

15 December 2009

City Planning Department  
Division of Land/Parcel Map Unit  
200 North Spring Street, Room 750  
Los Angeles, CA 90012

Case No: AA-2009-1462-PMLA-SL-GB  
Address: 1308 N Maltman Avenue

I am writing to voice my opposition to the proposed small-lot subdivision of the property at 1308 Maltman Avenue.

I believe that the height, size, density and design of these properties will adversely affect neighborhood character and property values and increase the difficulty of street parking. In addition, the high prices that the developers will charge for these three properties is not in keeping with the intent of the Small Lot Subdivision Ordinance which seeks to make houses affordable in otherwise unaffordable neighborhoods.

This is a neighborhood of *dozens* of 1200 – 1400 square-foot homes which give it its wonderful charm. Even the larger houses tend to be good neighbors: low, set back from the street and surrounded by beautiful landscaping. Imagine: my wife and I live in a one-story 900 square foot house on the same size lot where the developers wish to build three three-story 2000 square foot houses. In spite of this, this is one of the densest neighborhoods in Los Angeles. It ranks 51<sup>st</sup> in density only because the portion of Silver Lake north of Sunset is by contrast relatively sparsely populated. Small lot subdivisions that support projects of this scale will destroy this neighborhood and many others in the name of progress.

This is a neighborhood of lovely trees and other mature vegetation. To build this project every single plant on the lot will be destroyed and, given the footprint of the proposed buildings, its driveways and turnarounds, the dedication on Tularosa and the minimal building setbacks, there will be no space to plant anything but token vegetation. Incidentally, one of my neighbors on Edgecliffe whose house is set back a good seventy-five feet from the street has an enormous, breathtakingly gorgeous 80-year old tree in his front yard that is an incredible amenity for the neighborhood and because of this beautiful tree his property is priceless. Yet in the eyes of the city and developers his property is considered “underimproved” and should he sell his house to a developer there is no doubt that his house and that tree will be destroyed. This is what is happening to our neighborhoods and it will continue to have severe quality of life impacts unless the city becomes much more judicious in its approval of small lot subdivisions and works toward the goal of careful stewardship of healthy neighborhoods rather than engendering unhealthy ones.

There is no doubt that increased traffic and parking will be an issue in spite of the required off-street parking. Spend anytime in our neighborhood and you will understand that it is naive to think that the parking situation is at other than its tipping point. Most of Maltman, Descanso and Winslow only allow parking on one side of the street and as a result the current parking situation is extremely challenging. It is unrealistic to think that owners and their friends and families will always park off street and so this development will definitely contribute to the parking problem.

There may be areas in Los Angeles where the Small Lot Subdivision Ordinance makes sense but, for all the reasons stated above, it is clear that this is not one of them. It is worth noting, however, that there is a lovely courtyard home project completed in 2007 at 920-928 Maltman comprising seventeen detached one-story 700 square foot bungalows that has enabled home ownership for people who might not otherwise have been able to afford to live here *and* without in any way compromising the neighborhood. In comparison, it is not difficult to see that the high asking price for each of the three properties at 1308 Maltman is decidedly opposed to the intent of the Small Lot Subdivision Ordinance. The ordinance is being hijacked and manipulated by developers solely for material gain and with no interest in our neighborhoods. The neighbors with whom I have spoken believe, as I do, that when there is real harm to be done to neighborhoods such as ours and that this form of development is not helping our neighborhoods.

We are in the process of exploring the possibility of our neighborhood becoming a Historic Preservation Overlay Zone in order to preserve the unique character of the neighborhood before it becomes overrun by misguided development. Maltman has many structures of rich historic value, including homes by pioneering modern architects Rudolph Schindler (944 Maltman, 1923, a Cultural Monument) and Richard Neutra (1317 Maltman, 1939) as well as the restored craftsman house at 1303 Maltman built in 1907 which is the oldest house on the street. Two of these are literally within a stones throw of the subject site. Many of the other homes up and down Maltman and in the surrounding neighborhood date from the 1920s and have been carefully preserved or restored.

At present our neighborhood is also considering the possibility of a legal challenge to the Small Lot Subdivision Ordinance in conjunction with other neighborhoods that have been or run the risk of being victimized. It should be a matter of record that this issue has been raised in the context of this hearing.

After review of the staff report, I feel it is necessary to address a number of issues that are incorrect or misleading.

Paragraph ( a ) under FINDINGS OF FACT (SUBDIVISION MAP ACT) states that "*the proposed parcel map is consistent with the intent and purpose of the applicable General and Specific Plans.*" In discussing Silver Lake, the **SILVER LAKE – ECHO PARK – ELYSIAN VALLEY COMMUNITY PLAN** states:

This Plan, through its goals, objectives, policies and programs, aims to promote infill development that is compatible with and complementary to existing development in character, scale and architecture—development that is sensitive to the Plan area’s complex topography and mindful of it unique history.

The proposed development fails on all counts and is completely *inconsistent* with the intent and purpose of the Community Plan.

Among “*the most significant planning and land use issues*” the Community Plan lists:

Character, scale and identity of existing single family neighborhoods, especially in hillside areas.

Size, scale and design of new multiple family residential projects.

Aesthetic quality of multiple family developments particularly in older neighborhoods in which single and multiple family residences are mixed.

Residential development that is insensitive to or incompatible with the Plan area’s unique natural, topographical, architectural, cultural and historic features.

Further, among the stated goals of the plan are:

Promotion of design in hillside neighborhoods that is sensitive to topography and substandard hillside streets, compatible with existing development and protects scenic vistas.

Preservation of the scale, density and character of single family neighborhoods and new multiple family housing developments in mixed single and multiple family residential neighborhoods.

Support efforts of active neighborhood groups to preserve and rehabilitate local neighborhoods and strengthen neighborhood character and identity.

Preserve the unique character and identity of distinct neighborhoods that exist within the Plan area.

Establish and implement community-based design standards for new construction that is compatible with existing scale, architectural style and other desirable design elements.

Encourage design of infill residential development that is consistent with existing scale and density, where appropriate, and compatible with and complementary to prevalent architectural styles.

These are issues that are mentioned repeatedly and expanded upon at length in the Community Plan. Preservation, compatibility and aesthetic quality are among its primary goals. The proposed development fails to take into account the most fundamental aims of the Community Plan (Because the Plan was adopted before the Small Lot Subdivision Ordinance, I include here issues

regarding multiple family developments because, I believe the intention of the plan towards small lot subdivisions will be the same.).

In Appendix B - ARCHITECTURALLY SIGNIFICANT STRUCTURES, Richard Neutra's 1939 McIntosh house at 1317 Maltman Avenue is the second structure listed under Silver Lake: Modern-Era Structures. This house is across the street and two houses north of the proposed development, quite literally within its shadow. This is just one example of the neighborhood's features with which the proposed development is inconsistent.

All in all, the **Silver Lake, the Silver Lake – Echo Park – Elysian Valley Community Plan** is a wonderful document and I recommend that you all read it.

Paragraph ( c ) under FINDINGS OF FACT (SUBDIVISION MAP ACT) states that "*the site is one of several underimproved properties in the vicinity.*" This is misleading to say the least. In point of fact, by this definition, the *majority* of lots in the neighborhood are underimproved which suggests that it is appropriate to encourage the demolition of all single family lots in the neighborhood in favor of developments such as these. Paragraph ( c ) continues: "*The area is transitioning from single family homes on larger lots to homes on smaller lots.*" In fact, there are two developments currently planned for or being constructed in the immediate neighborhood, one north on Edgecliffe and one south on Tularosa, and both are happening against the wishes and in spite of the efforts of nearly everyone in the neighborhood. This is not so much a "transition" as a hostile takeover and it is being fought every step of the way by those who know and love and value this neighborhood and Silver Lake.

Paragraph ( d ) under FINDINGS OF FACT (SUBDIVISION MAP ACT) states that "*the project is consistent with adjoining single family residential developments.*" I can only ask, "Consistent in what way?" It is in *every* way **inconsistent** with the adjoining developments: height, building footprint, front setback to name a few. The proposed development towers over the street and is completely out of scale with the surrounding houses, blocking views and limiting sunlight. The design, a contemporary post-modern pastiche, is completely without contextual reference to the existing neighborhood buildings and is an appalling example of poor urban design without even a perfunctory nod to the wonderful architectural tapestry of this neighborhood. Should this development proceed, it will be an eyesore for generations, a boorish Gargantuan among immeasurably better and more genteel architectural examples.

Paragraph ( e ) under FINDINGS OF FACT (SUBDIVISION MAP ACT) states that "*the initial study prepared for this project identifies no potential adverse impact on fish or wildlife resources as far as earth, air, water, plant life, animal life, risk of upset are concerned...[T]he project site, as well as the surrounding area...does not provide a natural habitat for...wildlife.*" In fact, this is a neighborhood teeming with wildlife. Coyotes, raccoons, opossums, field mice, barn owls, red-tail hawks, sparrow hawks not to mention countless species of birds live in this neighborhood, drawn to and protected by the lush vegetation we are blessed to have. By removing all of the existing trees and vegetation from the property there clearly is more than "*risk of upset.*" Upset is inevitable and if, in fact, this area is "*transitioning*" and developments such as this become commonplace, we will no longer see red-tailed hawks in our neighborhood.

Paragraph 1. under BUREAU OF ENGINEERING (p. 4) states that “a 10.5-foot wide strip of land be dedicated along Tularosa Drive adjoining the subdivision to complete an 18-foot wide half right-of-way dedication.” This will effectively shrink the lot by 550 square feet, further reducing the area available for planting and open space and increasing the density of the subdivision.

Paragraph 13.c. under DEPARTMENT ON CITY PLANNING – SITE SPECIFIC CONDITIONS (p. 9) states that “[T]he landscape plan shall identify tree replacement on a 1:1 basis by a minimum of 24-inch box trees for the unavoidable loss of desirable trees on the site.” I cannot see how this will be possible given that the rear two thirds of the existing property contain dense vegetation with several mature trees. There is simply no room in the proposed development to replace all of the trees.

The zoning code list the Front Yard Setback in and RD2 zone as 15 feet. I am curious why the proposed development shows a 10-foot Front Yard Setback on Maltman. As if 30-foot high structures were not invasive enough, are we to be subjected to having them closer to the street than would normally be allowed?

I need to say a word about the the Silver Lake Neighborhood Council and its approval of this application. In my experience, and in its decision-making history, the SLNC has proven itself to be a pro-development organization that in no way represents the views of any of the fifty or so neighbors with whom I’ve spoken over the past few weeks. On the contrary, many people expressed great frustration with their refusal to support the very neighborhoods that they claim to represent. I, along with many of my neighbors, received no notice of the SLNC meetings about this project. Founded “to make government more responsive to local needs” and to “promote public participation in city governance and decision-making processes to improve the quality of life for all Silver Lake stakeholders” I think that the SLNC has unfortunately fallen quite short of its goal.

Also, in my meetings with neighbors, I have spoken to homeowners within the 500 foot radius who were never notified by mail of this hearing. In addition, only one person I spoke to ever saw a notice posted on the subject site and he contends that it was taken down almost immediately. At the very least, the notice should be reposted and the hearing rescheduled in order to give more people the opportunity to express their opinions about this development.

***Eighty-six neighbors within 500 feet of the subject property have joined together in opposing this subdivision and this development.*** This is not a handful of random individuals. Rather, these neighbors on Maltman Avenue, Tularosa Drive, Edgecliffe Drive, Descanso Drive, and Marcia Drive represent a near-unanimous opposition to the project, from a middle-aged man who has lived on Descanso his entire life, to the man in his twenties on Maltman who has lived here three months, and everything in between. Of the five neighbors who chose not to sign the petition, two said they felt they did not have enough information to make a decision, one, an elderly man, did not understand the specifics of the project, another was ambivalent, although she said she preferred two two-story houses to three three-story houses and a German citizen said she just “didn’t care.” In other words, not one individual supported the project.

In conclusion, this development is problematic on many levels and threatens not only the long-term health of the immediate neighborhood, but also the entire Silver Lake community and its history. I sincerely hope that you will take all of the above into serious consideration and will not approve this application for a small lot subdivision.

Thank you.

Very sincerely yours,

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