not.

I think we all should take into consideration what making a change such as what is proposed, would mean for our community and the city of Beverly Hills. As you are very well aware, having a system that is based on an infrastructure that is reliable and competent, instills confidence from residents and potential investors alike that our policies will be properly run and enforced. In my humble opinion making a last second retroactive change could possibly be perceived as a bit of a lack of structure which could make our great city less credible and scrupulous in the eyes of those in and outside the community.

As an outsider if I were ever to start a project, I would not want to be subject to the fear that I could potentially spend millions on buying property and preparing plans for my home only to soon find that the pretense under which I invested would no longer be held true. Obviously it's a bit like changing the rules of the game after "kick off" if you will. From my understanding a policy change such as this has never before been put in place without proper public forum and sufficient notice of policy change. I feel that this is neither a responsible nor prudent habit to pick up, especially for arguably the most financially cemented city in the world.

In a very unpredictable world our laws/codes very much like the laws of physics create a confidence in our societies and the policies that govern them. Please respect the public notification process and if a code is to change make certain that proper notification take place and that code changes are only made following due process. I hope that you would agree that any project submitted for plan check or a discretionary approval should at the very least be treated under current codes prior to any change potentially adopted through city council.

Respectfully



Larry English

1200 Laurel Way

Beverly Hills, Ca 90210

[Larry@thegoallinegroup.com](mailto:Larry@thegoallinegroup.com)

Direct (619)838-5028

Dear Beverly Hills Planning Commissioners,

As a home owner and permanent resident in Beverly Hills I am writing you to insist that your commission take into account the impacts of the policy decision being decided on June 30<sup>th</sup> to potentially retroactively impose regulation changes to the Municipal Code. As a resident in this city, I do not object to policy changes that will improve the general planning of our community but I strongly object to ordinance changes that are not discussed properly in the public forum and without sufficient notice when a policy which has major financial implications on property development rights is changed.

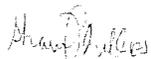
In this case, our understanding is that the Planning Commission is suggesting that the proposed code changes to the Hillside Zone not only change after very little community discussion and only several weeks of notice, but also is being suggested as being implemented retroactively to a date prior to any general notice to the public of such a change.

I do not have a project that is currently in the pipeline in the city of Beverly Hills but if I were ever to start a project, I would not want to be subject to the fear that I could potentially spend hundreds of thousands of dollars on preparing plans or possibly spend many millions of dollars on a property based on certain regulations known to be in place within the municipal code at that time and without a proper public notification period that it was being discussed for change.

This is a bad business policy in the most expensive and financially vibrant city arguably in the world. This is not the way as I understand it that policy in this city has been treated before and I am aware that this is not the method by which policy changes in the City of Los Angeles are handled either.

Please respect the public notification process and if a code is to change I implore you to make certain that proper notification protocols take place and that code changes are enacted only following the final adoption of a code revision. We suggest that any project submitted for plan check or a discretionary approval be vested under current codes prior to a code change adoption through city council.

Respectfully



Shaun Phillips

Name

Address

Contact information

9249 burton way unit 303  
Beverly Hills CA 90210  
3109489194

Dear Beverly Hills Planning Commissioners,

As a home owner and permanent resident in Beverly Hills I am writing you to insist that your commission take into account the impacts of the policy decision being decided on June 30<sup>th</sup> to potentially retroactively impose regulation changes to the Municipal Code. As a resident in this city, I do not object to policy changes that will improve the general planning of our community but I strongly object to ordinance changes that are not discussed properly in the public forum and without sufficient notice when a policy which has major financial implications on property development rights is changed.

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Respectfully

Name Izzet Levi Uzyel  
Address 1012 n hillcrest road , beverly hills , ca 90210  
Contact information

3109998800

Dear Beverly Hills Planning Commissioners,

As a home owner and permanent resident in Beverly Hills I am writing you to insist that your commission take into account the impacts of the policy decision being decided on June 30<sup>th</sup> to potentially retroactively impose regulation changes to the Municipal Code. As a resident in this city, I do not object to policy changes that will improve the general planning of our community but I strongly object to ordinance changes that are not discussed properly in the public forum and without sufficient notice when a policy which has major financial implications on property development rights is changed.

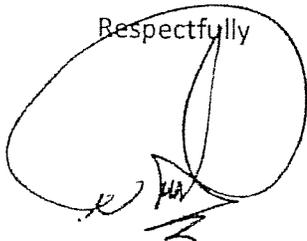
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**I have a project that is currently in the pipeline in the hillside area of the city of Beverly Hills, and I face hundreds of thousands of dollars of loss due to the preparation of plans based on certain regulations known to be in place within the municipal code until now and without a proper public notification period that it was being discussed for change.**

This is a bad business policy in the most expensive and financially vibrant city arguably in the world. This is not the way as I understand it that policy in this city has been treated before and I am aware that this is not the method by which policy changes in the City of Los Angeles are handled either.

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Respectfully

A handwritten signature in black ink, appearing to read 'Raymond Levy', is enclosed within a large, hand-drawn oval. The signature is stylized and somewhat cursive.

Raymond Levy  
959 N. Alpine Drive  
Beverly Hills, CA 90210

Dear Beverly Hills Planning Commissioners,

As a home owner and permanent resident in Beverly Hills I am writing you to insist that your commission take into account the impacts of the policy decision being decided on June 30<sup>th</sup> to potentially retroactively impose regulation changes to the Municipal Code. As a resident in this city, I do not object to policy changes that will improve the general planning of our community but I strongly object to ordinance changes that are not discussed properly in the public forum and without sufficient notice when a policy which has major financial implications on property development rights is changed.

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**I have a project that is currently in the pipeline in the hillside area of the city of Beverly Hills**, and I face hundreds of thousands of dollars of loss due to the preparation of plans based on certain regulations known to be in place within the municipal code until now and without a proper public notification period that it was being discussed for change.

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Respectfully



Dina Levy  
959 N. Alpine Drive  
Beverly Hills, CA 90210

Dear Beverly Hills Planning Commissioners,

As a home owner and permanent resident in Beverly Hills I am writing you to insist that your commission take into account the impacts of the policy decision being decided on June 30<sup>th</sup> to potentially retroactively impose regulation changes to the Municipal Code. As a resident in this city, I do not object to policy changes that will improve the general planning of our community but I strongly object to ordinance changes that are not discussed properly in the public forum and without sufficient notice when a policy which has major financial implications on property development rights is changed.

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I do not have a project that is currently in the pipeline in the city of Beverly Hills but if I were ever to start a project, I would not want to be subject to the fear that I could potentially spend hundreds of thousands of dollars on preparing plans or possibly spend many millions of dollars on a property based on certain regulations known to be in place within the municipal code at that time and without a proper public notification period that it was being discussed for change.

This is a bad business policy in the most expensive and financially vibrant city arguably in the world. This is not the way as I understand it that policy in this city has been treated before and I am aware that this is not the method by which policy changes in the City of Los Angeles are handled either.

Please respect the public notification process and if a code is to change I implore you to make certain that proper notification protocols take place and that code changes are enacted only following the final adoption of a code revision. We suggest that any project submitted for plan check or a discretionary approval be vested under current codes prior to a code change adoption through city council.

Respectfully

A handwritten signature in black ink, appearing to read 'Michael Chen', written over a horizontal line.

**Name:** Michael Chen

**Address:** 1200 Chanruss Place, Beverly Hills, CA 90210

**Contact information:** Cell Phone#: 949-887-1110

Dear Beverly Hills Planning Commissioners,

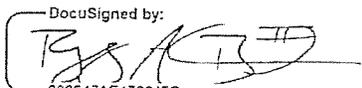
As a former resident, current investor, and advocate for Beverly Hills I am writing you to insist that your commission take into account the impacts of the policy decision being decided on June 30<sup>th</sup> to potentially retroactively impose regulation changes to the Municipal Code. I do not object to policy changes that will improve our community, but I strongly object to ordinance changes that are not discussed properly in the public forum and without sufficient notice when a policy which has major financial implications on property development rights is changed.

In this case, our understanding is that the Planning Commission is suggesting that the proposed code changes to the Hillside Zone not only change after very little community discussion and only several weeks of notice, but also is being suggested as being implemented retroactively to a date prior to any general notice to the public of such a change. This could cause immediate and substantial financial impairments to decisions previously made.

This is a bad business policy in the most expensive and financially vibrant city arguably in the world. This is not the way as I understand it that policy in this city has been treated before and I am aware that this is not the method by which policy changes in the City of Los Angeles are handled either.

Please respect the public notification process and if a code is to change I implore you to make certain that proper notification protocols take place and that code changes are enacted only following the final adoption of a code revision. We suggest that any project submitted for plan check or a discretionary approval be vested under current codes prior to a code change adoption through city council.

Respectfully,

DocuSigned by:  
  
988047AE173045C ..

Reggie Bush  
5950 Sherry Lane, Suite 600  
Dallas, TX 75225

**JONATHAN R. BLOCH  
535 ARKELL DRIVE  
BEVERLY HILLS, CA 90210**

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June 29, 2016

Dear Beverly Hills Planning Commissioners,

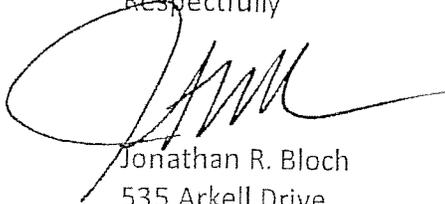
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In this case, our understanding is that the Planning Commission is suggesting that the proposed code changes to the Hillside Zone not only change after very little community discussion, and being implemented retroactively to a date prior to any general notice to the public of such a change.

I do not have a project that is currently in the pipeline in the city of Beverly Hills but if I were ever to start a project, I would not want to be subject to the fear that I could potentially spend hundreds of thousands of dollars preparing plans based on regulations known to be in place within the municipal code at that time and, later find out that the regulations changed after I filed my plans with the City.

Please respect the public notification process and if a code is to change I implore you to make certain that proper notification protocols take place and that code changes are enacted only following the final adoption of a code revision. We suggest that any project submitted for plan check or a discretionary approval be vested under current codes prior to a code change adoption through city council.

Respectfully



Jonathan R. Bloch  
535 Arkell Drive  
Beverly Hills, CA 90210

# BakerHostetler

## Baker&Hostetler LLP

11601 Wilshire Boulevard  
Suite 1400  
Los Angeles, CA 90025-0509

T 310.820.8800  
F 310.820.8859  
www.bakerlaw.com

Bruce R. Greene  
bgreene@bakerlaw.com

June 30, 2016

**VIA E-MAIL (asahakian@beverlyhills.org)**

City of Beverly Hills  
Planning Commission  
Attention: Andre Sahakian, Associate Planner  
455 N. Rexford Drive  
Beverly Hills, CA 90210

Re: **Hillside Development Urgency Ordinance**  
Hearing Date: June 30, 2016

Dear Mr. Sahakian:

This firm represents Reginald and Chrisette Hudlin. The Hudlins own the property at 1117 Sutton Way in the City of Beverly Hills. Their property is situated downslope from the "Aquilini Project" (1184-1193 Loma Linda Dr., Beverly Hills, California). Our clients are out of town, but wanted us to write on their behalf in support of this critical ordinance which is under consideration.

Our clients strongly support this ordinance, and particularly the June 1 effective date. The need to protect hillside properties from what has in the past been virtually unbridled development is of paramount importance to the residents of the City, especially those, like our clients, who live in the hillside areas.

We have seen some of the letters in support of this ordinance from neighbors of our clients. The letter from Debbie Weiss was particularly well put. While our clients would wholeheartedly agree with most of what has been said by their neighbors, we do not want to be redundant.

Our clients repaired the damage from the first landslide. Before the damage from the second landslide could be repaired, the Aquilinis acquired their property. The Aquilinis subsequently entered into an agreement with our clients to repair and re-landscape the slope to insure privacy, and to restore the natural beauty of the slope's landscaping. This was back in 2012, and although the work was eventually done by the Aquilinis, it took years longer than promised, and was only completed after our clients threatened further litigation.

The Aquilinis acquired the subject property and subsequently entered into an agreement with our clients to repair and re-landscape the slope to insure privacy, and to restore the natural

*Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver*  
*Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC*

049434.000001 609075045.1

VIA E-MAIL (asahakian@beverlyhills.org)

June 30, 2016

City of Beverly Hills  
Planning Commission  
Page 2

beauty of the slope's landscaping. This was back in 2012, and although the work was eventually done by the Aquilinis, it took years longer than promised, and was only completed after our clients threatened further litigation.

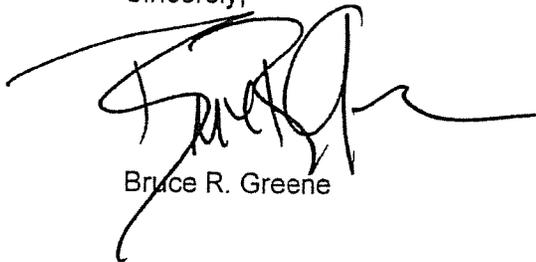
In any event, our clients feel that only minimal effort has been made by the Aquilinis to adhere to the spirit of the Agreement. As a result, our clients continue to look up at a giant, ugly concrete retaining wall (which Aquilini was supposed to cover with vegetation). Moreover, much of the landscaping that Aquilini did install on the slope is either dead or dying from lack of proper maintenance.

We all know that developers "cut corners" and take actions which are just "inside the line" of what the law allows. This has been a major issue in the City in the past. This certainly appears to be the case with the Aquilinis who are non-resident developers who undoubtedly will not be residing on the property that they acquired, and hence have little or no regard for the neighborhood. Aside from the fact that our clients look up at a very poorly landscaped slope, with little privacy, but they are rightfully concerned about their safety, because of that giant concrete retaining wall which was built previously when the laws were more lenient. They certainly cannot accept further development which could undermine their safety even more, which is undoubtedly what would happen if the new ordinance is not passed. This of course is in addition to all the other issues which surround the ordinance (trucks hauling tons of dirt and materials on narrow roads, etc.).

Our clients urge the Commission to pass this ordinance.

Thank you.

Sincerely,

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

Bruce R. Greene

cc: Reginald and Chrisette Hudlin

Dear Planning Commissioners,

Please receive the following petition signed by 127 unique signors (online plus paper). In three cases, someone signed online, but then signed again in person as change.org does not release to me their street addresses. And two are from Adrian and I testing the online petition. So, while there are 132 signatures, 127 are unique. Approximately 70% of these list Beverly Hills as their town.

Many of these names live on the 13 affected streets, or nearby (ex. Coldwater Canyon).

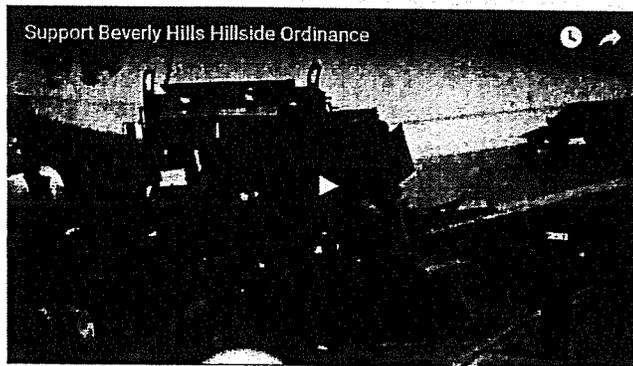
Please note Linda Kunik lives at 1147 Coldwater Canyon Dr in Beverly Hills, but as she signed it while in Italy, it shows as Italy for location.

Change.org allows for signor to comment as well. And in the cases where people did comment, I include that below.

Petitioning Beverly Hills Planning Commission and City Council

## Support the Bev Hills Ordinance Requiring City Review of Hillside Megamansion Developments

 **Debbie Weiss** Beverly Hills, CA



**\*Help keep our neighborhoods safe\* Please sign and share!**

We are told *"the more signatures, the better"* to assure the City we want this passed - we just have to let them know!!

**Please WATCH THE VIDEO above!!**

Excerpt from the June 9th, 2016 Planning Commission report:

### Share this petition

79 supporters

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 Beverly Hills Planning Commission and City Council: We Support the...

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“Over the last two years, both the Planning Commission and City Council have raised concerns regarding hillside development and an increasing reliance by property owners on grading and retaining walls to facilitate larger projects.

The concerns include increased mass and scale of new construction, degradation of natural hillside contours, increased construction impacts, and the potential of projects to create slope destabilization.”

The current standards do not include a minimum size for portions of level pad for the purposes of calculating maximum floor area allowed on a property, and in some instances retaining walls are constructed in series to create 3-foot wide of level pad that are used to increase the amount of floor area that may be constructed on a property.”

We, the undersigned, support the City’s proposed Hillside Development Ordinance that limits the scale of construction and amount of hauling permitted on hillside properties without additional City Planning Commission approval of an R-1 Permit.

The proposed Ordinance provides the following new restrictions:

- Reduces by 50% the “by-right” limit of export/import from any single site to 1,500 cubic yards (from its current 3,000 cubic yards) in a 5 year period for those properties adjacent to a narrow street, less than 24 feet wide, such as Loma Linda Drive.

- Reduces the scale of hillside construction by requiring a minimum level pad size of 20 feet in any direction in order to apply the area towards calculating the maximum floor area for a building.
- Limits the maximum cumulative floor area of a building located off of the existing level pad to 1,000 square feet.

We believe that these new restrictions are necessary to limit the development of excessive mansions on steep hillsides, and to reduce the number of hauling trips on narrow streets, in order to maintain a safe environment for our families and to preserve the appropriate scale of new development.

We support that the provisions of this Ordinance should apply to all new construction in our community.

We implore the City Planning Commission and City Council to approve the Hillside Development Ordinance and maintain the integrity of our neighborhoods.

As a long time resident of Beverly Hills, I am concerned about the number of large hillside developments in the City, including one just above our property. The proposed ordinance is what is needed to protect residence that incur safety hazards, threaten hillside stability, and otherwise negatively impact neighboring properties, especially those downslope

**Tom Staggs**, Beverly Hills, CA

1 week ago

♥ 0

[Delete](#)

We need to protect our neighborhood from megamansions and developments that are out of scale with our neighborhood and we need to advocate for safety in light of all the dangerous accidents constantly occurring in our area from trucks, hauling, etc let alone cars

**Franny Rennie**, Beverly Hills, CA

1 day ago

♥ 0

[Delete](#)

Im signing because as a 15 year resident of Beverly Hills I'm tired of seeing large monied interest circumvent laws and practices set up to protect the citizens way of life.

**Robert MacDonald**, Beverly Hills, CA

5 hours ago

♥ 0

[Delete](#)

I don't want these mega mansions on my street. They have no place in this neighborhood, plus they are unsafe on the hillsides they are planned for.

**Linda Kunik**, Beverly Hills, CA

2 weeks ago

♥ 0

[Delete](#)

I'm concerned about the safety of the community, the change in its character and the disruption of of the neighborhood that these massive projects create.

**Patricia Lawler**, Beverly Hills, CA

1 day ago

♥ 0

[Delete](#)

We must have reasonable controls in place to keep Beverly Hills livable.

**Herbert Reston**, Beverly Hills, CA

1 week ago

♥ 0

[Delete](#)

I am a Beverly Hills resident. For the past 16 years, I have lived on Coldwater Canyon. I am signing this petition because I want to preserve our neighborhood.

**Rozita Yacobi**, Los Angeles, CA

1 week ago

♥ 0

[Delete](#)

I object to the proliferation of oversized mega mansion projects that are seemingly precariously perched on the beautiful Beverly Hills hillside canyons, such as the two monstrous mansions with tennis courts on the precipice overlooking Beverly Drive across from Coldwater Canyon Park.

**Helen Oda Abe**, Beverly Hills, CA

2 weeks ago

♥ 0

[Delete](#)

I support city review of hillside developments

**Marilyn Gallup**, Beverly HILLS, CA

6 days ago

♥ 0

[Delete](#)

I'm signing this Petition because the hillside mansion building seems to be out-of-control...They are just too big.

**Ray Flade**, Beverly Hills, CA

12 hours ago

♥ 0

[Delete](#)

am unable to attend the meeting on the 30th so would like my support known

**susan bernard niman**, Beverly Hills, CA

1 week ago

♥ 0

[Delete](#)

I support the Hillside Ordinance

**Stuart Ketchum**, Beverly Hills, CA

1 week ago

♥ 0

[Delete](#)

I see too many mega-mansions going up, ruining the identity and heritage of Beverly Hills and Bel Air area where architecturally significant houses are being destroyed and hills are being over carved to make room for mega-mansions. Progress does not need to come at the expense of our natural landscape, and homes that have the square footage of a large condominium complex.

**Gerard Cantor**, Encino, CA

2 weeks ago

♥ 0

[Delete](#)

I live on top of the Santa Monica Mountains and enough of spoiling our area and causing havoc with us and the wildlife!!!!

**Phyllis Mcvigar**, Los Angeles, CA

1 week ago

♥ 0

[Delete](#)

I believe these mega-mansions have gotten out of control. We need for more oversight to see how it impacts neighboring communities.

**Sharon Kopman**, Los Angeles, CA

1 week ago

♥ 0

[Delete](#)

I think there are too many mega mansions being built with out regard to safety or neighborhood concerns.

**Robin Anderson**, Los Angeles, CA

1 week ago

♥ 0

[Delete](#)

I am tired of seeing this big structure with little to no land.

**Neysa Horsburgh**, Los Angeles, CA

♥ 0

There is toooo much development up this way, ALREADY, with heavy, heavy trucks coming up, over-development creating unsteady hillsides and UNBELIEVABLE TRAFFIC PROBLEMS that already exist. Coldwater is THE MOST traveled road to and fro the valley...all day long & the residents are encumbered with it, both driving it or trying to get out of our driveways. I invite anyone, who doubts the horrendous delays up here, to come up during the two unbearable rush hours. The added pollution is another big concern, not to mention fires which have already put an added load on our fire dept. Perhaps, where most of you live, you don't really, fully understand the severity of the situation for us residents who didn't buy up here to have it destroyed.

**Terre Gordon**, Culver City, CA

9 hours ago

♥ 0

[Delete](#)

I oppose the construction of megamansions.

**Ron Cornell**, Los Angeles, CA

1 week ago

♥ 0

[Delete](#)

I support the ordinance to protedct the valuable character of the residential hillside communities in our city.

**Chuck Alpert**, San Diego, CA

2 days ago

♥ 0

[Delete](#)

I'm actually thinking of the marine life this may affect, considering that it could be built oceanside.

**Kristina Cowan**, Temple, TX

8 hours ago

♥ 0

[Delete](#)

Recipient: Beverly Hills Planning Commission and City Council

Letter: Greetings,

We residents support the Beverly Hills Hillside Ordinance

# Signatures

<b>Name</b>	<b>Location</b>	<b>Date</b>
Debbie Weiss and Adrian Lorimer	Beverly Hills, CA, United States	2016-06-13
Adrian Lorimer	Beverly hills, CA, United States	2016-06-15
Thomas Schulhof	Beverly Hills, CA, United States	2016-06-15
Dan Zaharoni	Beverly Hills, CA, United States	2016-06-15
Larry Murphy	Beverly Hills, CA, United States	2016-06-15
Isaac Zaharoni	Beverly Hills, CA, United States	2016-06-15
Anja Murawski	Los Angeles, CA, United States	2016-06-16
Helen Oda Abe	Beverly Hills, CA, United States	2016-06-16
D Littlejohn	Los Angeles, CA, United States	2016-06-16
Diana Doyle	Beverly Hills, CA, United States	2016-06-16
Linda Kunik	Italy	2016-06-16
george Abe	Beverly Hills, CA, United States	2016-06-16
Neysa Horsburgh	Los Angeles, CA, United States	2016-06-16
Gerard Cantor	Los Angeles, CA, United States	2016-06-16
julie greenberg	Los Angeles, CA, United States	2016-06-17
Ardeshir Davoodian	Beverly Hills, CA, United States	2016-06-18
Shiva Yafeh	Beverly Hills, CA, United States	2016-06-18
Jefery Levy	Beverly Hills, CA, United States	2016-06-18
Taryn Condo	Los Angeles, CA, United States	2016-06-19
Jane Cheung	Los Angeles, CA, United States	2016-06-19
Asif Meghani	Los Angeles, CA, United States	2016-06-19
Sharon Kopman	Los Angeles, CA, United States	2016-06-19
Monica PANNO	Los Angeles, CA, United States	2016-06-19
Jerrold Steiner	Los Angeles, CA, United States	2016-06-19
Patrick Condo	Los Angeles, CA, United States	2016-06-19
Patricia Brill	Los Angeles, CA, United States	2016-06-19
Adam Giagni	Los Angeles, CA, United States	2016-06-19
MARTIN CARLIN	Los Angeles, CA, United States	2016-06-19
Alissa Wasser	Los Angeles, CA, United States	2016-06-19
Phyllis Mcvicar	Los Angeles, CA, United States	2016-06-19

<b>Name</b>	<b>Location</b>	<b>Date</b>
Ron Cornell	Los Angeles, CA, United States	2016-06-19
Vanessa Panerosa	Los Angeles, CA, United States	2016-06-20
Amanda Hunt	Beverly Hills, CA, United States	2016-06-20
Lauren Stuart	Beverly Hills, CA, United States	2016-06-20
Jenny Giagni	Los Angeles, CA, United States	2016-06-20
Carla Koehler	Los Angeles, CA, United States	2016-06-20
Chanelle Desautels	Los Angeles, CA, United States	2016-06-20
Nataalia Rey	Beverly Hills, CA, United States	2016-06-20
Robin Anderson	Los Angeles, CA, United States	2016-06-20
susan bernard niman	Beverly Hills, CA, United States	2016-06-20
Rozita Yacobi	Los Angeles, CA, United States	2016-06-21
Stacy Marks	Beverly Hills, CA, United States	2016-06-21
Anel Gorham	Los Angeles, CA, United States	2016-06-21
Tom Staggs	Beverly Hills, CA, United States	2016-06-21
Amy Adelson	Beverly Hills, CA, United States	2016-06-21
Stuart Ketchum	Beverly Hills, CA, United States	2016-06-21
Herb Reston	Beverly Hills, CA, United States	2016-06-22
Doris Niku	Beverly Hills, CA, United States	2016-06-22
ALLYSON WITTNER	Beverly Hills, CA, United States	2016-06-23
Curtis Tamkin	Beverly Hills, CA, United States	2016-06-23
Steve Mayer	Beverly Hills, CA, United States	2016-06-24
Marilyn Gallup	Beverly Hills, CA, United States	2016-06-24
Joan Benny	Beverly Hills, CA, United States	2016-06-24
Jerry Dobkin	Los Angeles, CA, United States	2016-06-25
Alma Ordaz	BEVERLY HILLS, CA, United States	2016-06-25
Toby Emmerich	Beverly Hills, CA, United States	2016-06-25
victoria brynner	Beverly Hills, CA, United States	2016-06-25
Simon Furie	Beverly Hills, CA, United States	2016-06-26
Brian Jacobs	Beverly Hills, CA, United States	2016-06-26
Lisa Engel	Beverly Hills, CA, United States	2016-06-26
Sharon Silver	Los Angeles, CA, United States	2016-06-27
Monica Brener	Beverly Hills, CA, United States	2016-06-27

<b>Name</b>	<b>Location</b>	<b>Date</b>
Kevin Huvane	Beverly Hills, CA, United States	2016-06-27
Julie Gilberg	beverly hills, CA, United States	2016-06-28
Charles Alpert	Beverly Hills, CA, United States	2016-06-28
Elyse Babtkis	Beverly Hills, CA, United States	2016-06-28
Laura Weiss	Beverly Hills, CA, United States	2016-06-28
Franny Rennie	Beverly Hills, CA, United States	2016-06-28
Donna Flade	Beverly Hills, CA, United States	2016-06-28
Patricia Lawler	Beverly Hills, CA, United States	2016-06-28
Leslie Stojka	Los Angeles, CA, United States	2016-06-28
Kathy Bronte	Beverly Hills, CA, United States	2016-06-28
Gina Juszczak	Lomita, CA, United States	2016-06-29
Raymond Flade	Beverly Hills, CA, United States	2016-06-29
Norman Chan	Los Angeles, CA, United States	2016-06-29
Terre Thomas-Gordon	Beverly Hills, CA, United States	2016-06-29
Kristina Cowan	Temple, TX, United States	2016-06-29
N. William& Jacqueline Berk	Beverly Hills, CA, United States	2016-06-29
Robert MacDonald	Beverly Hills, CA, United States	2016-06-29

Name	City	State	Postal Code	Country	Signed On
Adrian Lorimer	Beverly hills	California	90210	United States	6/15/2016 signed both paper and online
ALLYSON WITTNER	Beverly Hills	California	90212	United States	6/23/2016
Alma Ordaz	BEVERLY HILLS	California	90212	United States	6/25/2016
Amanda Hunt	Beverly Hills	California	90210	United States	6/20/2016
Amy Adelson	Beverly Hills	California	90210	United States	6/21/2016
Ardeshir Davoodian	Beverly Hills	California	90210	United States	6/18/2016
Brian Jacobs	Beverly Hills	California	90210	United States	6/26/2016
Charles Alpert	Beverly Hills	California	90210-2210	United States	6/28/2016
Curtis Tamkin	Beverly Hills	California	90210	United States	6/23/2016
Dan Zaharoni	Beverly Hills	California	90210	United States	6/15/2016
Debbie Weiss and Adrian Lorimer	Beverly Hills	California		United States	6/13/2016 signed both paper and online
Diana Doyle	Beverly Hills	California	90210	United States	6/16/2016
Donna Flade	Beverly Hills	California	90211	United States	6/28/2016
Doris Niku	Beverly Hills	California	90210	United States	6/22/2016
Elyse Babtkis	Beverly Hills	California	90210	United States	6/28/2016
Franny Rennie	Beverly Hills	California	90210	United States	6/28/2016
george Abe	Beverly Hills	California	90210	United States	6/16/2016
Helen Oda Abe	Beverly Hills	California	90210	United States	6/16/2016
Herb Reston	Beverly Hills	California	90210	United States	6/22/2016
Isaac Zaharoni	Beverly Hills	California	90210	United States	6/15/2016 signed both paper and online
Jefery Levy	Beverly Hills	California	90210	United States	6/18/2016
Joan Benny	Beverly Hills	California	90210	United States	6/24/2016 signed both paper and online
Julie Gilberg	beverly hills	California	90212	United States	6/28/2016
Kathy Bronte	Beverly Hills	California	90212	United States	6/28/2016
Kevin Huvane	Beverly Hills	California	90210	United States	6/27/2016
Larry Murphy	Beverly Hills	California	90210	United States	6/15/2016
Laura Weiss	Beverly Hills	California	90210	United States	6/28/2016
Lauren Stuart	Beverly Hills	California	90212	United States	6/20/2016
Linda Kunik	Beverly Hills		90210		6/16/2016
Lisa Engel	Beverly Hills	California	90210	United States	6/26/2016
Marilyn Gallup	Beverly Hills	California	90210	United States	6/24/2016 signed both paper and online
Monica Brener	Beverly Hills	California	90210	United States	6/27/2016
N. William& Jacqueline Berk	Beverly Hills	California	90210	United States	6/29/2016
Nataalia Rey	Beverly Hills	California	90210	United States	6/20/2016

Patricia Lawler	Beverly Hills	California	90210	United States	6/28/2016
Raymond Flade	Beverly Hills	California	90211	United States	6/29/2016
Robert MacDonald	Beverly Hills	California	90210-380	United States	6/29/2016
Shiva Yafeh	Beverly Hills	California	90210	United States	6/18/2016
Simon Furie	Beverly Hills	California	90210	United States	6/26/2016
Stacy Marks	Beverly Hills	California	90210	United States	6/21/2016
Steve Mayer	Beverly Hills	California	90212	United States	6/24/2016
Stuart Ketchum	Beverly Hills	California	90210	United States	6/21/2016
susan bernard niman	Beverly Hills	California	90210	United States	6/20/2016
Terre Thomas-Gordon	Beverly Hills	California	90210	United States	6/29/2016
Thomas Schulhof	Beverly Hills	California	90210	United States	6/15/2016
Toby Emmerich	Beverly Hills	California	90210	United States	6/25/2016
Tom Staggs	Beverly Hills	California	90210	United States	6/21/2016
victoria brynnner	Beverly Hills	California	90212	United States	6/25/2016
Gina Juszcak	Lomita	California	90717	United States	6/29/2016
Adam Giagni	Los Angeles	California	90077	United States	6/19/2016
Alissa Wasser	Los Angeles	California	90077	United States	6/19/2016
Anel Gorham	Los Angeles	California	90077	United States	6/21/2016
Anja Murawski	Los Angeles	California	90025	United States	6/16/2016
Asif Meghani	Los Angeles	California	90077	United States	6/19/2016
Carla Koehler	Los Angeles	California	90077	United States	6/20/2016
Chanelle Desautels	Los Angeles	California	90046	United States	6/20/2016
D Littlejohn	Los Angeles	California	90046	United States	6/16/2016
Gerard Cantor	Los Angeles	California	90077	United States	6/16/2016
Jane Cheung	Los Angeles	California	90077	United States	6/19/2016
Jenny Giagni	Los Angeles	California	90077	United States	6/20/2016
Jerrold Steiner	Los Angeles	California	90077	United States	6/19/2016
Jerry Dobkin	Los Angeles	California	90019	United States	6/25/2016
julie greenberg	Los Angeles	California	Los Angeles	United States	6/17/2016
Leslie Stojka	Los Angeles	California	90077	United States	6/28/2016
MARTIN CARLIN	Los Angeles	California	90077	United States	6/19/2016
Monica PANNO	Los Angeles	California	90077	United States	6/19/2016
Neysa Horsburgh	Los Angeles	California	90077	United States	6/16/2016
Norman Chan	Los Angeles	California	90077	United States	6/29/2016

Patricia Brill	Los Angeles	California	90077 United States	6/19/2016
Patrick Condo	Los Angeles	California	90077 United States	6/19/2016
Phyllis Mcvicar	Los Angeles	California	90077 United States	6/19/2016
Robin Anderson	Los Angeles	California	90077 United States	6/20/2016
Ron Cornell	Los Angeles	California	90077 United States	6/19/2016
Rozita Yacobi	Los Angeles	California	90049 United States	6/21/2016
Sharon Kopman	Los Angeles	California	90077 United States	6/19/2016
Sharon Silver	Los Angeles	California	90077 United States	6/27/2016
Taryn Condo	Los Angeles	California	90077 United States	6/19/2016
Vanessa Panerosa	Los Angeles	California	90077 United States	6/20/2016
Kristina Cowan	Temple	Texas	76502 United States	6/29/2016

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## PETITION TO SUPPORT THE HILLSIDE DEVELOPMENT ORDINANCE

Excerpt from the June 9<sup>th</sup>, 2016 Planning Commission report:

*“Over the last two years, both the Planning Commission and City Council have raised concerns regarding hillside development and an increasing reliance by property owners on grading and retaining walls to facilitate larger projects.*

*The concerns include increased mass and scale of new construction, degradation of natural hillside contours, increased construction impacts, and the potential of projects to create slope destabilization.*

*The current standards do not include a minimum size for portions of level pad for the purposes of calculating maximum floor area allowed on a property, and in some instances retaining walls are constructed in series to create 3-foot wide of level pad that are used to increase the amount of floor area that may be constructed on a property.”*

We, the undersigned, support the City’s proposed Hillside Development Ordinance that limits the scale of construction and amount of hauling permitted on hillside properties without additional City Planning Commission approval of an R-1 Permit.

The proposed Ordinance provides the following new restrictions:

- Reduces by 50% the “by-right” limit of export/import from any single site to 1,500 cubic yards (from its current 3,000 cubic yards) in a 5 year period for those properties adjacent to a narrow street, less than 24 feet wide, such as Loma Linda Drive.
- Reduces the scale of hillside construction by requiring a minimum level pad size of 20 feet in any direction in order to apply the area towards calculating the maximum floor area for a building.
- Limits the maximum cumulative floor area of a building located off of the existing level pad to 1,000 square feet.

We believe that these new restrictions are necessary to limit the development of excessive mansions on steep hillsides, and to reduce the number of hauling trips on narrow streets, in order to maintain a safe environment for our families and to preserve the appropriate scale of new development.

We support that the provisions of this Ordinance should apply to all new construction in our community, including specifically, any development at 1184-1193 Loma Linda Drive.

We implore the City Planning Commission and City Council to approve the Hillside Development Ordinance and maintain the integrity of our neighborhoods.

PETITION TO SUPPORT THE HILLSIDE DEVELOPMENT ORDINANCE

Name	Address	E-mail	Signature
Dodie Neuss	1185 Loma Linda Dr BH 90210	dw@ <sup>WVA</sup> gallery.com	
ADRIAN LORIMER	1185 Loma Linda 90210	ADRIAN_LORIMER@HOTMAIL.COM	
Suzanne T. Schubert	620 N. Crescent Dr. 90210	arjtrub@comcast.com	
Mary Aftalion	1152 Coldwater		
Kathryn	1284 Monte Leona Dr.		
Tommy	603 Doherty Rd	tommyteamster@ <del>gmail.com</del>	TOM SANFORD
Hailey Chown	10790 Wilshire	tommyteamster@gmail.com	
Hailey Chown	10790 Wilshire	haileychown@gmail.com	
Maggie Daleo	131 N. Gale Dr	maggie.daleo@gmail.com	
Paul Over	131 N. Gale Dr	over@gmail.com	
Romy Dworkman	9528 Dalegrove Dr.	romydworkman@gmail.com	
Sten Dworkman	9528 Dalegrove Dr.		
Tomara Houston	311 N. Robinson Blvd 90211	witfiue@gmail.com	
Edmond Nahouray	1151 Coldwater cym. Dr. 90210	edmond@americails	
Lindsey Kravis	2130 Trentlyn BH CA 90210	lindsey.lucibella@gmail.com	

- she might write about  
 LA 12948081v2  
 1. attach letter  
 2. romy dworkman@gmail.com  
 Shell  
 3. email only  
 Reiki

PETITION TO SUPPORT THE HILLSIDE DEVELOPMENT ORDINANCE

Name	Address	E-mail	Signature
Marilee Hartling	8344 Melrose #23, LA 90069	info@ecdevelopment.org	Marilee Hartling
Woodrow Clark	#321 N. Oakhurst Dr	wwclark13@gmail.com	Woodrow Clark
KIRI MIKO	10336 Chrysanthemum Ln	KIRI.MIKO@me.com	Kiri Miko
LARRY AUERSBACH	1040 Cone <sup>UKCARGOFT</sup>	LARRYAUERSBACH@GMAIL	Larry Auersbach
Nick Lapin	1142 Calle Vista Drive	nlzorky@GMAIL	Nick Lapin
ORLY LAPIN	1142 Calle Vista Dr	ORLY@GMAIL	Orly Lapin
Jan Martin	1260 Lago Vista Place	janmartin1@gmail.com	Jan Martin
ISAAC ZAKARONI	1165 LOMA LINDA DR	ISAACZ@ZAKARONI.COM	Isaac Zakaroni
PETER OSTROFF	1234 Lago Vista Dr	POSTROFF@SIGNALS.CO	Peter Ostroff
MATT LEIBZIG	1143 COLONATER	MATTE@ORIGINALARTISTS.COM	Matt Leibzig
Julie Gluckman	1261 Lago Vista Drive	julieglux@aol.com	Julie Gluckman
Nelson May	1156 Calle USTA	Kmoy32@hotmail.com	Nelson May
Charlotte Dowell	1270 Lago Vista Dr	Chardowell@yahoo.com	C. Dowell
Alyne Ostroff	1234 Lago Vista Dr	Young.ostroff@gmail.com	Alyne Ostroff
Kathy	1156 Calle Vista Dr	Kmoy32@hotmail.com	Kathy

2277

PETITION TO SUPPORT THE HILLSIDE DEVELOPMENT ORDINANCE

Name	Address	E-mail	Signature
MATTHEW FINERMAN	605 N. TRENTON DR		<i>Matthew Finerman</i>
Robert Tarenbaum	705 N. Roxbury		<i>Robert Tarenbaum</i>
HERB YOUNG	218 MCCARTY DR		<i>Herb Young</i>
Victor Boudet	520 W. Maple Dr		<i>Victor Boudet</i>
Stephanie Blute	9595 Wilshire Blvd #900 420 North Maple St	HIBLERASSOC@YAHOO.COM	<i>Stephanie Blute</i>
Stewart Alan Chapman		benjaminj.chapman@gmail.com	<i>Stewart Alan Chapman</i>
<del>XXXXXXXXXX</del>			
Jenny de Souza	424 N Palm Dr #203 BHOA9010		
Alma P. Ide	314 1/2 So Palo Alto	ALLIE620AR@aol.com	<i>Alma P. Ide</i>
BARRY BRUCKER	805 N. ROXBURY DR	BARRY BRUCKER@GMAIL	<i>Barry Brucker</i>
AARON KARASIK	426 S. RODEO		<i>Aaron Karasik</i>
Marilyn Gallop	602 N. Arden <sup>90210</sup>	marilyngallop@hotmail.com	<i>Marilyn Gallop</i>
LIONEL EPHRAIM	425 N. Maple Dr #506	LEPHRAIM@AOL.COM	<i>Lionel Ephraim</i>
RUTH EPHRAIM	" " "	" " "	<i>Ruth Ephraim</i>
ANDREW KIRWAN	269 S CHALK		<i>Andrew Kirwan</i>





Dear Planning Commission,

The Hillside Ordinance needs to pass.

My home is on Coldwater Canyon just below Loma Linda, so I am extremely close to five of the thirteen streets specifically cited in the ordinance- Loma Linda, Cabrillo, Lago Vista Drive, Lago Vista Place, and Monte Cielo Drive.

This ordinance will have a massive effect on my life and my family's sense of safety.

I ask you to consider what life is like for my family when not only one of these oversized projects is being built, but two, or more at the same time. A nightmare for everyone in my neighborhood. But not the developer, who doesn't have to live through the construction – he reaps the benefits, we pay the price.

On Coldwater Canyon, traffic is terrible, and construction traffic just makes the street unbearable at times. Not to mention dangerous. The larger these projects are- the more trucks there are. And not just hauling, but material transportation, etc.

Sometimes it is scary coming in and out of our driveway. I worry about the brakes on one of these overloaded trucks failing and causing a tragedy.

Please pass this ordinance.

Yours Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Benjamin Meiseles' and the signature on the right is 'Samara Moulapoulas'. Both signatures are written in a cursive, flowing style.

Benjamin Meiseles

Samara Moulapoulas

1131 Coldwater Canyon Drive  
Beverly Hills, CA 90210

June 29<sup>th</sup> 2016

Dear Planning Commission and City Council,

Please, I implore you to support the Hillside Ordinance. Especially the June 1<sup>st</sup> date.

I am dismayed that the 1184/1193 Loma Linda project that was deemed too massive by your Commission through your comments and direction to the Developer, is now back with virtually the same square footage and hauling- this time split into two houses with a view to avoiding a Hillside R-1 permitting process.

Well, no wonder. The original project was outrageous. The residents, through the Hillside R-1 process, were able to demonstrate severe negative impacts to the point of which the project got pulled. But now, because of the "one size fits all" nature of the code, the applicant has submitted two by right projects.

So, except for the outrageous attempt to take our street and a good portion of our parking, these two projects will have virtually the same impact and are going to make our lives a misery.

These projects are not in line with the character of our street. No one else has decimated a hillside to put in a two story basement.

I would never want to live in the house below them (1115 Coldwater Canyon). It would destroy the enjoyment of my property and I would be scared to death of it falling down on me. That hillside has had landslides.

This type of project hurts our property values period. We have a lovely view right now, we don't want see to see that monstrosity sticking out of the hillside. And neither do prospective buyers whenever we decide to sell our house.

The Hillside Ordinance rightly corrects some defects in the code. The defects that would allow for 1184/1193 to slip through.

For a property like the end of Loma Linda- more scrutiny, not less, is essential to protect my family and my neighbors from the many significant problems these two projects now pose.



1165 LOMA LINDA DR.

## Masa Alkire

---

**From:** James Litz [REDACTED]  
**Sent:** Thursday, June 30, 2016 11:50 AM  
**To:** Ryan Gohlich  
**Cc:** Susan Healy Keene; Mahdi Aluzri; WebCBH MAYORANDCITYCOUNCIL  
**Subject:** Continuation Request - Item #1 - Hillside Development Standards

Mr. Gohlich-

On behalf of the Beverly Hills/Greater Los Angeles Association of REALTORS, I request that the Planning Commission CONTINUE the Hillside Development Standards item for 60 days.

As Government Affairs Director for the Association, I was only informed by a member yesterday that is proposal exists and moving forward. As the local trade association most directly affected by such action, we would greatly appreciate the opportunity to fully vet the proposal with our membership and our Land Use consultant, to better address the concerns presented in the proposal.

Frankly, I am very surprised that our input has not been sought on this major change. We value a good working relationship with the City of Beverly Hills and would like to continue that by working with you on this proposal.

Please, continue the item for 60 days with the direction to seek input from the local Beverly Hills real estate trade association.

Sincerely,

James Litz  
Government Affairs Director  
Beverly Hills/Greater Los Angeles Association REALTORS  
6330 San Vicente Blvd. #100  
Los Angeles, CA 90048

310-704-2767

Chairman Alan R. Block  
Vice Chairman Farshid Joe Shooshani  
Commissioner Craig Corman  
Commissioner Howard S. Fisher  
Commissioner Lori Greene Gordon

June 29<sup>th</sup> 2016

Dear Planning Commission,

We need to be protected from the two projects at the end of Loma Linda Drive.

The original project was deemed too massive by this Commission and the surrounding Residents, but the combined impacts of the newly proposed 1184/1193, with the exception of trying to take the cul de sac at the end of Loma Linda for private use, are virtually as detrimental.

At the June 8<sup>th</sup> meeting, the representative for the project claimed he did not submit the plans last minute solely to avoid potentially being subject to the Hillside Ordinance.

It is hard to believe that to be a true statement. Or be sympathetic to their situation.

They have had over four years since the purchase of the property to submit plans. But instead of initially proposing a reasonable project, they aggressively pursued public land, attempting to make it their own. Their refusal to work with the neighbors resulted in a battle that collectively consumed thousands of hours of Residents' time.

Had they initially submitted a responsible project, and respected the neighbors' concerns instead of declaring "this is the project Mr. Aquilini wants" then they would be much further along in the pipeline.

In terms of their monetary costs and man hours, I think it could be argued that collectively the neighbours had to spend a similar amount trying to ascertain the impacts of this project upon them.

At the June 9<sup>th</sup> meeting, opinion was expressed concerning expectations when buying a property. What about the responsibility of a purchaser's agents? Land use lawyers, land use experts and real estate agents could be more prudent when presenting reasonable building options for properties before purchase.

For example, before Aquilini purchased Loma Linda, in April 2012, according to public record emails, his agents were investigating how the end of the street could be procured for their client's exclusive use.

We ask this commission to consider whether it was reasonable for a property to be sold with the expectation that an immensely valuable part of a public street would be given by the City.

This plan failed, and now they are back again with a similar project- this time split into two pieces.

The plans for 1184 and 1193 are incomplete.

Again, the project doesn't even come close to fitting on their property. In the case of 1193, which scarily looms above the Staggs at 1115 Coldwater Canyon, they are excavating earth to create a pad size 3 ½ times what the existing pad is. And the existing pad isn't even one contiguous lot. It is chopped up into three pieces.

They have skated right up to, but not crossed the threshold into current Hillside R-1 permit territory. This project is a poster child for what the Hillside Ordinance is designed to protect the residents, and the hillsides, against.

We can't imagine for the life of us that the significantly sloped 1193, which starts its severe incline within a few feet of the street, is safe for the scale of excavation proposed.

It is critical this site be subject to the Hillside R-1 process to evaluate its suitability and safety for that piece of property.

This project needs to be subject to the extra construction conditions the City will have the authority to impose under a Hillside R-1 permit. To rely on a Construction Management Plan would be to do the Residents a grave disservice.

For a CMP to work, it needs two things. A Contractor that performs with integrity, and the ability for the City to enforce. This group has already shown a blatant disregard for the Residents safety- shoddy workmanship, leaving exposed electrical outlets at the curb, and incident after incident of leaving empty vehicles blocking the fire turnaround. They cannot be trusted on their own accord to do the right, and safe, thing and therefore additional measures must be imposed.

We understand that codes sometimes have to have a "one size fits all" approach. But in this case, the City has correctly identified a growing trend in the exploitation of code that has resulted in irreversible damage to our hillsides and communities. The time has come for the code to be updated.

Commissioner Corman has correctly identified areas in the code where it is significantly failing the majority of the residents in Beverly Hills. There have been too many projects that have slipped through the cracks already and have irreversibly hurt a significant portion of the community for the benefit of a sparse few.

These projects hurt the monetary value, sense of safety in our homes, and enjoyment of our homes. These projects do not create value for Beverly Hills as a whole, they take value from the neighbors and plop it onto new properties.

If the Loma Linda project is indeed suitable for that piece of property, then it should have no problem standing up to the analysis of the new R-1 process.

The June 1<sup>st</sup> date must be upheld for the protection of the residents. You have heard from the five families closest to this project that it will significantly hurt them, and from many more on Loma Linda and adjacent Coldwater Canyon. The time has come for the Loma Linda project to be scrutinized to the level the residents who live on our narrow, dangerous street deserve.

Your consideration is most appreciated.

Debbie Weiss and Adrian Lorimer

Dear Planning Commissioners,

I was happy to learn of the Hillside Ordinance. I am deeply concerned about the threat of a number of new projects that seek to abuse and take advantage of codes that allow them to build oversized, out of character homes that are directly against the scale and integrity of our neighborhoods.

Please pass the Hillside Ordinance with a June 1<sup>st</sup> effective date.

Thank you for your consideration.

Victor Bando  
520 No. Maple Av  
Beverly Hills CA 90210

6/28/2016

Dear Planning Commission,

The Hillside Ordinance needs to be passed effective June 1<sup>st</sup>.

The threat of megamansions descending on our hillsides would negatively the values of the majority of other residents' homes and the desire of future residents to buy one.

Who wants to move onto a street that is about to suffer exposure on a grand scale?

Sincerely,

*Herb J. Perry*  
*218 McCarty Dr*

Dear Planning Commissioners,

I am a long time resident of Beverly Hills and welcome the proposed Hillside Ordinance.

There have sadly been a number of injuries and deaths related to construction traffic and hauling. I am therefore very in favor of the suggested new limits on the by right amounts of hauling for the narrow, steep and curvy streets of our City. These streets are dangerous to drive on at the best of times. Excessive construction traffic represents a genuine threat to the residents and their families.

Please pass the Hillside Ordinance.

Thank you very much for any consideration given to my position.

A handwritten signature in black ink, appearing to be 'A. J. W.', written over a horizontal line.

339 N. OAKHURST DR  
BEVERLY HILLS, CA. 90210

## Masa Alkire

---

**From:** Julie Glucksman [REDACTED]  
**Sent:** Tuesday, June 28, 2016 5:36 PM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire  
**Cc:** Susan Healy Keene; Ryan Gohlich; Andre Sahakian; Adrienne Tarazon  
**Subject:** support for Hillside Development Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Via Email

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
ATTN: Masa Alkire

RE: HILLSIDE DEVELOPMENT ORDINANCE HEARING DATE: JUNE 30, 2016

Dear Planning Commissioners and City Councilmembers:

We strongly support the Hillside Development Ordinance.

While property owners have the right as well as the character of the neighborhood, and the rights and property values of neighbors. The proposed Ordinance addresses these issues by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad, or with more than 1,500 cy of hauling in five years. It seems appropriate for the City to review large (some might say overscale) developments to make sure they are not unsafe on the hillside, or cause undue impacts to surrounding neighbors and properties.

We hope you adopt the Ordinance as soon as possible.

Sincerely,

Julie Glucksman and Toby Emmerich  
1261 Lago Vista Drive

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

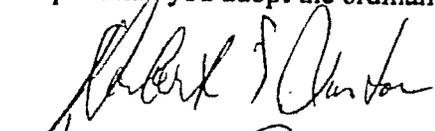
Dear Planning Commissioners and City Councilmembers:

We support the Hillside Development Ordinance.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We request that you adopt the ordinance as soon as possible.

Sincerely,



HERBERT J RESTON  
1136 CALLE VISTA DR  
Beverly Hills, CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

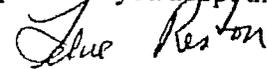
Dear Planning Commissioners and City Councilmembers:

We support the Hillside Development Ordinance.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We request that you adopt the ordinance as soon as possible.

Sincerely,

  
FELICE RESTON  
1136 Calk Vista Dr  
BEVERLY HILLS, CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

**Mark Elliot**  
212 S. Reeves Drive  
Beverly Hills, CA 90212

June 29, 2016

Mr. Alan Block, Chair  
Members of the Planning Commission  
455 North Rexford Dr.  
Beverly Hills, CA 90210

Dear Chair Block and Members of the Planning Commission:

I support the Hillside Development Ordinance. I've watched with some outrage how, over the last decade, unchecked overdevelopment has practically overrun our city with significant consequences. I'm concerned that we should tap the brakes in the hillsides for both aesthetic and safety reasons.

Safety is inarguable: City Hall inattention to traffic hazards from hauling on hillside streets led to several deaths. While the city ultimately acted, I believe that the best way to mitigate the negative safety impacts of hauling is simply to leave more of that soil in the hill where it rests today.

That's why I support any policy that would ban nearly unlimited subterranean excavation by-right. And, more important, that would hard-cap removal at 1,500 cubic yards for a project subject to the proposed policy. To put that volume in perspective, 1,500 cubic yards is itself about the same volume as the 'average' Beverly Hills mansion. No project needs to excavate more without a close review.

Aesthetically, we must safeguard the hills lest they be literally scraped flat to make room for more oversize homes. A development that cannot contextually fit into our hillside areas is better suited for Bel Air anyway.

So I would support this policy for a) providing a disincentive to scrape an oversize pad by precluding the contribution of scraped area to FAR; and b) for instituting a hard cap on scraping for larger pads beyond a 1,000 square foot bump-up.

While our elected leaders and past Planning Commissions have failed to protect my south-area neighborhood from drastic and unwelcome change, there is no reason not to lock the barn door on the destruction of the hillsides before it's too late.

Sincerely,



**LAW OFFICE OF STEPHEN P. WEBB**  
**A PROFESSIONAL CORPORATION**  
9401 Wilshire Boulevard, Suite 1250  
BEVERLY HILLS, CA 90212

Telephone: (310) 888-3430  
Facsimile: (310) 888-3433

Writer's email: [swebb@twkglaw.com](mailto:swebb@twkglaw.com)

June 29, 2016

Alan Robert Block, Chair  
Farshid Joe Shooshani, Vice Chair  
Craig Corman, Commissioner  
Howard S. Fisher, Commissioner  
Lori Greene Gordon, Commissioner  
Planning Commission  
City of Beverly Hills  
455 North Rexford Drive  
Beverly Hills, CA 90210

Re: Proposed New Ordinance for Hillside Development

Dear Commissioners:

While I applaud and support the Commission's efforts to evaluate and address certain hillside construction issues and in particular the impact of construction vehicles traveling up and down very narrow hillside streets, I strongly object to imposing any new provisions on property owners who already have spent millions of dollars to acquire their property with the expectations that they will be able to construct a residence thereon according to current building and zoning codes, as well as having spent hundreds of thousands of dollars in architectural and engineering fees in conformity with the current ordinances to obtain their building permits.

I represent one such property owner at 1140 Calle Vista Drive who finds himself toward the end of the permitting process having spent hundreds of thousands of dollars in architectural and engineering fees. If the ordinance as proposed is adopted and applied to him, he could be required to redesign his house and start over at great expense to meet the new proposed code requirements. It is unconscionable to force any property owner, after having spent millions of dollars to purchase the property and in designing a new home, to start over.

A prospective owner purchases property in Beverly Hills upon the expectation of what can be built thereon which is a major factor in determining what that person will pay for the land. For example, if under current codes an owner can build an 8,000 sq. ft. residence, he or she would be willing to pay a certain price for that property; if on the other hand they are only able to build a 6,000 sq. ft. home, they would pay less.

The following is a brief summary of the development process:

1. A prospective property owner locates a property and spends millions of dollars to purchase that property based on an initial investigation of what can be built thereon.
2. Once the property has been acquired, the property owner will hire an architect who in turn will hire engineering and soils consultants to more specifically evaluate the property as to what can be designed and built including the required setbacks, maximum square footage and in the hillside, determining the nature and extent of the level pad, undertaking a soils and other engineering studies.
3. Up to this point, the property owner has in all likelihood spent six to nine months with the architect and engineers to develop a preliminary set of plans at a cost of tens of thousands of dollars for submittal to the City for concept review.
4. After the concept review process is completed, proposed final plans, including engineering and soils, excavation, view preservation, etc., are prepared by the architect at substantial additional costs, estimated at between \$200,000 to \$500,000, which are then submitted to the Department of Building & Safety to commence the formal permitting process.
5. After Building & Safety and other departments review these plans in far greater detail than in concept review, in almost all cases they are returned to the architect with numerous comments requiring corrections and redesign of these plans. This process goes on for months with numerous requested revisions before building permits are issued.

Planning Commission  
June 29, 2016  
Page 3

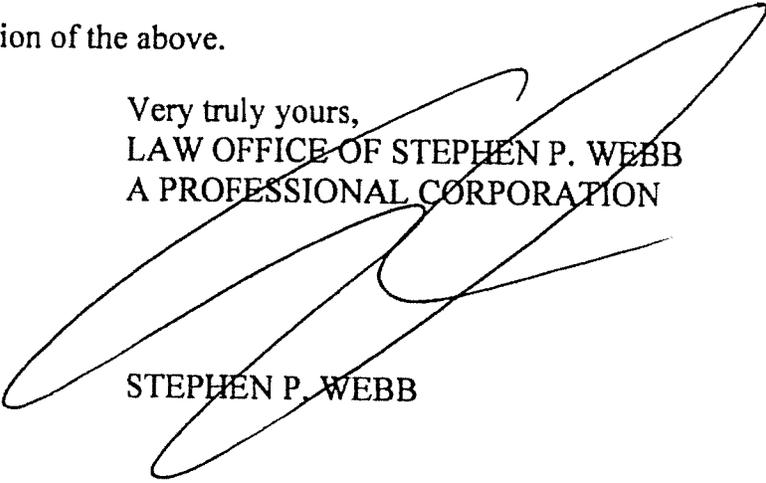
In my client's particular case, the architects submitted preliminary plans for concept review on August 13, 2014. After receiving staff comments, an application and a full set of plans were submitted on February 2, 2015 together with the payment of fees in excess of \$50,000. Based on comments from staff, the plans were resubmitted several times through May of 2016. By June 17, 2016, after further analysis by staff, they believe there is a view preservation issue that may require application for a hillside R-1 permit relating to that issue only.

Beverly Hills and other cities will periodically amend or add provisions to their building codes. This is anticipated to occur again in 2017. However, the practice has always been that those new codes will not apply to any application that had been filed prior to the date of adoption.

If this Commission recommends that the Council adopt these new provisions, the Commission's recommendations should state that the new ordinance should not apply to any project (whether discretionary or not) in which an application has been filed with a full set of plans including engineering and structural drawings with the Building & Safety Department for the commencement of the permitting process and the initial fees have been paid on or before the date of its adoption. Furthermore, any subsequent decision by City staff with respect to that application that would require further discretionary review by the Planning Commission, such review shall be based upon and limited to the preexisting requirements of the Code on its effective date.

Thank you for consideration of the above.

Very truly yours,  
LAW OFFICE OF STEPHEN P. WEBB  
A PROFESSIONAL CORPORATION



STEPHEN P. WEBB

cc: Ryan Gohlich  
Client

# Allen Matkins

Allen Matkins Leck Gamble Mallory & Natsis LLP  
Attorneys at Law  
515 South Figueroa, 9<sup>th</sup> Floor | Los Angeles, CA 90071-3309  
Telephone: 213.622.5555 | Facsimile: 213.620.8816  
www.allenmatkins.com

Patrick A. Perry  
E-mail: pperry@allenmatkins.com  
Direct Dial: 213.955.5504 File Number: 374859-00002/LA1046141.03

## Via Electronic and First Class Mail

June 28, 2016

Chair Alan Robert Block  
Vice Chair Farshid Joe Shooshani  
Commissioner Craig Corman  
Commissioner Howard S. Fisher  
Commissioner Lori Greene Gordon  
City of Beverly Hills  
455 North Rexford Drive  
Beverly Hills, California 90210

### **Re: Hillside Development Ordinance**

Dear Chair Block and Members of the Beverly Hills Planning Commission:

This firm represents the Loma Linda Trust ("Owner" or "Trust"), owner of the properties located at 1184 and 1193 Loma Linda Drive (the "Properties"), for which the Trust has submitted, and the City has deemed complete, building permit applications for the "by right" development of a single family home on each of the two separate legal parcels.

As set forth in detail herein, in the three years since its 2013 acquisition of the Properties, the Owner has diligently worked with the City and surrounding community to attempt to develop them. For close to two years, these efforts were focused on obtaining City approval of a single 27,334 square foot home to be constructed on the two adjacent Properties (the "Original Project"). After careful consideration of the community's initial reactions to the Original Project and urging to construct a "by right" project – two years into the project timeline, the Owner *voluntarily* withdrew the plans for the Original Project and commissioned the preparation of a new project that could be constructed "by right."

The Owner invested an additional year of time and nearly \$750,000 in the preparation of plans for a new project: the construction of two single family homes (one on each lot) that complied with the square footage and grading limits set by the Beverly Hills Municipal Code (the "Code") for the R-1 zoning district in which the Properties sit (the "Revised Project").

Chair Alan Robert Block

June 28, 2016

Page 2

On June 1, 2016, plans for the first of these two homes were finally accepted by the City for plan check. *That same day – we are advised the City agendized its first attempt to "rush through" a City ordinance which would bar this 3-year-old project from finally receiving approval:* an urgency ordinance that proposed to dramatically alter the parameters for construction in the R-1 Zone such that the Revised Project would be divested of its "by right" status and subjected to further discretionary review procedures and delay (the "Urgency Ordinance").

At its June 9<sup>th</sup> meeting, the Commission ultimately determined that this matter was not "urgent" and should instead proceed to the City Council through the regular ordinance adoption procedures. Nevertheless, it directed staff and the City Attorney's office to prepare a regular ordinance which reflected the same changes to the R-1 Zone as the Urgency Ordinance, *but would be retroactively effective to the date the Revised Project plans were submitted to the City – June 1, 2016* (the "Ordinance").

Please be advised that the Trust strongly opposes the adoption of the proposed Ordinance on the following legal and equitable grounds, any one of which provide independent support for a legal challenge to the same:

(1) Adoption of the proposed retroactive Ordinance would violate the Owner's substantive due process rights. The purported justification for the Ordinance is based on deceptive information and is unnecessary and discriminatory. In addition, the proposed June 1, 2016 retroactive effective date is not based upon any discernible date relevant to the Hillside area of the City in its entirety – only to the submission of the plans for the Revised Project. As such, the Ordinance as proposed is arbitrary and capricious, discriminatory in nature, and wholly lacking in evidentiary support.

(2) In light of the Commission's June 9<sup>th</sup> determination that this matter is not "urgent" in nature, the retroactivity provisions of the Ordinance purport to stand state law regarding ordinance adoption on its head by adopting a retroactive regular ordinance that is the legal equivalent of an urgency ordinance *without the requisite urgency findings or supermajority vote.*

(3) Retroactive application of the Ordinance runs contrary to established City policy and sets a dangerous precedent for property owners considering investment in Beverly Hills. The City has never before adopted an ordinance that is retroactive to a date months before its effective date. Taking such action now sends a message to current and prospective property owners considering investment in Beverly Hills that they cannot rely on the regulations and development rights that run with their property.

(4) Adoption of the Ordinance will result in a serious diminution of property values throughout the Hillside area to which the Ordinance will apply, causing severe hardship to affected property owners and a resulting loss of revenue for the City. Indeed, the City's retroactive adoption of the Ordinance without compliance with due process, and resulting decline in the fair market value of the

Chair Alan Robert Block  
June 28, 2016  
Page 3

Properties, arguably constitutes an unconstitutional taking of Owner's property without just compensation.

(5) Finally, and perhaps most importantly, following three years of diligent attempts by the Owner to secure a project that is approved by the City and acceptable to the surrounding community, the eleventh hour adoption of a secretive ordinance barring the proposed "by right" construction of the Revised Project is, by any standard, simply unfair targeting of the Owner's property and must not be adopted or allowed to go into effect – if not by this Commission – by a Court reviewing the relevant factual history.

The impetus for the Ordinance appears to be nothing more than a concentrated effort by a few disaffected homeowners to protect their prerogatives at the expense of others who validly seek to develop their properties in full compliance with applicable requirements. Having secured their own development rights, these homeowners now seek to deprive others of the same right to develop their properties in accordance with existing standards by unfairly changing the rules to make others go through an onerous process that they were not required to undergo.

The Owner therefore respectfully requests that you do *not* recommend adoption of the proposed Ordinance because it would impose unlawful and unnecessary restrictions on the development of single family homes in the affected portions of the hillside area of the City, including the Properties. Further, if the Ordinance goes into effect, the Owner will not hesitate to pursue all appropriate legal remedies against the City – including but not limited to those summarized above – to protect its right and interests, thereby subjecting the City to liability for damages to the Owner for this unlawful action.

### **Factual Background**

#### The Properties

In 2013, Loma Linda Holdings, Ltd., trustee of the Loma Linda Trust ("Owner") purchased the following two pieces of property, located on two adjacent lots, in the City of Beverly Hills: (1) 1184 Loma Linda Drive, a 35,234 square foot vacant lot ("1184 Loma Linda"); and (2) 1193 Loma Linda Drive, a 47,635 square foot vacant lot ("1193 Loma Linda") (collectively, the "Properties"). The Properties are located in the Hillside area of the City, and are designated by the City's Zoning Code and General Plan as R-1.X, one-family residential.

#### The Original Project

Originally, the Owner's intent was to merge the two vacant lots and develop the Properties with a single 27,334 square foot home (the "Original Project"). Between 2013 and 2015 Owner expended a considerable amount of time, effort and money into the Original Project. It invested hundreds of thousands of dollars into the preparation of detailed site plans and the necessary environmental review

Chair Alan Robert Block

June 28, 2016

Page 4

and compliance documents – including a traffic study, noise assessment and Mitigated Negative Declaration. Notably, *it was determined by the City that the Original Project (twice the size of what is now currently proposed) would not result in any significant environmental impacts*, provided the recommended mitigation measures were adopted.

Thereafter, the Owner negotiated a lot line adjustment agreement with one of the adjacent property owners and performed a considerable amount of work required by this agreement. In addition to this work, the Owner took it upon itself to repair the surrounding hillside and neighboring properties when a City fire hydrant burst – causing considerable damage to not only the landscaping installed by the Owner, but also to the surrounding hillside and neighboring properties. Although this incident was in no way related to the Original Project or the fault of the Owner, as a show of good faith to the surrounding neighbors, the Owner cleaned up the damage to the hillside, replaced previously-installed landscape unearthed by the hydrant burst, and re-compacted the soil at its sole cost and expense.

After this due diligence work was completed, on or about March 17, 2014, the Owner applied to the City for the requisite entitlements for the Original Project – including an R-1 Hillside Permit and an amendment to the Streets Master Plan. It also offered to dedicate a portion of 1184 Loma Linda to the City.

On or about October 9, 2014, the approval of the Original Project was presented to the Planning Commission for initial consideration and action. As required by the Beverly Hill Municipal Code ("BHMC"), in preparation for this hearing, all property owners located within five hundred (500) feet of the Properties were provided with notice of the proposed Original Project.

#### Initial Community Response to Original Project

The Original Project was not well-received by the community. The Owner received numerous negative letters and petitions from neighbors who were concerned that the proposed "mega mansion" (as they called it) was not in keeping with the character and scale of the surrounding homes or the community.

*The common urging of the City and the community was for the Owner to abandon the Original Project due to size and proceed with a "by right" project – i.e. construction that complied with the square footage and grading limits set by the BHMC.* For example, in a November 30, 2014 letter relating to the Original Project (copy attached as Exhibit "A" to this correspondence), the immediately adjacent neighbor and leader of the neighborhood opposition urged the Planning Commission as follows:

"The owners of 1184 Loma Linda *are able to build a house on their land under the current code*, yet are requesting a number of exceptions and variances to construct a home and guest house that vastly exceeds the scale of the current homes on the street

and if allowed, it is to the benefit of the owners of 1184, yet to the detriment of the neighbouring families.

...

*We ask that this project be evaluated within normal City approved guidelines, and if any exceptions are deemed necessary to be granted, that it be done with minimum impact to our property."*

#### Currently Proposed Revised Project

***In light of this community response, in 2015 the Owner did exactly what was asked – it withdrew the plans for the Original Project and commissioned the preparation of wholly new plans for a "by right" project: two homes, one on each lot, that complied with all current code requirements for the R-1.X zone (the "Revised Project").*** (Copies of the proposed plans for the Revised Project are attached hereto as Exhibit "B.")

Specifically, the Revised Project contemplates the construction of two five-bedroom homes which conform to the City's standards for single-family residential development in the Hillside Area (BHMC Article 25) including but not limited to the Code's restrictions on maximum floor area, import and export of material, and wall height. Unlike the Original Project, the Revised Project does not exceed any of these maximum standards such that an R-1 Permit would be required (BHMC Article 25.5).

The Revised Project is also consistent with the General Plan designation for the Properties and the surrounding uses in the vicinity – as the Properties are surrounded on all sides by one- and two- story single family homes on irregularly shaped hillside lots.

After an additional year of work by the Project architect and \$750,000 in additional design fees expended by the Owner for the "by right" project redesign, plans for the Revised Project were completed. The plans for 1193 Loma Linda, the first to be ready, were submitted to the City on or about June 1, 2016. After further revising the second set of plans pursuant to staff comments, the plans for 1184 Loma Linda were submitted shortly thereafter – on or about June 22, 2016. The Trust concurrently submitted building permit applications for these two homes without any knowledge that the City was considering adoption of an ordinance that would render meaningless the time, effort, and expense incurred to redesign the project.

#### Urgency Ordinance

Days after the plans for the Revised "by right" Project were accepted and deemed complete by the City for plan check – the Owner received notice that the Planning Commission, at its June 9, 2016 meeting, would be considering the Urgency Ordinance that would halt all development projects in the Hillside Area, including the Revised Project.

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The Urgency Ordinance proposed to dramatically alter the parameters for "by right" construction in the R-1 zone by: cutting the maximum allowable import and export materials in half and dramatically changing the maximum allowable cumulative floor area and method for calculating the same. Notably, this item was agendized by Commissioner Corman on the same day that the plans for 1193 Loma Linda were accepted by the City: June 1, 2016.

Moreover, a careful reading of the staff report recommending the Urgency Ordinance provides further evidence that the same was intended to target the Owner's Revised Project. For example, the staff analysis gives the appearance of being directed at all Hillside development by listing seven (7) anonymously identified pending projects in the Hillside area. However, of the 7 Hillside projects listed, only 5 are currently permitted "by right" (the other two already require R-1 Permits in the currently zone), and only 2 would be directly affected by the new limits set by the Urgency Ordinance. ***As such, only the Owner's Revised Project and one other would stand to lose its "by right" status as a direct result of the Urgency Ordinance.***

This is directly reflected in the text of the Staff Report:

"These seven example projects currently do not require discretionary review and are simply required to go through the City's plan check process to receive a building permit. The 1500 cubic yard 'import/export' provision of the draft urgency ordinance would trigger Planning Commission discretionary review ***of two of the seven sample projects identified by staff.***"

On June 9, 2016, the Planning Commission publicly voted to recommend approval of the Urgency Ordinance to the City Council. As justification for the Commission's consideration of the Urgency Ordinance, testimony regarding the potential impacts of the *Original Project* was entered into the record. As this project has long since been withdrawn by the Owner, this information constitutes a gross misrepresentation of the facts.

Thereafter, at the conclusion of it June 9, 2016 meeting, after all members of the public had left, the Commission voted 3-2 to withdraw its recommendation to adopt the Urgency Ordinance and proceed with the proposed changes to the R-1 Zone through a regular ordinance to be made retroactive to June 1, 2016. This retroactive date was not reflected in the June 9<sup>th</sup> staff report or proposed resolution attached thereto, but was only raised during oral discussion at the conclusion of the meeting after almost all other business had been concluded.

#### Proposed Ordinance

Per the direction given to staff and the City Attorney's office at the conclusion of the June 9, 2016 Planning Commission meeting, we are advised that at an upcoming June 30<sup>th</sup> special meeting, the Commission will now be considering an ordinance that is substantively identical in all respects to the

Urgency Ordinance – but is procedurally different in that it (1) will be styled as *regular* rather than urgency ordinance; and (2) will be made retroactively effective to June 1, 2016.

The Trust encourages the Planning Commission *not* to recommend adoption of the Ordinance for the following reasons:

**(1) Adoption of the proposed retroactive Ordinance would violate the Owner's substantive due process rights.**

Under California law, the zoning or re-zoning of property is a quasi-legislative act that will be rejected by a court if it is shown that such action was "arbitrary and capricious," "irrational" and/or "wholly lacking in evidentiary support." (*Foothill Communities Coalition v. County of Orange* (2014) 222 Cal.App.4<sup>th</sup> 1302; *see also, Arlington Heights v. Metropolitan Housing Dev. Corp.*, 429 U.S. 252, 263 [due process clause protects right to be free from arbitrary or irrational zoning action].) Zoning regulations that are "discriminatory" in nature similarly violate the substantive due process clause. (*Id.*; *Consaul v. City of San Diego* (1992) 6 CA4th 1781, 1794 [proposed development project is vulnerable to a change in the general plan, zoning, or other land regulations, *as long as such regulations are not discriminatory*].)

As the facts set forth above clearly demonstrate, adoption of the proposed Ordinance would violate the Owner's substantive due process rights on several of these legal bases. First, as its adoption is premised upon the Commission's consideration of deceptive information, and it does not include urgency findings to support its retroactive application – the Ordinance as proposed is "wholly lacking in evidentiary support."

As noted, as justification for the Commission's consideration of the Urgency Ordinance and preparation of the now-proposed Ordinance, testimony and evidence regarding the potential impacts of the *Original Project* was entered into the record. The proposed Ordinance purports to impose restrictions on the development of single family homes in the hillside area that are currently permitted to be developed as of right pursuant to currently applicable City use and development standards. The *Original Project* did not comply with applicable by-right development standards and required a number of discretionary approvals by the Planning Commission prior to the issuance of building permits. That *Original Project* has long since been replaced with plans for the construction of the Revised "by right" Project. Each of the two homes contemplated by the Revised Project fully complies with all applicable development standards, and neither requires discretionary approval by the City. As such, any concerns regarding the *Original Project* are irrelevant and can provide no possible justification for adoption of an ordinance affecting by-right development.

Moreover, there is not a single shred of evidence that the proposed by-right development of the subject Properties, or any other property, in accordance with current requirements for the R-1 Zone would result in conditions that would justify an ordinance restricting such development. The Trust merely seeks to avail itself of the same rights that have consistently applied to each of the homeowners who

developed their properties in accordance with current requirements for the R-1 Zone, but who now seek to prohibit others from taking advantage of the same benefits that they were allowed to enjoy.

It is manifestly unfair for one group of property owners to impermissibly seek to restrict another group of property owners in this way – especially in this case, where the Owner has expended a significant amount of time and resources to comply with City requirements only to have the City propose to pull the rug out from beneath the Trust at the last minute without providing any rational basis. Accordingly, the proposed Ordinance is wholly lacking in evidentiary support and violates the Owner's substantive due process rights.

Moreover, the proposed June 1, 2016 retroactive effective date is not based upon any discernible date relevant to the Hillside area of the City in its entirety – only to the submission of the plans for the Revised Project. This fact alone clearly establishes that the proposed Ordinance is "discriminatory" on its face.

Such discriminatory and arbitrary action gives rise to compensable legal action against the City by Owner. For example, in *Bateson v. Geisse*, 857 F.2d 1300, 1303 (9th Cir. 1988), the Court determined that a City Council's decision to deny a nondiscretionary building permit despite the property owner's fulfillment of all requirements necessary for issuance of the same gave rise to a substantive due process claim against the City. Moreover, the Court determined that both the City and councilmembers that took this discriminatory action against the subject property owner were personally liable and could not claim absolute or qualified immunity for their unconstitutional actions. (*Id.* at 1305.)

**(2) The proposed retroactive regular ordinance is the legal equivalent of an urgency ordinance without the urgency findings or supermajority vote required to make an ordinance immediately effective.**

The retroactive application of the proposed Ordinance also runs contrary to state law, which clearly defines when ordinances are to take "effect." For a non-urgency ordinance, two (2) "readings" are required: one to introduce and a second to adopt the ordinance. (Gov. Code § 36934.) A non-urgency ordinance does not take effect until thirty (30) days after its adoption on second reading. (Gov. Code § 36937.)

Conversely, a land use ordinance can only be *immediately* effective if it meets the requirements for an "urgency ordinance." (Gov. Code section 65858.) To qualify as an urgency ordinance, the proposed measure must contain an urgency clause stating *valid, constitutional, and persuasive facts to justify such a determination*, and must be passed by a four-fifths "supermajority" vote of the city council. (*Parr v Municipal Court* (1971) 3 Cal.3d 861, 868, *cert denied sub nom, City of Carmel-By-The-Sea v Parr* (1971) 404 US 869 [urgency clause had discriminatory language; operative language invalidated].) If a Court later finds the facts stated do not support an urgency determination, the ordinance would not be treated as "urgent" and would not take effect until 30 days after passage (*i.e.*

second reading). (*County of Los Angeles v. City Council of the City of Lawndale* (1962) 202 Cal.App.2d 20, 26.) An urgency ordinance – if it so qualifies – is effective on the day it is passed. (*Id.*)

As currently drafted, the proposed Ordinance would have an effective date retroactive to a date more than two months prior to its first reading, second reading and the mandatory 30-day waiting period. *As such, the proposed Ordinance purports to stand this clear body of state law on its head by giving a non-urgent regular ordinance the legal effect of an urgency ordinance.* This ordinance does not contain the required "urgency" findings, nor must it be adopted by a 4/5 supermajority vote of the Council. Nevertheless, as proposed, this regular Ordinance would have an even further legal reach than an urgency ordinance – effecting projects not only as of its effective date, but also those submitted more than two months prior.

Although retroactive ordinances are permitted in certain limited circumstances – there is no law which supports that they are appropriate on this set of facts – *i.e.* the adoption of a regular ordinance *following a determination by the Planning Commission that the matter was not "urgent" in nature.* As such, the proposed retroactivity portions of the Ordinance are unlawful and should not be recommended to the City Council.

**(3) Retroactive application of the Ordinance runs contrary to established City policy, is disfavored by state law, and sets a dangerous precedent for property owners considering investment in Beverly Hills.**

In the nearly 100 years since its 1914 incorporation, the City has adopted only one other retroactive provision in its zoning code – Ordinance 69-O-1357, which was made retroactive only two weeks prior to its October 16, 1969 effective date – to October 1, 1969. Why now, for the first time in nearly 50 years, adopt such an ordinance if not to target this specific project?

Moreover, adoption of the Ordinance by the City would set a dangerous precedent of enacting retroactive changes to a code that property owners rely on in making substantial investments in some of the most desirable and highly valued real estate in the United States. The adoption of this Ordinance would mean that any property owner or prospective buyer of real estate in Beverly Hills would never be certain of the existing rights of development on their personal property.

By arbitrarily seeking to impose restrictions retroactively to June 1, 2016, the proposed Ordinance would impermissibly infringe on the legitimate rights of property owners who are entitled to rely on existing regulations until such time as such regulations are changed. Even if retroactive application of the proposed Ordinance were permissible, there is no basis for arbitrarily choosing June 1, 2016 as the date from which the restrictions imposed by the proposed ordinance would apply other than to specifically target the applications submitted by the Trust. In the absence of any compelling justification for such retroactive application, any such provision in the ordinance would be unenforceable as arbitrary, capricious, and not supported by substantial evidence.

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As such, to the extent that the City were to ultimately adopt the proposed Ordinance, its effect should be prospective only from the effective date of its adoption such that it does not unfairly impinge on the legitimate rights of property owners to reasonably rely on existing laws and regulations in effect as of the date that they apply for permits and approvals from the City. In addition to the time and cost already incurred by the Trust in connection with redesigning the project, retroactive application of the ordinance to June 1, 2016 would impose further substantial hardship on the Trust in the form of significant costs due to additional delays for which the Trust would hold the City fully liable.

**(4) The adoption of the Ordinance will result in a serious diminution of property values throughout the Hillside area to which the ordinance will apply.**

Adoption of the proposed Ordinance would have a significant adverse effect on property values throughout the affected area due to the additional restrictions imposed on what would otherwise be permissible levels of development. The serious diminution in property values that would result from adoption of the Ordinance would have numerous practical and legal effects.

*First*, it would cause severe hardship to affected property owners. Imposing requirements for discretionary approval of development as set forth in the proposed Ordinance would result in significant additional costs and delays that would impede residential development to such a degree that it would no longer be economically feasible in many instances.

*Second*, the City's retroactive adoption of the Ordinance without compliance with due process, and resulting decline in the fair market value of the Properties, arguably constitutes an unconstitutional taking of the Owner's property without just compensation. California has long recognized that while "the police power is very broad in concept, it is not without restriction in relation to the taking or damaging of property. When it passes beyond proper bounds in its invasion of property rights, it in effect comes within the purview of the law of eminent domain and requires compensation." (*House v. L.A. County Flood Control Dist.* (1944) 25 Cal.2d 384, 388 [citing text, internal citations omitted]; *see also, Berman v. Parker* (1954) 348 U.S. 26.) As our state's Supreme Court has repeatedly recognized in viewing this issue, the ultimate test of whether compensation is constitutionally required resolves itself into one of *fairness*. (*County of San Diego v. Miller* (1975) 13 Cal.3d 684, 689; *Southern California Edison Co. v. Bourgerie* (1973) 9 Cal.3d 169, 173.) As the facts set forth in detail herein clearly demonstrate, the targeted and discriminatory application of the proposed Ordinance to the project is manifestly unfair by any measure and may subject the City to meritorious claims by the Owner for just compensation.

For all of the foregoing reasons, the adoption of the proposed Ordinance is neither necessary nor appropriate and could subject the City to considerable liability and loss of revenue. You are therefore urged not to support the proposed Ordinance and to vote not to recommend that it be adopted by the City Council. We shall appreciate your careful attention to this request.

Allen Matkins Leck Gamble Mallory & Natsis LLP  
Attorneys at Law

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Representatives of the Trust are prepared to meet with you at your convenience to discuss this matter in more detail and will be in attendance and present additional evidence at the upcoming meeting on June 30th. In the meantime, please contact me with any questions or if I can provide any additional information with respect to these issues.

Very truly yours,



Patrick A. Perry

Exhibit A: Debbie Weiss November 30, 2014 letter re Original Project

30<sup>th</sup> November, 2014

Dear Planning Commission,

Further to and in conjunction with our letter submitted 7<sup>th</sup> October 2014, our architect Jay Vanos and I examined in detail the initial plans submitted for this Commission's review for 1184 Loma Linda Drive, and the later corrected plans on 18<sup>th</sup> November 2014. The below is written based upon my understanding of the situation from conversations with Jay and Andre Sahakian.

**We wish to call to this Commission's attention our findings after examining the plans, and respectfully request that extra care be taken when examining any paperwork submitted on this project due to the number of omissions and errors discovered.**

The owners of 1184 Loma Linda are able to build a house on their land under the current code, yet are requesting a number of exceptions and variances to construct a home and guest house that vastly exceeds the scale of the current homes on the street and if allowed, it is to the benefit of the owners of 1184, yet to the detriment of the neighbouring families.

To be able to make a proper assessment, we would like to know exactly how big this project is- in a recent email from Andre, it is "approximately 24,074 square feet", but according to the MND "the total square footage of the residence would be 27,334 square feet".

The applicant is asking this project to be **between 4 and 5 times** the size of what existed prior.

#### **Office/Guest House**

**It is our assertion that our privacy (1185 Loma Linda Drive) will be significantly negatively impacted by the proposed "office." It is our conclusion that the owner's representatives know that this is of concern to us (as we expressed this to Jason Somers repeatedly), and perhaps also of concern to the City, and therefore steps have been taken to mask the actual impact of this structure.**

A number of inaccuracies, some glaring, have been submitted. As much as we wanted to believe that these were simply oversights, the amount and nature of them suggest it is highly likely that they were done **with an intention to mislead in order to obtain approvals.**

#### **Verbal misrepresentations**

Assurances do not appear to have been done in "good faith."

- We were verbally assured by Mr. Somers the structure will not interfere with our privacy - this has been shown to be false.
- Mr. Somers went so far as to state that the side of the structure adjacent to our property will not have any glass.
- **This is also false-** the plans clearly show that the wall is floor to ceiling glass.
- Mr. Somers promised that "there would be no view impact at all" and promised to demonstrate this by supplying renderings with elevations showing the view angle (i.e.

that our property will not be viewable from the structure) in relation to our property and that there was no glass. Despite numerous requests, not only have these renderings never been supplied, all communication from the Applicant's representatives has ceased.

- **We can't help but conclude that this is a stalling technique designed to interfere with our ability to assess this proposed development properly.**

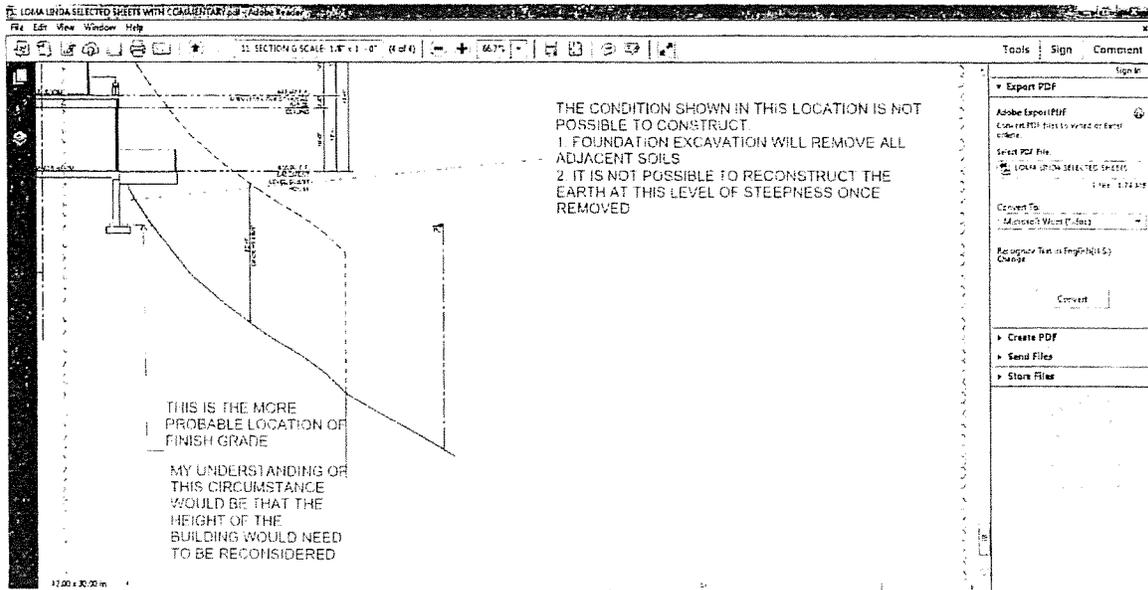
What was sent to us were inaccurate two dimensional plans that were **misleading** because **the plans misidentified North, South, East and West**. (Please note- the City agreed with our findings and has since requested corrections).

### **Misrepresentations in the Plans**

**We believe that the height of this structure is not in accordance with code.**

- In an email dated 24<sup>th</sup> September 2014, Mr. Somers asserted "The office is only 11 feet in height above the street grade"
  - **This is another misrepresentation** as we are told this structure is actually 11 feet 6 inches above street grade.
  - The grade then quickly and steeply slopes. It is our understanding that elevation numbers on the slope that show the actual height of the building as calculated according to code were **omitted** from the submitted plans, **and had they been included, would show that the structure is actually taller than the code allows for.**
  - Based on all this, we suggest a rigorous review be taken on the main house to insure that accurate heights are being reported and calculated in accordance with code.

Jay's comments concerning his belief that the "the condition shown in this location is not possible to construct":



### Incomplete R-1 Hillside Permit Application

It is our understanding that in order for an R-1 Hillside Permit Application to be considered, it needs to include the following:

- *Elevations of the proposed structures-* as noted, elevations are omitted or incorrect in a number of areas on the plans
- *Plot the proposed project and adjacent properties-* as noted below, the Applicant failed to properly identify the City owned utility area
- *A signed affidavit that the submitted plans are full and complete.* We do not understand how the affidavit can be valid as the plans we examined on both occasions were not full and complete.

If we understand the application checklist correctly, unless the application has been updated since our visit on 18<sup>th</sup> November 2014, then the Hillside R-1 Permit cannot be approved by virtue of being incomplete. It is not in compliance with the Hillside R-1 Permit Application Checklist (document 3020 on the BeverlyHills.org website).

### Main House

At this point, it is difficult to determine the scope of the issues with the main house as the plans for this structure are confusing and unclear.

### Vacating of the utility area

It is our understanding that the rights to use 10 feet of the utility area between our property and 1184 is being requested for use in determining the setback. **We ask that the Commission consider denying this request.**

- It is of concern that the submitted plans treat this area as if it has already been granted – thus not calling attention to the fact that this has simply been requested.
- There are no notations to indicate that this is “based upon vacation being granted by the City” which is our understanding to be industry standard.
- The granting of this will allow them to build a much closer, larger structure to our house. A huge part of our house’s value is the views, and it is one of the main reasons we purchased this house. The closer the guest house is to our house, the more our views are interfered with. This will increase the value of their property, and decrease the value of ours.
- **Unless there is some information of which we are not aware, there is no benefit to the City of this vacation- it is only to the benefit of 1184 and to our detriment. We request that this variance be denied.**

#### **Scale of the Construction and Limited Access**

The proposed **increased scale** of this home will require a significant increase in the amount of workmen and construction vehicles, and presumably lengthen the time of construction.

- The data supplied on the traffic and safety impact is **far too superficial to get an accurate picture**. Much more in depth data needs to be supplied before we can properly comment.
- The application states that there will be “fewer than one trip every 17 minutes” or 22 in total a day. This will be a huge inconvenience.
- There will be times when the street is inaccessible- where are our visitors and employees going to be able to park? We do not have a driveway, and the only available parking for guests and employees is street parking.
- How often are we going to be asked to move cars that we have parked in the street? When the remediation construction was occurring, workers were knocking on our door with no notice almost daily during the construction- this was an extended number of months.
- Obviously, the larger the scale of the project, the more inconvenienced we will be in terms of school runs, getting to doctor’s appointments on time, etc.
- A longer construction time period will place an unnecessary financial burden upon any of those on Loma Linda who wish to sell their houses during the construction period as houses near construction sites take longer to sell, and for less money.

It is our understanding that this project requires a number of exceptions and variances to be granted in order to build a house of such a large scale. **The increased scope of the project will put an unnecessary burden upon the neighbours.**

## Safety

Loma Linda is a narrow and winding street that is difficult to navigate under the best of circumstances. Granting 1184 the ability to build a larger home than is currently allowed will put the families on the street at risk.

- Construction traffic always results in a higher level of risk with regards to health and safety. Obviously, the larger the home, the greater the amount of construction traffic.
- We have four children aged 5, 3 and 1 year old twins and are very concerned about the safety and risk elements that come with the requested increased scope of this project.
- The more the road is blocked, the more chances there are of an emergency vehicle having difficult access or being delayed.
  - About a year ago, one of our infant daughters who had been born prematurely had great difficulty breathing and we had to call 911. The fire truck quickly reached our home, assisted her, and raced her to Cedars. **It is likely had this vehicle not been able to get through, she would have died.**
- While we are not experts, we know that there were problems with the weak hillside with the previous house; obviously we have concerns with a substantially larger house being put in its place.
- We are concerned about the construction to the guest house weakening the hillside close to our land and pool.

We ask that this project be **evaluated within normal City approved guidelines**, and if any exceptions are deemed **necessary** to be granted, that it be done with minimum impact to our property. Please take into account any detrimental impact that would be caused to us or our neighbours when considering these variances.

To fully determine the extent of the negative impacts, all information submitted **needs to be accurate and transparent** including plans **accurately** depicting the scope of the project need to be submitted. And with a reasonable timeline that allows for thorough examination of the plans to take place. To our knowledge, corrections that the City indicated they asked for are still forthcoming as of the date of this letter.

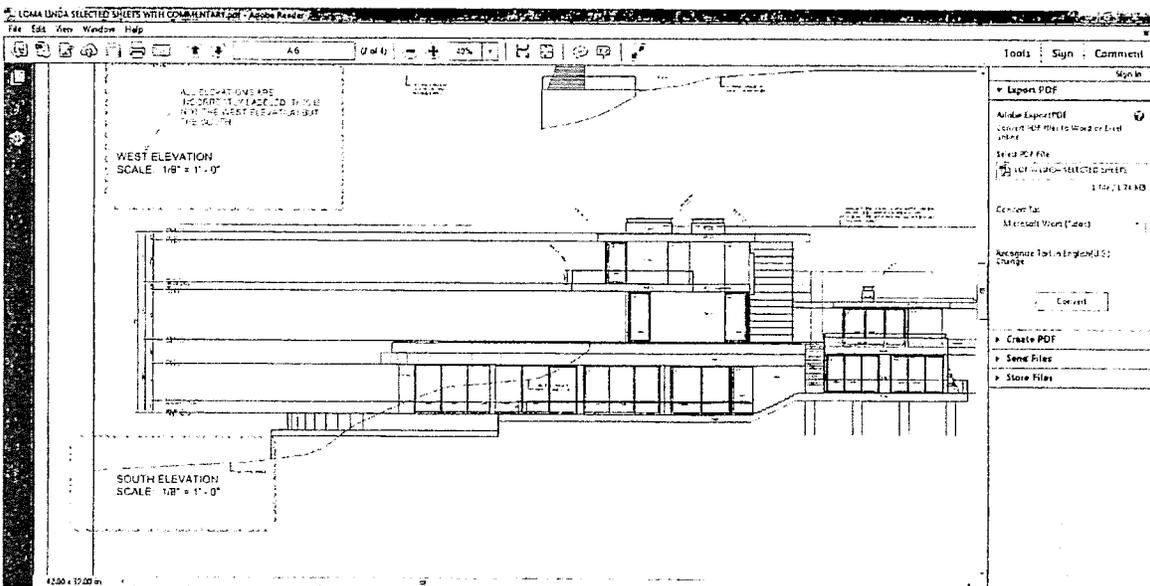
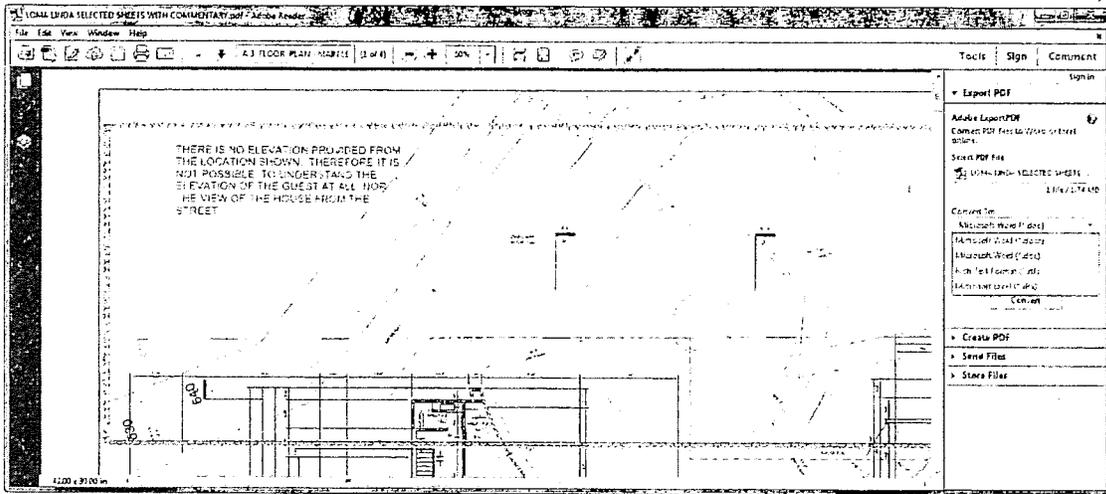
**Based on what has been presented so far, it appears to us that the owner's representatives are aware of many of these issues, and the detrimental impacts this project will have on us and our neighbours, and therefore appear to be purposely misrepresenting the project.**

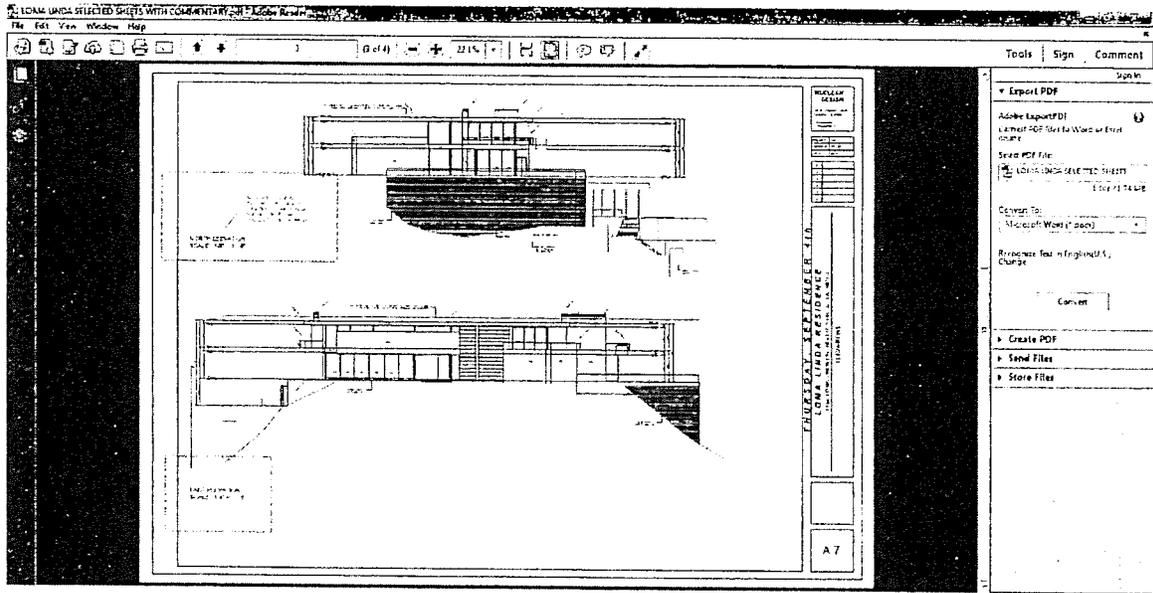
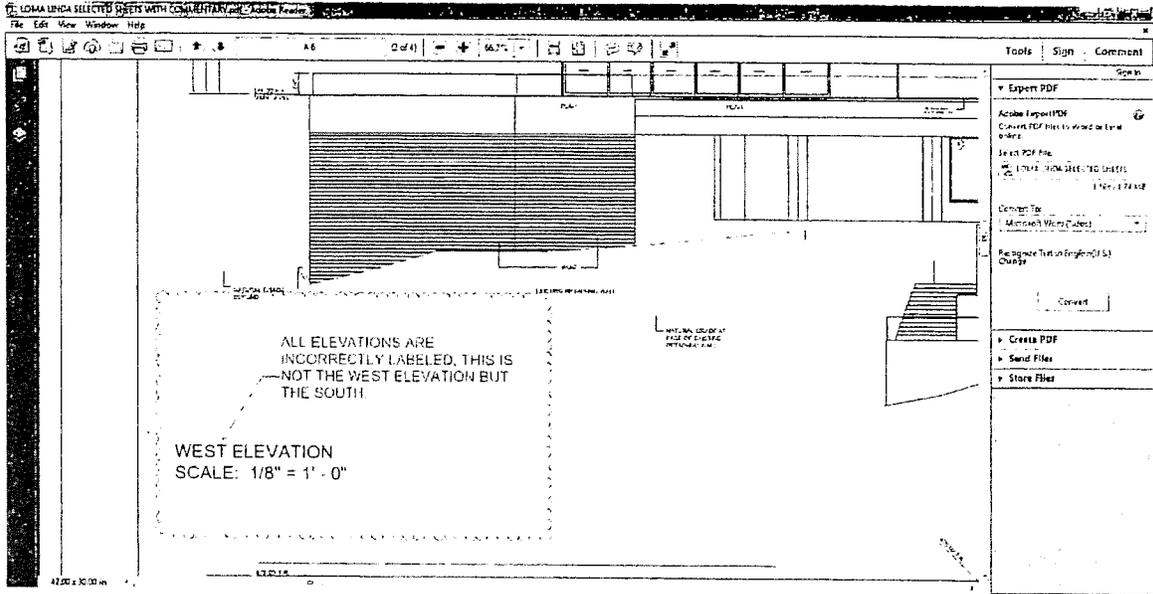
It is important that all these issues be thoroughly investigated and resolved prior to this project being given Planning Commission approval. The failure to deliver information, combined with the failure to deliver accurate information, have caused unnecessary confusion and delay. We request that the Dec 11<sup>th</sup>, 2014 be extended as we do not believe this allows for sufficient time for the project to be properly vetted.

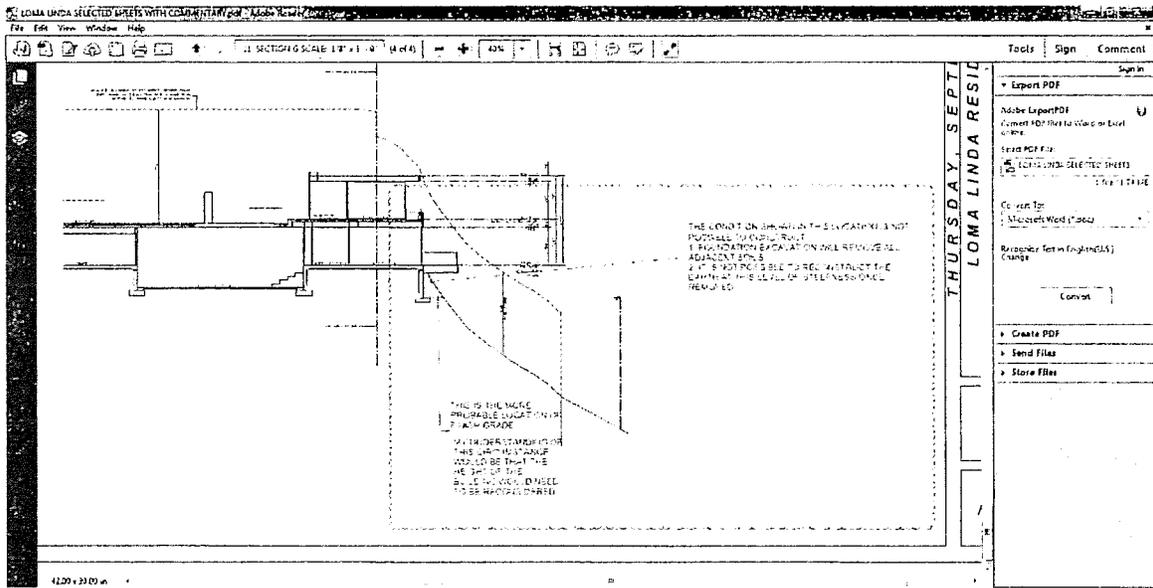
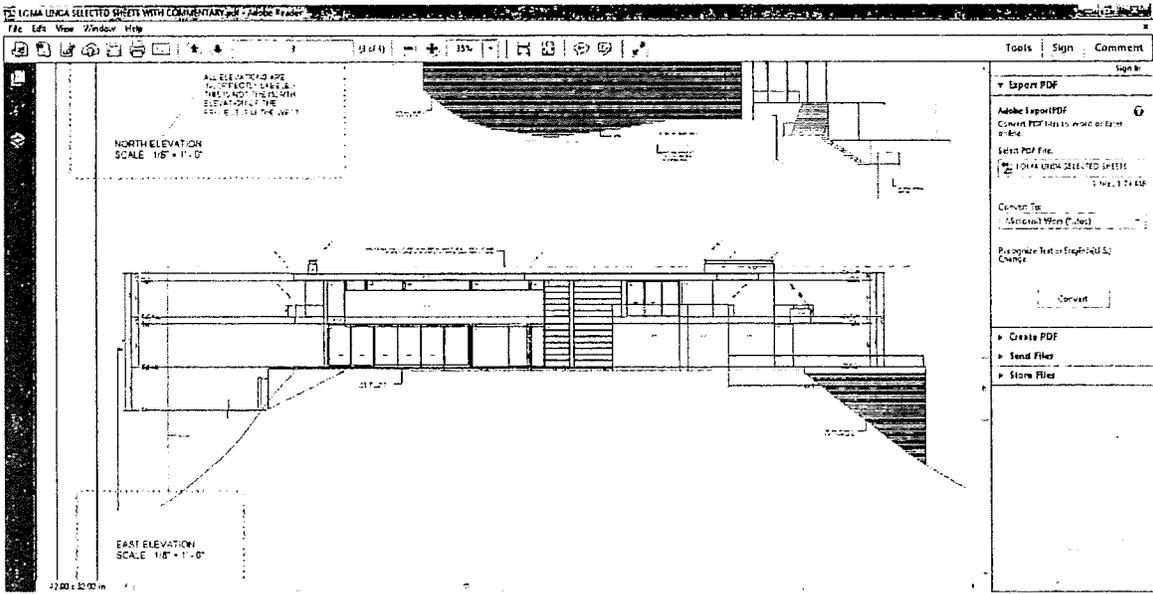
Yours Sincerely,

Debbie Weiss and Adrian Lorimer

\*Larger scale images of the below are available in an email sent to Andre Sahakian 17<sup>th</sup> November 2014





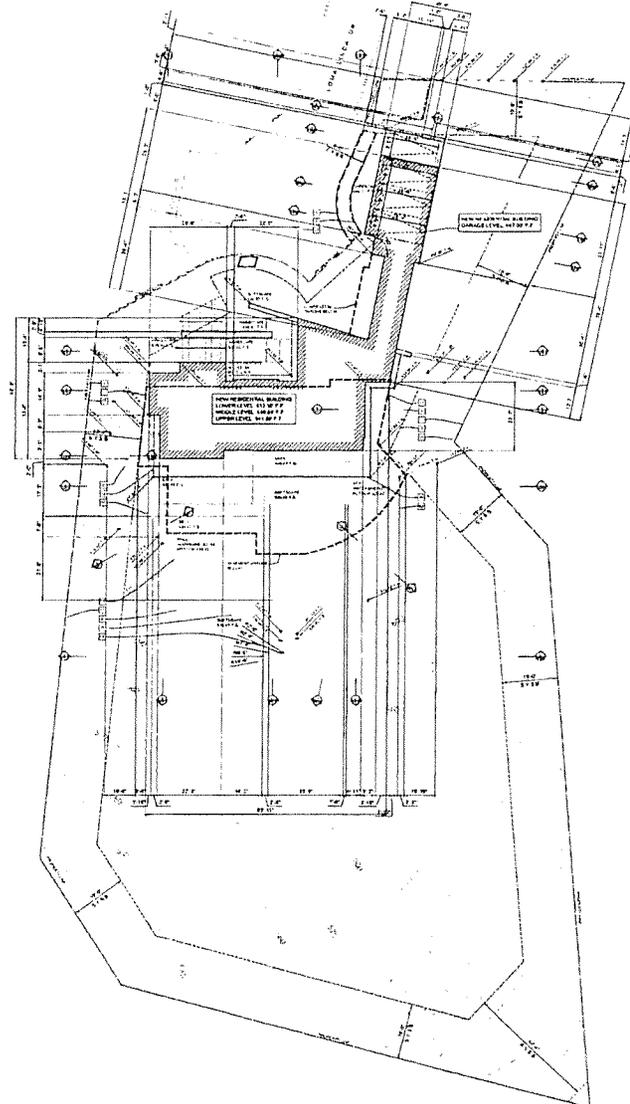




## Exhibit B: Copies of Site Plans for the Revised Project







SITE PLAN  
SCALE: 1/16" = 1' - 0"

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- (C) CONCRETE
- (F) FINISH FLOOR
- (G) GRAVEL
- (H) HATCHING
- (I) IRON PIPE
- (J) JOIST
- (K) KICKER
- (L) LUMBER
- (M) MASONRY
- (N) NAIL
- (O) OILING
- (P) PAINT
- (Q) QUARTZ
- (R) ROOF
- (S) STAIR
- (T) TILE
- (U) UNDERLAYER
- (V) VENEER
- (W) WINDOW
- (X) X-RAY
- (Y) YIELD
- (Z) ZONE

LEGEND

MCCLEAN  
DESIGN  
140 S. GILLESPIE #203  
ORANGE, CA 92668  
714-505-0556 (T)  
714-522-2924 (F)

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DRAWN BY	PM/BD
DATE	1/20/15

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THURSDAY, MAY 26th, 2016 - SUBMITTAL SET

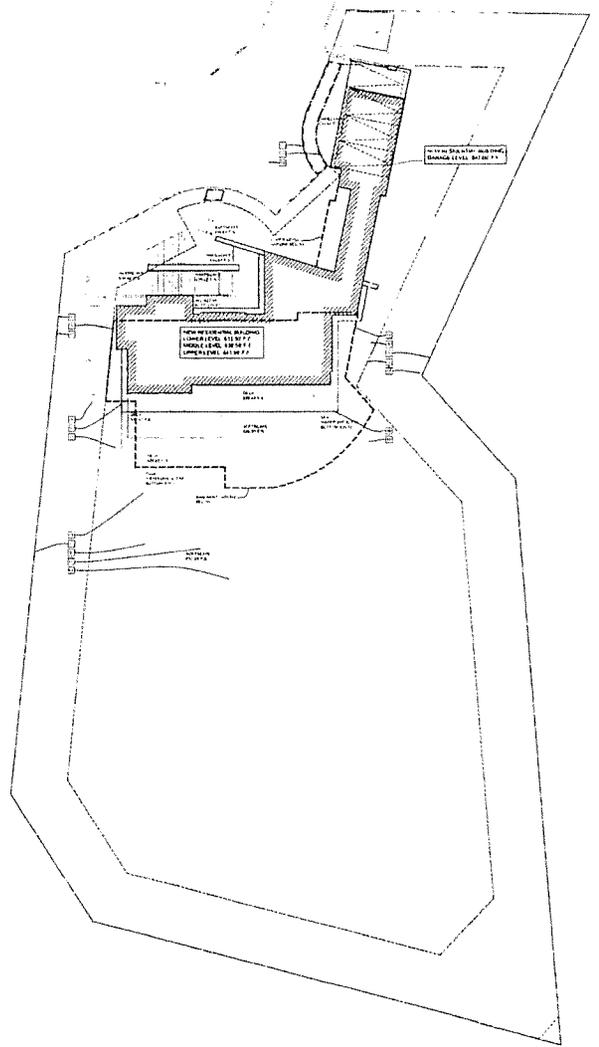
LOMA LINDA RESIDENCE  
1193 LOMA LINDA DR., BEVERLY HILLS, CA 90210

SITE PLAN

A101

**HARDSCAPE AREA**  
 LIMESTONE PAVING: 2,940 SF (60.17%)  
 CONCRETE SLAB: 1,479 SF (30.88%)  
 TOTAL HARDSCAPE: 3,419 SF  
 FRONT YARD AREA: 676 SF  
 FRONT YARD PAVED AREA: 206 SF (30.3%)

- LIMESTONE PAVING - GOLDEN BEACH (93% SOLAR REFLECTANCE VALUE)
- CONCRETE SLAB
- SOFTSCAPE
- WATER
- FRONT YARD PAVED AREA



HARDSCAPE PLAN  
 SCALE: 1/16" = 1' - 0"



NO.	DESCRIPTION	DATE	BY	CHKD.
1	PRELIMINARY	05/15/16	MM	MM
2	REVISED	05/15/16	MM	MM
3	REVISED	05/15/16	MM	MM
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50	REVISED	05/15/16	MM	MM

DATE: 05/15/16  
 DRAWN BY: MM  
 CHECKED BY: MM

**BENEFITS OF HIGH SOLAR PROTECTION**  
 High solar protection is a key element in reducing energy consumption and improving indoor environmental quality. It helps reduce cooling loads, lower utility bills, and extend the life of HVAC systems. Additionally, it provides better protection against UV radiation, which can cause fading and damage to interior finishes and furniture.

Product	Solar Reflectance	Emittance	Temperature Rise*	Ud
Concrete	0.11	0.91	55	0.0
Asphalt	0.05	0.90	70	0.0
Concrete	0.11	0.91	55	0.0
Asphalt	0.05	0.90	70	0.0
Concrete	0.11	0.91	55	0.0
Asphalt	0.05	0.90	70	0.0

\*Temperature rise is based on a 70°F ambient temperature and a 100°F solar radiation intensity. The actual temperature rise will vary based on local conditions and shading.

**REDUCTION OF HEAT ISLAND EFFECT FOR ROOFTOP AREAS (IN REDUCE ROOFTOP HEAT ISLANDS FOR 2% OF PAVED AREAS, DRIVEWAYS OR OTHER PAVED AREAS BY USING ONE OR MORE OF THE METHODS LISTED)**

- USE TREES OR OTHER PLANTINGS TO PROVIDE SHADE AND THAT MATURE WITHIN 5 YEARS OF PLANTING. TREES SHALL BE SUITABLE IN MATURITY SIZE AND ENVIRONMENTAL REQUIREMENTS FOR THE SITE. TREE SELECTION AND PLACEMENT SHALL CONSIDER LOCATION AND SIZE OF AREAS TO BE SHADED, LOCATION OF UTILITIES, VIEWS FROM THE STRUCTURE, DISTANCE TO DRIVEWAYS AND FOOTPATHS, OVERSHADING OF ADJACENT PROPERTIES AND STREETS, OTHER INFRASTRUCTURE AND ADJACENT TO LANDSCAPING. IN ADDITION, SHADING SHALL NOT CAST A SHADOW AS SPECIFIED ON ANY ADJACENT SOLAR COLLECTIONS PURSUANT TO PUBLIC RESOURCES CODE SECTION 25981 ET SEQ (SOLAR SHADE CONTROL ACT)
- USE HIGH ALBEDO MATERIALS WITH AN INITIAL SOLAR REFLECTANCE VALUE OF AT LEAST 30 AS DETERMINED IN ACCORDANCE WITH AMERICAN SOCIETY FOR TESTING AND MATERIALS TEST STANDARD D1535 OR CS44.
- USE OPEN GRID PAVEMENT SYSTEM OR PERVIOUS OR PERMEABLE PAVEMENT SYSTEM.
- USE SOLAR PANEL ARRAYS TO CREATE A CANOPY SHADE SYSTEM OR
- OTHER METHODS OF REDUCING HEAT ISLAND EFFECT ACCEPTABLE TO THE DEPARTMENT



**LEGEND**

- OPEN TO EXPOSE SOLAR COLLECTIONS
- PERVIOUS PAVEMENT

**MCCLEAN DESIGN**  
 190 S. GLASSELL #203  
 GRANGE, CA 92826  
 714-505-0536 (F)  
 714-522-2924 (F)

**PROJECT**  
**DRAWN BY** MM/DB  
**DATE** 1/25/16

**THURSDAY, MAY 26th, 2016 - SUBMITTAL SET**  
**LOMA LINDA RESIDENCE**  
 1193 LOMA LINDA DR., BEVERLY HILLS, CA 90210  
**HARDSCAPE PLAN**

**A102**

## Masa Alkire

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**From:** Chuck Alpert [REDACTED]  
**Sent:** Tuesday, June 28, 2016 8:26 AM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire; Adrienne Tarazon; Susan Healy Keene  
**Subject:** We Support The Hillside Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To The Honorable City Council:

We have lived north of Sunset in Beverly Hills for nearly 20 years. WE SUPPORT THE HILLSIDE ORDINANCE. The hillside area represents a true residential treasure for the City -- an area of grace, beauty, vegetation, and distinctive character. We ask that you protect our community and retain the intrinsic character of the "hills" of Beverly Hills by supporting the Hillside Ordinance.

Charles Alpert  
Elyse Babtakis  
Carolyn Way Residents

---

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

We support the Hillside Development Ordinance.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We request that you adopt the ordinance as soon as possible.

Sincerely,

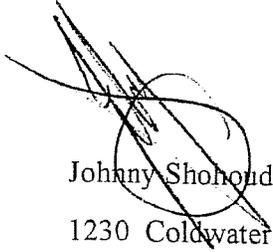
*Jerry Gumbach*  
*1040 Cove Way*

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

Dear Planning Commission and City Council,

I wanted to voice my strong support for the proposed new Hillside Ordinance. I believe that out of scale projects have a ruinous effect on our hillsides and our quality of life.

Sincerely,

A handwritten signature in black ink, appearing to read "Johnny Shonold", is written over a circular stamp. The signature is somewhat stylized and overlaps the stamp.

Johnny Shonold

1230 Coldwater Cyn

It is of the utmost importance to us as residents of Loma Linda Drive that the proposed Hillside Ordinance is approved with an effective date of June 1st.

The developers of the new projects at 1184 and 1193 Loma Linda appear to have raced to submit plans in an attempt to build homes that are a perfect example of what the new Hillside Ordinance would seek to protect us against.

It is our understanding that they intend to take advantage of the loopholes in the current by-right codes to build multiple retaining walls in order to increase their level pad size, which will also result in a large displacement of the hillside. This will negatively impact our privacy and views and potentially destabilize the hillside below.

Our street is narrow, steep and curvy with two hairpin bends, so construction traffic and hauling represent a very real threat to our safety. An oversize development with the resulting months of hauling would significantly negatively impact our way of life and access to and from our home. We are therefore very pleased that ours is one of the 13 streets that would have the new lower hauling cap.

We find ourselves in a very similar position to last year when the developer proposed a single monstrous size house for the end of our street. The same developer is now proposing two new homes at this location, which together add up to almost as massive a project square footage wise. It will result in a very similar amount of hauling and construction traffic and negative impacts on our neighborhood that we fought so hard against happening. Our street is simply not a location that is suitable for this type of irresponsible development.

While this type of project may increase the profits of the developer, there would be a loss of value to the surrounding homes like ours and it would negatively impact the enjoyment of our own property.

Therefore, we are thankful for and strongly support the Commissions proposed Hillside Ordinance and urge that it be approved and sent to City Council with, most importantly, an effective date of June 1st.

Thank you,



Isaac Zaharoni  
1165 Loma Linda Dr

6/27/2016

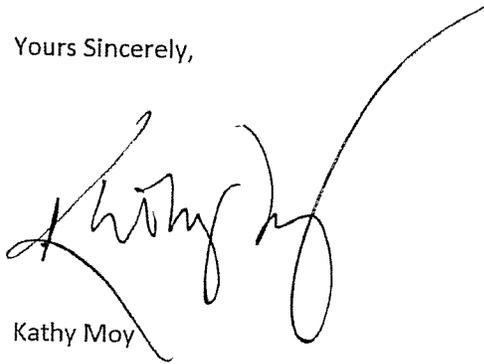
Dear Planning Commission and City Council,

I have been dismayed at the construction going on near me on Calle Vista Drive. I am thrilled with the Hillside Ordinance and support it wholeheartedly.

My street is one of the 13 narrow Beverly Hills streets slated to receive these protections and any construction traffic, especially hauling, presents serious dangers on our street and significant disruptions to our daily life.

I would like to see the June 1<sup>st</sup> date upheld. Projects like these need to be scrutinized more closely to ensure that they are being built responsibly.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Moy". The signature is fluid and cursive, with a long, sweeping flourish extending upwards and to the right from the end of the name.

Kathy Moy

1156 CALLE VISTA DR

6/27/2016

Dear Planning Commission and City Council,

We support the Hillside Ordinance and would like to see it pass, and pass with a June 1<sup>st</sup> date.

Construction on our street has gotten out of control and is making the street dangerous. We are thrilled that our street qualified to be included in the Ordinance.

Yours Sincerely,

A handwritten signature in black ink, appearing to read "Nelson Moy", with a long, sweeping horizontal stroke extending to the right.

Nelson Moy

1156 CALLE VISTA DR

Dear Planning Commission and City Council,

I support the Hillside Ordinance. Please pass this ordinance with the June 1<sup>st</sup> date.

I am very concerned about the extent to which oversized projects are popping up in Beverly Hills, and another one has just been submitted to the City near my house at 1274 Lago Vista Drive.

I am concerned about the size of this project being too large for the plot of land it is on- otherwise, why would they propose using a number of retaining walls which increase their pad size.

I would like for this property to be subject to the Hillside R-1 permit process.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jan Martin', written in a cursive style.

Jan Martin

1260 Lago Vista Place

6/27/16

Joan Benny

1131 Coldwater Canyon Drive

June 27<sup>th</sup>, 2016

Dear Planning Commissioners and City Council,

As a resident of Beverly Hills who lives on Coldwater Canyon Drive, the scale and integrity of the neighborhood are very important to me and I think it is important that the City seek to protect our way of life and hillsides which are currently being ruined by oversized projects.

Construction traffic always poses a big disruption for life on our streets. Therefore, I am strongly in favor of any proposal that seeks to limit projects to a reasonable size. I am particularly concerned about the enormous project proposed at the end of Loma Linda as it seems to go against everything the Hillside Ordinance is seeking to protect against, particularly with regard to the disruption to our hillside.

Please uphold the June 1<sup>st</sup> date so that it applies to the 1184-1193 Loma Linda Dr project which I understand submitted right after the Hillside Ordinance was announced.

Yours Sincerely,

A handwritten signature in black ink that reads "Joan Benny". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Joan Benny

Dear Planning Commission,

We live on Calle Vista. We are dismayed at the projects being built, and proposed around us. We have fantastic views, and we fear that the projects will interfere with our views, our privacy, and no doubt negatively impact the value of our home.

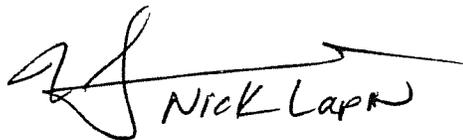
We are also concerned about the loss of natural beauty to the hillside whichp will impact our enjoyment of our property.

The increased protections the Hillside Ordinance offers are desperately needed on our street.

We fully support the Hillside Ordinance and request that the June 1<sup>st</sup> date holds.

Thank you,

Nick and Orly Lapin  
1142 Calle Vista Dr.

A handwritten signature in black ink that reads "Nick Lapin". The signature is stylized with a large, looped initial "N" and "L".

## Masa Alkire

---

**From:** Sharon [REDACTED]  
**Sent:** Monday, June 27, 2016 7:11 PM  
**To:** Masa Alkire; WebCBH MAYORANDCITYCOUNCIL; Adrienne Tarazon; Susan Healy Keene  
**Subject:** Support hillside ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

We support the Hillside ordinance

Sharon Messer and Arnold Messer  
1020 Cove Way  
Beverly Hills, Ca 90210

**Masa Alkire**

---

**From:** Daryoush [REDACTED]  
**Sent:** Monday, June 27, 2016 3:42 PM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire  
**Cc:** Susan Healy Keene; Andre Sahakian; Adrienne Tarazon  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210

Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance

Hearing Date: June 30<sup>th</sup>, 2016

Dear Planning Commissioners and City Councilmembers:

We live on Loma Linda Drive, and are writing to fully support the proposed Hillside Development Urgency Ordinance. We have been asking for limits on development and hauling in the hillside area for many years, and we are thrilled that you listened to our issues.

Loma Linda is a narrow, winding, steep street with smaller houses located close to the curb. The southeastern side of the block has houses overlooking a steep hillside. There is very limited street parking. Therefore, any temporary removal of parking spaces needed for hauling on a narrow street is a significant inconvenience and creates an unsafe condition. It is unbearable if hauling takes several months.

The proposed ordinance will be a significant improvement by limited hauling on each property to 1,500 cy in a five year period, and limiting the scale of development on properties with steep hillsides. The ordinance will not stop all development, but will require the City to review and provide conditions of safety and convenience to approve any appropriately scaled development.

We opposed the enormous mega-mansion development proposed by Aquilini America at 1184 Loma Linda last year, because it took a private street, required many months of hauling and proposed development way out of scale with neighborhood homes. This ordinance will provide the needed protection to the neighbors from this

... and we appeal for it to be adopted and made effective June 1 so that the new Loma Linda project proposed for the 1193 Loma Linda parcel, submitted in a scramble on June 8 due to its conflict with new proposed guidelines, will be subject to appropriate R1 permit review. Only R1 review can preclude brazen, damaging action by the Aquilini Development Organization.

Sincerely,

D. Jadali, M.D

1169 Loma Linda Drive

Beverly Hills, CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))

Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))

Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))

Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

2

Sent from my iPhone

# Masa Alkire

---

**From:** Kevin Huvane [REDACTED]  
**Sent:** Monday, June 27, 2016 9:01 AM  
**To:** Masa Alkire; WebCBH MAYORANDCITYCOUNCIL; Adrienne Tarazon; Susan Healy Keene  
**Subject:** Hillside Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I support the Hillside Ordinance.

Kevin Huvane  
1119 Calle Vista Dr.  
Beverly Hills, CA 90210

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City Council and Planning Commission  
City of Beverly Hills

June 27, 2016

Via email: [mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: **Hillside Development Standards Ordinance**  
Planning Commission Hearing Date: June 30, 2016

Dear Mayor, Council Members and Planning Commissioners,

I am a resident of Beverly Hills but as a point of clarification and to be completely transparent, I am a California Registered Architect and my firm, Harrison Design, currently has several projects in the City, in both the hillside and the flats. However, we do not have any on the "substandard streets" as identified in the Staff Report that relates to this particular issue.

I plan to attend both the Planning Commission and City Council hearings on this matter but my schedule may not allow it. Therefore, I am submitting this letter into the record.

As a resident of the City, I have concerns about our built environment. I applaud the Planning Commission for amending the language that changed this to an Interim as opposed to Urgency Ordinance. I also am heartened that the City Council has devoted funds to this issue as they will be needed to fully study and vet the issues at hand. I hope this study commences immediately.

My largest fear are the unintended consequences that belie these types of Ordinance changes. In this regard, I am requesting that the Planning Commission strengthen its recommendation to City Council by adding verbiage that includes a timeline (in the very near future) for an in depth analysis, community outreach, workshops and further that the final Ordinance include Graphic Representations (photos and/or drawings) of not only what is deemed unacceptable but, more importantly, what is determined to be acceptable, approvable, desired and welcomed as an asset to our community.

As a practitioner that relies heavily on Ordinances, Rules, Codes and Regulations, it is their sometimes too general, vague and non-specific or well defined language that causes unintended consequences. I have only been licensed in this state for thirty years, but in that short amount of time I have done work across the state and in other parts of the nation. It has been my experience that the best Ordinance language includes graphic representations and, at times, an adopted set of "Guidelines", also with graphic representations, that address the specific intent of the Ordinance as well as the Community. Similar in concept to the City's Residential Architectural Style Guide. It is then hard to argue with City Staff, Discretionary Review Boards, and other interested parties over words when photos and drawings convey not only the specific language but also the underlining intent.

Regarding terracing on hillsides, this technique has been employed since ancient times. When done "properly" many, I am sure, will agree that they work well. However, an unintended consequence of the current rules in place allow for interpretations that have resulted in structures that many find offensive, unsafe and dangerous.

I believe the study of the issues at hand must involve healthy discussions about alternatives to terracing (What would they look like? Is their aesthetic acceptable?) and the nexus to the allowable floor area.

Perhaps the definition of the allowable floor area needs to be revised? Perhaps it's not the actual terracing that's offensive, but the amount and distance between them that is? Perhaps it's not the terracing at all but the fact that the slivers behind them count toward allowable floor area?

Specifically for the Interim and Final Ordinance, without these discussions I believe it to be a mistake to set an arbitrary number (currently at 20 feet) for a level area to actually count toward allowable floor area. What is the intent? To allow for a two car garage at the minimum? What will the unintended consequences of this be? And are the resulting aesthetics acceptable to the Community? Why not make the number 12 feet, the width of a single car driveway? We don't want to promote parking in the street, do we? And what about open yard space, cantilevered designs and over scaled structures? Does the 20 foot number really address these concerns?

Regarding the retro-active time period (going back to June 1, 2016), I believe that it is simply unfair, unjust and unreasonable. I believe it is tantamount to a taking of property rights without due and just compensation. I strongly oppose this language and hope that the Commission and Council consider something more fair, such as: Exempting Projects that are already in the process (submitted and paid fees) prior to the Ordinance going into effect and allowing other projects to "make the case" on a case by case basis to City Council based on factual evidence including contracts, receipts and work completed.

I do not have many answers, but do have many questions. Over the years both the Planning Commission and City Council have faced these types of issues and have ruled in a way that protects our beautiful City. I am confident that you will do the same when it comes to this Interim Ordinance.

I look forward to your decisions and hope to participate in the work study sessions, should they materialize.

Thank you for your time,

*Tony*

Anthony P. Spann, AIA  
458 N. Oakhurst, Unit 104  
Beverly Hills, CA 90210

cc: Susan Healy Keene ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

## Masa Alkire

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**From:** Adrienne Moray [REDACTED]  
**Sent:** Saturday, June 25, 2016 11:17 PM  
**To:** Masa Alkire; WebCBH MAYORANDCITYCOUNCIL  
**Subject:** hillside ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I support the hillside ordinance  
Adrienne Moray Baron  
1159 Calle Vista Drive  
Beverly Hills, Ca 90210

## BH Hillside Development Urgency Ordinance Trousdale

Hi

Sorry to have missed the meeting on Thurs but am getting ready to go to China for two weeks starting today, Saturday 25 June.

As you can see, I am writing this email to you before I go as I think that as a resident of Beverly Hills I want to make you aware of another “land development” that concerns me and many others. This time it is in the Trousdale area along the hillside community.

Like most of us in the City, I believe it is essential that we take all precautions necessary to protect the history and integrity of the hillside neighborhoods. The way to do that both legally and economically is to develop and build responsibly. All of us must protect the environment and indigenous plants along with wildlife that exist in the City and County hillsides. We are all in this together.

That is why, like many others in our City, I am deeply troubled by the building bullies (as I call them) who are mega-developers, with “representatives” and legal advisors trying to push the City into allowing them to build irresponsible and completely out of scale. This is not the history or tradition of Beverly Hills. As our Next 100 Year Committee reported at the Centennial, building projects cannot put the preservation of our City at risk.

So concerned are most residents that they have been prepared to spend literally 1000's of people hours and hundreds of thousands of dollars to learn and understand the processes, so that our voices are heard. The developers and their representatives understand everything about the construction process. That is what they are paid for doing as you know. We do not get paid anything.

These “lobbyists” have the means and finances from the developers to push for the maximum they can get away with and take advantage of loopholes in our City codes.

We must stop this NOW.

It is critical we send the right message to our children and show them that we care about our planet and seek to protect the scale, integrity and beauty of our neighborhoods. That is why I am very much in favor of the proposed Hillside Ordinance as it will give the City Planning Commission and Council the authority to determine which projects can be constructed safely without significant impacts to neighbors.

The City Planning Commission and City Council represent us, the residents of Beverly Hills – not the money interests of foreign and local developers. This ordinance will allow investment and development in the City in a responsible way that provides a voice for the local residents who are dramatically affected by such development.

Sincerely,

Woodrow W. Clark II, PhD  
321 N. Oakhurst Drive  
Beverly Hills, CA 90210

# Masa Alkire

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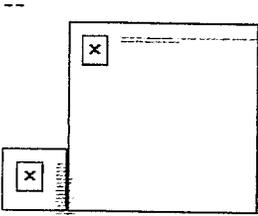
**From:** Heidi Yorkshire [REDACTED]  
**Sent:** Friday, June 24, 2016 10:24 AM  
**To:** Masa Alkire; WebCBH MAYORANDCITYCOUNCIL; Adrienne Tarazon; Susan Healy Keene; Petition@wwagallery.com  
**Subject:** I support the Hillside Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To our representatives:

As the owner of 1131 Tower Road, I want to express my strong support for the Hillside Ordinance. It is a sensible approach to stopping insensitive and intrusive development.

Thank you,  
Heidi Yorkshire



Dear Beverly Hills Planning Commission and City Council,

I strongly believe in maintaining the scale, integrity and natural beauty of our Beverly Hills hillside neighborhoods. I believe that everyone has the right to build/create their dream home, but not at the expense of the quality of life of their neighbors.

The narrow, steep and curvy hillside streets are not the right location to build out of scale monstrous projects. The negative impacts on the neighbors' way of life and dangers of excessive construction traffic must be taken into account. Oversize projects threaten the integrity of the natural hillside contours and impact the stability of property values. It is not right that the greed and profit of one individual should be at the expense of the rest.

I am very in favor of the new Hillside Ordinance being proposed, as it will close the loopholes that allow a small number of people/corporate developers to exploit the by right codes to build homes that ruin the natural hillsides and negatively impose on the privacy and way of life of the homes of all the current residents.

Woodrow W. Clark

Woodrow W. Clark Ph.D.

321 N. Oakhurst Dr. #304

Beverly Hills, CA 90210

## Masa Alkire

---

**From:** Herbert Reston [REDACTED]  
**Sent:** Wednesday, June 22, 2016 12:03 PM  
**To:** Masa Alkire; atarzon@beverlyhills.org; Susan Healy Keene;  
mayorandcitycouncil@bevelyhills.org  
**Subject:** I support the Hillside Ordinance!

Gentlepersons:

Please count my wife and I as strong supporters of the Hillside Ordinance!

Herb and Felice Reston  
1136 Calle Vista Drive  
Beverly Hills, CA 90210

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30<sup>th</sup>, 2016

Dear Planning Commissioners and City Councilmembers:

We live on Coldwater Canyon Drive, right where it intersects Loma Linda Drive. We support the proposed Hillside Development Urgency Ordinance. It will provide further protections for the homes along Coldwater below a hillside that is prone to landslides that have previously caused significant damage to neighbors' properties.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We opposed the prior proposed project at 1184 Loma Linda, that would have excavated several thousand cubic yard of soil, and constructed an exorbitant structure that projected off of the level pad with views into homes along Coldwater. This ordinance will protect us against this type of excess. We also support the limits on hauling, because haul routes from Loma Linda will travel along Coldwater and create an even greater impact on an already congested street.

We request that you adopt the ordinance as soon as possible, and require that any development on Loma Linda Drive, including 1184 Loma Linda, fully comply.

Sincerely,

  
1151 Coldwater Canyon Dr.  
B.H. CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

June 21<sup>st</sup>, 2016

Support of the Hillside Ordinance

**The threat of oversized projects in the Beverly Hills hillside neighborhoods cannot be underestimated.**

My family lives on Loma Linda drive and we are deeply concerned about the negative impacts of a proposed construction project next to our property that is totally out of scale with the rest of our street and the effect it will have on our daily lives, the safety of our 4 children, our privacy and the integrity of the hillsides. Maintaining the scale and integrity of our hillside neighborhood is critical to protect our quality of life and stability in the value of our homes. The current codes together with the loopholes that developers take advantage of, allow for homes to be built that are simply too big for the location.

In particular, the layering of the hillsides that is done creates retaining walls has an enormously destructive effect on the natural visual landscape of Beverly Hills, and the plantation and wildlife that live there.

Hauling on narrow streets like ours is dangerous, especially when they are steep and curving with limited visibility. They require smaller trucks to navigate, and result in a higher number of truck trips. 1,500 cubic yards of hauling in a 10cy truck is 150 round-trips. Even this can take several weeks to complete. Longer hauls can take several months. Requiring an R-1 permit for hauling will allow the City to impose safety conditions to limit the time and scope of the impact on our lives.

This ordinance will give the commission the authority to determine which projects can be constructed safely without significant impacts to neighbors – and which are out of scale with the area and cause an unreasonable imposition to neighbors.

Therefore, we are in complete support of the proposed new Hillside Ordinance.

Adrian Lorimer  
1185 Loma Linda Dr

June 21<sup>st</sup>, 2016

Dear Planning Commission and City Council,

1. We fully support the Hillside Ordinance

My family fully supports the Hillside Ordinance. In fact, we couldn't be more relieved. We, and the vast majority of residents in our area, expressed to the City our concerns with the project at 1184-1193 Loma Linda Dr.

It is clear that an effective date of June 1<sup>st</sup> is necessary for the ordinance considering that developers have been rushing to file in the past 2 weeks – including the adjacent homeowner who filed not one, but two separate projects on the property.

We support that the Ordinance recognizes that the location of a project needs to be taken into account. These tighter measures will introduce an extra step in the process to ensure that current residents are being protected and not exploited by projects that take advantage of the current loopholes in the code. We back what Commissioner Gordon stated at the June 9<sup>th</sup> meeting. If a project really is appropriate for the lot of land it is on, then it will have no problem passing the scrutiny of the Planning Commission and public comment.

In general, we are in favor of the "right to build" a home, but some developers seem to have gotten out of control with their proposals for projects on streets like mine: they abuse loopholes to build houses that are much larger than common sense would dictate- **all at the expense of nearby residents.**

It seems to me that the code as currently written was good in theory. For example, a level pad determining the size of a house make sense to me. I think what was not foreseen were things like the "layer cake" effect which while technically following the letter of the code, is not following the spirit of the code, so the code needs to be more clearly defined.

These developers know how to skate right up to, but not cross the line that would require a Hillside R-1 permit under the current code. I would argue that a lot of the projects that currently do not trigger a Hillside R-1 permit examination by its current definition, really need that transparency to correctly judge the impacts on nearby residents. And it is to the benefit of everyone but the developers for extra construction management plan protections (ex. extra flagmen) to be put in place when a R-1 permit gets triggered.

In the case of 1184 and 1193 Loma Linda, with our dangerous narrow, winding street that has blind spots, the property's history of landslides and the developer's history of past infractions, the residents desperately need this project to be thoroughly scrutinized and the highest level of construction management plan enacted.

2. Those who oppose these Ordinances

At the June 9<sup>th</sup> meeting, I heard the folks who expressed concern about these new guidelines. The most vocal of those were a land use lawyer and a land use expert who represent many of the projects that have been exploiting these gray areas in the code.

I did feel for the one couple who have been caught up for years. But my main observation was that the residents who spoke were somehow under the impression that their plans were now worthless. They did not seem clear that they can still apply to build what they want to build, but that more scrutiny is now required by virtue of a Hillside R-1 permit.

This ordinance is not about tightening the screws on people building their dream homes. Those people will pass the scrutiny of the Hillside R-1 process. Who will not pass, and who should not pass, are projects like the monster one previously proposed at 1184-1193 Loma Linda. Even the developer knew it was outrageous, they pulled it last minute before it could even be heard. Jason Sommers even admitted at the June 9<sup>th</sup> meeting they knew it wouldn't pass, so they yanked it.

The Hillside Ordinance will help keep in check all of this type of game playing that is currently going on between these MegaDevelopers and regular residents.

There has been some talk about expectations – i.e. when a property is bought, what one can then expect to build on it? But what about the people who buy an existing house to live in? **What about our expectations?** In the case of Loma Linda, didn't I have right to expect that the street would remain the street? That the amount of public parking on the street would have remained the same?

This Ordinance is about keeping projects in check, and doing what is right for the community, not just for a single project whose team knows how to maneuver around the codes.

### 3. Property Values are Highest in the Communities that preserve the scale of the neighborhood

I live at the end of a cul de sac, and on a hillside, and I understand and appreciate the concerns expressed about property values.

**What is happening here is not so much a creation of value, as it is a displacement of value.**

Property values are highest in communities that preserve the scale of the neighborhood, and ensure that **each** neighbor has light, air, views and privacy. This ordinance will only negatively affect the profit for megamansion developers, because they will be required to obtain City review and not build these enormous stepped hillside developments by-right. Legitimate projects will pass the scrutiny of the Planning Commission.

There is also the thought of future value. The properties will increase in value in a general sense as future purchasers will not have the fear that the neighboring property will sell to a developer and block their light, views and privacy – and create a hazard on the hillside. The properties in areas with development restrictions (i.e. Trousdale) have higher property values because they know the character and integrity of the neighborhood is protected.

What is going to happen to the property prices for all of us when one of these houses that are too big for the piece of property they are on eventually slides down a hillside?

For example, if the folks at 1184-1193 were/are allowed to build as they choose, my house would lose considerable value- particularly in terms of loss of privacy and views. The Coldwater Canyon home

below has the potential of a large loss of value if there is an enormous three story structure built looming over them.

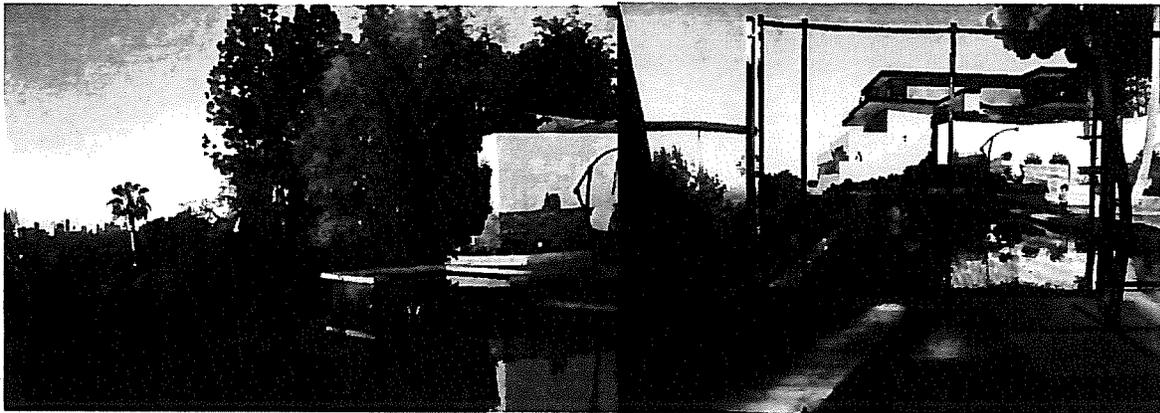
The increased construction time due to the months of hauling and other construction related traffic- construction trucks, daily food trucks, etc that result from oversized projects would interfere significantly with the ability of anyone nearby to sell their homes. People do not like living near huge, long-term construction projects.

There is also a human cost to our safety and our quality of life. Construction traffic, noise, dust and exhaust is not good for us, especially on Loma Linda where nine school aged children live in the two homes next door.

Below is an example- this a rendering from 1184's past plans (to scale) of what they intended to build which clearly shows the strong detrimental effect to my property's privacy, view and ultimately, value.

**My current view**

**what 1184-1193 attempted to do**



4. MegaDevelopers actively identify properties to exploit

There is a problem in Beverly Hills that this Ordinance is addressing. MegaDevelopers, many of them international billionaires like Francesco Aquilini, are scouring our town for properties that are vulnerable to these gray areas in the code. They swoop into our neighborhoods and hire a team of property consultants and lawyers who know how to exploit these loopholes. SENTENCE REMOVED

5. 1184-1193 is owned by an International MegaDeveloper who has no regard for residents' concerns

We live at 1185 Loma Linda Dr., at the end of a cul de sac across from, and next to, the 1184 and 1193 Loma Linda Dr project – they are now splitting it into two projects.

Despite the request at the Dec 2014 Planning Commission meeting that the Developer address residents' concerns, they did nothing of the sort. They minimally changed their plans, and only met with us after the fact.

After yanking their last project in the face of strong neighborhood resistance, they are now coming to the City with a project that is purposely designed to fall just under the current Hillside R-1 requirements.

As their initial attempt failed, they are back again with **two** projects that as far as we know propose to haul just under 6000 cy (3000 cy each), increasing pad size by building multiple small retaining walls, and are attempting to carve not one, but two, stories down into the hillside as "basements don't count".

The steep slopes in Beverly Hills are subject to frequent landslides and Loma Linda is no exception. 1184-1193 Loma Linda has already had two significant landslides in the last decade or so. The first took years to rectify and resulted in major damage to the Sutton Way folks below. And recently, a broken fire hydrant caused considerable mudslide damage to Sutton Way again, and the folks right below them on Coldwater Canyon.

I am afraid that significant excavation of the hillside next to me will cause my pool to crack and the construction, including tremendous vibrations from jackhammers, will be detrimental to my property.

6. The residents in the Loma Linda area fear for our safety from a proven unsafe hillside and enormous amounts of construction traffic- a good amount due solely to hauling.

Our street is simply too dangerous – windy, steep, and narrow with blind corners, for a monster construction project.

I have spoken to the neighbors below. **They fear for their safety both during and after construction.** I would never want to buy a home where there was a likelihood of a property being built that would loom over me in the way that 1193 is attempting to loom over 1115 Coldwater Canyon. Don't they have a reasonable expectation when they bought their property to be able to live in it safely?

7. Construction Management Plans are only as good as the Integrity of the Developer and their Ability to be Enforced

I think it would be a mistake to rely heavily upon the construction management plans. It is much better to limit the size of these projects in the beginning, than to have to attempt to monitor them in the construction phase.

As the City is not capable of watching over these jobs every minute of the day to ensure compliance, some developers are taking advantage. In the case of 1184-1193 Loma Linda, construction hasn't even started yet, and many violations have already been logged with the City- including leaving an exposed dangerous live wire next to the curb for approximately two months.

8. Summary

The City has heard concerns from neighbors regarding these extravagant hillside projects for years. This ordinance will give the Commission the authority to determine which projects can be constructed safely

without significant impacts to neighbors – and which are out of scale with the area and cause an unreasonable imposition to neighbors.

It takes a lot of time, and often a lot of money hiring lawyers, for regular residents to get up to speed on a proposed project coming in nearby. We are vastly outmatched by deep billionaire pockets and their teams of experts who know how to maneuver around the codes.

**This is why we rely on the Planning Commission and City Council to protect us.**

The City Planning Commission and City Council represent the residents of Beverly Hills – not the money interests of foreign developers. This ordinance will allow investment and development in the City in a responsible way that provides a voice for the local constituents affected by such development in their daily lives.

The residents of Beverly Hills need your help by passing this Hillside Ordinance. And the residents in the Loma Linda area desperately need your help by upholding the June 1<sup>st</sup> date- especially as a number of projects have been filed with the City since it was announced.

We know that Jason Somers rushed the plans in for 1193 Loma Linda as soon as he heard about the Hillside Ordinance (and tried to do the same on the 2<sup>nd</sup> house on 1184). These two projects added together are pretty close in scale to the original project- but this time, they were “purposely designed their projects in a way so as not to trigger a Hillside R-1 process”.

**I implore you to uphold the June 1<sup>st</sup> date. Please help my family retain our enjoyment and value of our home. And, most importantly, not needlessly endanger our children-- all so a Canadian Billionaire can line his pockets.**

Yours Sincerely,

Debbie Weiss  
1185 Loma Linda Drive

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

We support the Hillside Development Ordinance.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We request that you adopt the ordinance as soon as possible.

Sincerely,

*Attorney* 311 N. Rexford Dr. 90211

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

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We request that you adopt the ordinance as soon as possible.

Sincerely,

*Marilee Hartling RN, MFT  
Director Early Childhood Development Associates*

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
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Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
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Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

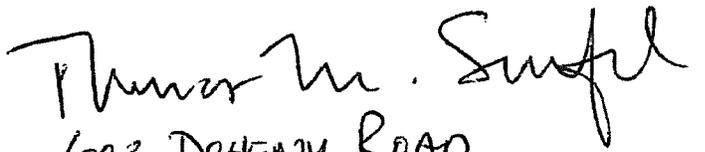
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We request that you adopt the ordinance as soon as possible.

Sincerely,

  
603 DOHENY ROAD  
BEVERLY HILLS, CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
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[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
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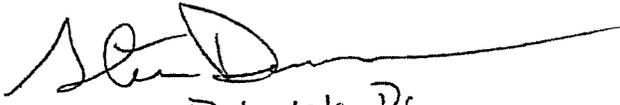
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We request that you adopt the ordinance as soon as possible.

Sincerely,



9528 Daley Road Dr.  
B.H CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

We support the Hillside Development Ordinance.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We request that you adopt the ordinance as soon as possible.

Sincerely,

Mijata Aftalion  
1152 Coldwater Cyn. Dr.  
B.H 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrianne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
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455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

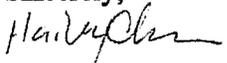
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We request that you adopt the ordinance as soon as possible.

Sincerely,

 10790 Wilshire Blvd

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrianne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
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Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

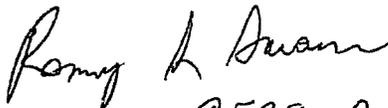
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We request that you adopt the ordinance as soon as possible.

Sincerely,

  
9528 Dalegrove Dr.  
Beverly Hills CA 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

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We request that you adopt the ordinance as soon as possible.

Sincerely,

  
131 N. Cole Dr  
Beverly Hills, CA 90211

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

Dear Planning Commissioners and City Councilmembers:

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We request that you adopt the ordinance as soon as possible.

Sincerely,

  
1284 Monte Nieto Dr  
B. H. 90210

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrianne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Ordinance  
Hearing Date: June 30, 2016

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We request that you adopt the ordinance as soon as possible.

Sincerely,

  
131 N. Crake Dr  
Beverly Hills, CA 90211

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

**From:** Sheldon Mintzberg [REDACTED]  
**Sent:** Tuesday, June 21, 2016 12:53 PM  
**To:** Andre Sahakian  
**Subject:** Proposed Ordinance

Dear Mr. Sahakian,

I am writing to you as a property owner, to express my concerns about the new Proposed Ordinance.

I believe that the City of Beverly Hills is taking the wrong approach. It would appear to me that the same result can be achieved, if the City would consider controlling the method and timing that permits are issued, thus being able to control the number of trucks that are on the street at any given time, instead of reducing the quantity of earth that can be removed.

The majority of homes that exist are outdated mid-century homes, that should be redeveloped, and can only improve Beverly Hills.

The proposed ordinance if passed as is, would have an adverse long term effect on the City of Beverly Hills by reducing future property tax revenues. It would also affect the value of existing properties which the majority of existing property owners are not aware of, and a loss to developers who have invested in property for redevelopment, without being aware of this Ordinance, and avoiding almost certain litigation and the possibility of substantial damages to the City.

I would welcome the opportunity to meet with you to further discuss this matter.

*With best regards,*



Sheldon Mintzberg  
[smintzberg@marinegroup.ca](mailto:smintzberg@marinegroup.ca)

Office: 514-284-1000  
Canadian cell: 514-296-2000  
US cell: 310-567-1818

June 9, 2016

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Urgency Ordinance  
Hearing Date: June 9, 2016 Item 4

Dear Planning Commissioners and City Council members:

We live on Loma Linda Drive, and are writing to fully support the proposed Hillside Development Urgency Ordinance. We have been asking for limits on development and hauling in the hillside area for many years, and we are thrilled that you listened to our issues.

Loma Linda is a narrow, winding, steep street with smaller houses located close to the curb. The southeastern side of the block has houses overlooking a steep hillside. There is very limited street parking. Therefore, any temporary removal of parking spaces needed for hauling on a narrow street is a significant inconvenience and creates an unsafe condition. It is unbearable if hauling takes several months.

The proposed ordinance will be a significant improvement by limited hauling on each property to 1,500 cy in a five year period, and limiting the scale of development on properties with steep hillsides. The ordinance will not stop all development, but will require the City to review and provide conditions of safety and convenience to approve any appropriately scaled development.

We opposed the enormous mega-mansion development proposed by Aquilini America at 1184 Loma Linda last year, because it took a private street, required many months of hauling and proposed development way out of scale with neighborhood homes. This ordinance will provide the needed protection to the neighbors from this type of extravagance, and must be applied to any development on the 1184 Loma Linda property.

Sincerely,

Nataalia Rey, (1178 Loma Linda Dr Owner)

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrianne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

**From:** Debbie Weiss [REDACTED]  
**Sent:** Friday, June 17, 2016 6:53 PM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire; Andre Sahakian; Adrienne Tarazon; Ryan Gohlich; Susan Healy Keene  
**Cc:** [macpro@earthlink.net](mailto:macpro@earthlink.net)  
**Subject:** FW: Hillside Development Ordinance

Dear City staff,

Please notate the below letter for this address:

Ardeshir Davoodian  
1154 Coldwater Canyon Drive

Thank you!

Debbie Weiss

**From:** David D. [<mailto:macpro@earthlink.net>]  
**Sent:** Friday, June 17, 2016 5:35 PM  
**To:** [mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
**Cc:** [larrymurphy@lpmco.net](mailto:larrymurphy@lpmco.net); [gallery@wwagallery.com](mailto:gallery@wwagallery.com)  
**Subject:** Hillside Development Ordinance

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: [Hillside Development Ordinance](#)  
[Hearing Date: June 30<sup>th</sup>, 2016](#)

Dear Planning Commissioners and City Councilmembers:

We live on Coldwater Canyon Drive, close to where it intersects Loma Linda Drive. We support the proposed Hillside Development Urgency Ordinance. It will provide further protections for the homes along Coldwater below a hillside that is prone to landslides that have previously caused significant damage to neighbors' properties.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will

force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We opposed the prior proposed project at 1184 Loma Linda, that would have excavated several thousand cubic yard of soil, and constructed an exorbitant structure that projected off of the level pad with views into homes along Coldwater. This ordinance will protect us against this type of excess. We also support the limits on hauling, because haul routes from Loma Linda will travel along Coldwater and create an even greater impact on an already congested street.

We request that you adopt the ordinance as soon as possible, and make it effective June 1 so that the new Loma Linda project proposed for the 1193 Loma Linda parcel, submitted in a scramble on June 8 due to its conflict with new proposed guidelines, will be subject to appropriate R1 permit review. Only R1 review can preclude brazen, damaging development action by the Aquilini Organization.

Sincerely,

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

June 9, 2016

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Urgency Ordinance  
Hearing Date: June 9, 2016 Item 4

Dear Planning Commissioners and City Councilmembers:

I live on Sutton Way, at the base of a steep hillside below 1184 Loma Linda Drive. We support the proposed Hillside Development Urgency Ordinance. It will provide further protections for the homes along Sutton below a hillside that is prone to landslides that have previously caused significant damage to neighbors' properties. In fact, recently, water pouring from a damaged fire hydrant at 1184 led to enormous amounts of mud being dumped onto the properties on Coldwater and Sutton Way located below the property.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. We are constantly in fear that construction work on the hillside above us will create damage to our property. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We opposed the prior proposed project at 1184 Loma Linda, that would have excavated several thousand cubic yard of soil, and constructed an exorbitant structure that projected off of the level pad with views into the homes along Sutton. This ordinance will protect us against this type of excess. We also support the limits on hauling, because haul routes from Loma Linda will travel along Coldwater and create an even greater impact on an already congested street.

We request that you adopt the ordinance as soon as possible, and require that any development on Loma Linda Drive, including 1184 Loma Linda, fully comply.

Sincerely,

Hashim Minaiy  
1130 Sutton Way

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))

Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

June 8<sup>th</sup>, 2016

Dear Planning Commission and City Council,

I live at 1271 Lago Vista Place and my street is one of the 13 listed that will receive increased protections as a result of this ordinance.

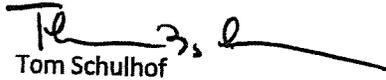
I am completely in favor of the Hillside Urgency Ordinance.

I previously voiced my concerns about the proposed project at 1184 Loma Linda Drive due to its massive scale and the subsequent hardships that would be suffered by the residents: safety, noise, pollution, increased traffic, etc.

These new measures would go a long way in minimizing the negative impacts the 1184 project would create for our neighborhood.

Please pass this ordinance.

Yours Sincerely,

  
Tom Schulhof

1271 Lago Vista Place

## Masa Alkire

---

**From:** Rozita Yacobi [REDACTED]  
**Sent:** Wednesday, June 08, 2016 11:38 PM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire; Susan Healy Keene; Ryan Gohlich; Andre Sahakian; Adrienne Tarazon  
**Cc:** Debbie Weiss  
**Subject:** Hillside Development Urgency Ordinance

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

June 9, 2016

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission

Beverly Hills City Council

455 N. Rexford Drive  
Beverly Hills, CA 90210

Attn: Masa Alkire

[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)

[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Urgency Ordinance  
Hearing Date: June 9, 2016 Item 4

Dear Planning Commissioners and City Councilmembers:

We live on Coldwater Canyon Drive, close to where it intersects Loma Linda Drive. We support the proposed Hillside Development Urgency Ordinance. It will provide further protections for the homes along Coldwater below a hillside that is prone to landslides that have previously caused significant damage to neighbors' properties.

The proposed ordinance will create more safety precautions by requiring the City to review an R-1 permit for any hillside development with more than 1,000 square feet located off of an existing level pad or with more than 1,500 cy of hauling in five years. These limits will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We opposed the prior proposed project at 1184 Loma Linda, that would have excavated several thousand cubic yard of soil, and constructed an exorbitant structure that projected off of the level pad with

views into homes along Coldwater. This ordinance will protect us against this type of excess. We also support the limits on hauling, because haul routes from Loma Linda will travel along Coldwater and create an even greater impact on an already congested street.

We request that you adopt the ordinance as soon as possible, and require that any development on Loma Linda Drive, including 1184 Loma Linda, fully comply.

Sincerely,

Rozita Yacobi

1185 Coldwater Canyon Drive

(310) 276-1128

**CONFIDENTIALITY NOTICE:** The information and any and all attachments contained within this electronic communication are legally privileged and confidential information, subject to the attorney-client privilege and/or attorney client work privilege and intended only for the use of the intended recipients. If the reader of this message is not an intended recipient, you are hereby notified that any review, use, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify Rozita C. Yacobi, Esq. immediately of the error by return e-mail and then permanently remove any copies of this message from your computer and/or system and do not retain any copies, whether in electronic or physical form or otherwise.

## Masa Alkire

---

**From:** Larry Murphy [REDACTED]  
**Sent:** Tuesday, June 07, 2016 12:44 PM  
**To:** Masa Alkire  
**Cc:** Andre Sahakian  
**Subject:** FW: Planning Commission meeting Thurs June 9th about Hillside R-1 permits, etc  
**Attachments:** Planning Commission Meeting Agenda - 6-9-16.pdf; Hillside Urgency Ordinance - Draft.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

The proposed Hillside Development Urgency Ordinance is welcome news to Beverly Hills residents whose neighborhood character and safety are endangered by undue development. I am sure I speak for virtually all residents of the Loma Linda Drive area in urging adoption of this new proposal. Were I not traveling, I would be there in person to speak on this.

June 9, 2016

VIA E-MAIL AND HAND DELIVERY

Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
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[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Urgency Ordinance  
Hearing Date: June 9, 2016 Item 4

Dear Planning Commissioners and City Councilmembers:

I live on Coldwater Canyon Drive, but I might as well live on Loma Linda Drive as my driveway is located on Loma Linda. I am writing to fully support the proposed Hillside Development Urgency Ordinance. We have been asking for limits on development and hauling in the hillside area for many years, and we are thrilled that you listened to our issues.

Loma Linda is a narrow, winding, steep street with smaller houses located close to the curb. The southeastern side of the block has houses overlooking a steep hillside. There is very limited street parking. Therefore, any temporary removal of parking spaces needed for hauling on a narrow street is a significant inconvenience and creates an unsafe condition. It is unbearable if hauling takes several months.

The proposed ordinance will be a significant improvement by limited hauling on each property to 1,500 cy in a five year period, and limiting the scale of development on properties with steep hillsides. The ordinance will not stop all development, but will require the City to review and provide conditions of safety and convenience to approve any appropriately scaled development.

We opposed the enormous mega-mansion development proposed by Aquilini America at 1184 Loma Linda last year, because it took a private street, required many months of hauling and proposed development way out of scale with neighborhood homes. This ordinance will provide the needed protection to the neighbors from this type of extravagance, and must be applied to any development on the 1184 Loma Linda property.

Sincerely,

Linda Kunik  
1147 Coldwater Canyon Drive (at the intersection of Loma Linda and Coldwater)

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))

June 9, 2016

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[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Urgency Ordinance  
Hearing Date: June 9, 2016 Item 4

Dear Members of the Planning Commission and City Councilmembers:

We live at 1165 Loma Linda Drive, which is located mid-block along the curve of Loma Linda. We fully support the restrictions of the proposed Hillside Development Urgency Ordinance (Hillside Ordinance), which will limit the amount of hauling and scope of development on narrow substandard streets, such as Loma Linda. The ordinance was originally introduced two years ago, and we are encouraged that it is finally being considered.

Loma Linda is a narrow winding steep street with limited street parking spaces. Any hauling on the street requires temporary parking restrictions that cause significant inconvenience to the neighbors. The curving street causes safety concerns during hauling, as visibility is limited. Therefore, limiting hauling to 1,500 cy per property in a 5 year period, without an R-1 Permit, is a reasonable amount to ensure the safety of the neighborhood. It allows the City to impose additional conditions for any larger development that are appropriate.

Loma Linda also has primarily smaller, historic homes, designed by Wallace Neff and other important architects. To the southeast of the street, at 1184 Loma Linda, there was even a history of landslides that caused significant damage to downslope properties. The proposed Hillside Ordinance will ensure a more safe condition, by requiring construction on a steep hillside to be limited 1,000 square feet off of an existing level pad. This may be exceeded by an R-1 permit, during which the Commission can determine if the scale of development is appropriate for the location, and condition the scale of development to be safe on the hillside.

We fear that the mere introduction of the ordinance will cause developers, such as Aquilini America, to rush to file an application for as large of a development as possible; thus undermining the intent of the Hillside Ordinance which the City has considered for two years. As you know, we opposed the inappropriate and outrageous development proposed at 1184 Loma Linda Drive, which required several months of hauling, and included an enormous basement carved out of a hillside prone to landslides. We request that any future development on that site be subject to the restrictions of this Hillside Ordinance, and that the developer should not be granted special treatment to avoid compliance.

---

Sincerely,



Isaac and Suzanne Zaharoni

Cc: Susan Healy Keene, Director of Community Development ([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))  
Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))  
Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))  
Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

## Masa Alkire

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**From:** helen abe [REDACTED]  
**Sent:** Wednesday, June 08, 2016 9:24 PM  
**To:** WebCBH MAYORANDCITYCOUNCIL; Masa Alkire; Susan Healy Keene; Ryan Gohlich; Andre Sahakian; Adrienne Tarazon  
**Cc:** Debbie Weiss; Larry Murphy  
**Subject:** Hillside Development Urgency Ordinance  
**Attachments:** Abe ltr to BHPC.pages

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the Planning Commission and Beverly Hills City councilmembers,

I live at 1179 Coldwater Canyon Drive and am concerned about the overdevelopment of our beautiful Beverly Hills canyons. The Beverly Drive/Coldwater Preschool canyon area reflects the pathetic impact of hillside overdevelopment. From the Coldwater Canyon Park, the mega mansions that previous planning commissions permitted are precariously perched on the opposite hillside.

I am pasting and attaching my letter in support of the Hillside Development Urgency Ordinance:

June 9, 2016

VIA E-MAIL AND HAND DELIVERY  
Beverly Hills Planning Commission  
Beverly Hills City Council  
455 N. Rexford Drive  
Beverly Hills, CA 90210  
Attn: Masa Alkire  
[mayorandcitycouncil@beverlyhills.org](mailto:mayorandcitycouncil@beverlyhills.org)  
[malkire@beverlyhills.org](mailto:malkire@beverlyhills.org)

Re: Hillside Development Urgency Ordinance

Hearing Date: June 9, 2016 Item 4

Dear Planning Commissioners and City Councilmembers:

We live on Coldwater Canyon Drive, close to where it intersects Loma Linda Drive. We support the proposed Hillside Development Urgency Ordinance. The proposed ordinance will force City review of any overscale development that may be unsafe on the hillside, or may cause undue impacts to the surrounding neighbors during a multiyear construction period.

We opposed the prior proposed project at 1184 Loma Linda, that would have excavated several thousand cubic yard of soil, and constructed an exorbitant structure that projected off of the level pad with views into homes along Coldwater. This ordinance will protect us against this type of excess. We also support the limits on hauling, because haul routes from Loma Linda will travel along Coldwater and create an even greater impact on an already congested street.

We request that you adopt the ordinance as soon as possible, and require that any development on Loma Linda Drive, including 1184 Loma Linda, fully comply.

Sincerely,

Helen Oda Abe

1179 Coldwater Canyon Drive

Cc: Susan Healy Keene, Director of Community Development  
([skeene@beverlyhills.org](mailto:skeene@beverlyhills.org))

Ryan Gohlich, Assistant Director ([rgohlich@beverlyhills.org](mailto:rgohlich@beverlyhills.org))

Andre Sahakian ([asahakian@beverlyhills.org](mailto:asahakian@beverlyhills.org))

Adrienne Tarazon ([atarazon@beverlyhills.org](mailto:atarazon@beverlyhills.org))

## Masa Alkire

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**From:** Adrian Lorimer [REDACTED]  
**Sent:** Wednesday, June 08, 2016 8:53 PM  
**To:** Masa Alkire; Andre Sahakian; WebCBH MAYORANDCITYCOUNCIL; Adrienne Tarazon  
**Cc:** Debbie Weiss  
**Subject:** Re: Hillside Development Urgency Ordinance Hearing Date: June 9, 2016 Item 4

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Planning Commission and City Council,

My family lives on Loma Linda Drive and we fully support the proposed Hillside Development Urgency Ordinance. Parking on our narrow, windy street is already very limited - any further reductions in parking during construction would severely impact our lives. We have very limited on-site parking, and street parking is essential for us to go about our daily lives.

In addition, our narrow street becomes very dangerous during any truck traffic, especially construction hauling, and we would fear for the safety of our four young children.

In particular, we are very concerned about 1184 Loma Linda Drive where it is our understanding that the developer is looking to propose another massive construction project involving the building of now two homes that could easily rival the size of the earlier proposal. However, this time we hear they are attempting two "by right" projects that combined would give them 6000 cy of hauling.

Our street is simply not safe enough to accommodate a project of this size and our lives would become intolerable. In addition, they have already demonstrated on multiple occasions a disregard for the safety of the residents, and a quick google search reveals Aquilini' s folks have a proven track record of not operating in a safe manner on other projects. They have been fined heavily and repeatedly in their native Canada.

All it takes is one truck not being safe for a tragedy involving my kids to happen. The prospect of the above project quite frankly frightens us to the level that we would have to consider moving out for an extended period of time to ensure the safety of our family.

Any measures that limit their ability to put my family at risk have our full backing. We would be relieved beyond description if this passed and implore the Planning Commission and City Council to please do so.

Best Regards,

Adrian Lorimer  
818 6400485