

The Canyon Crier

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CCEA FACES UPHILL BATTLE AT CITY HALL

Chevy Chase Canyon is an amazing place to live. Mere minutes from downtown Los Angeles, we enjoy scenery and wild-life which most of our flat-land neighbors see only on nature shows.

But “progress” is threatening the Canyon.

The Chevy Chase Estates Association, one of the oldest homeowners associations in California, represents approximately 400 Canyon families. The cornerstone of CCEA’s mission is simple: to preserve the quality of life and natural beauty of the Canyon.

The Birth of the Hillside Ordinance

In 1993, our City leaders recognized that the time had finally come to control the irresponsible development of the hundreds of small, in-fill lots in the City’s hillsides.

And so the Hillside Ordinance was born. The new law placed reasonable restrictions on developing small, steep slopes, and protected the ridge lines which grace our views.

With this new law on the books and a City Council dedicated to protecting our hills, all seemed right in our little part of the world.

Land Boom Emboldens Speculators

We have all witnessed the spec-

tacular rise in home prices over the past 10 years. But while soaring land values seemed to be great news for existing homeowners, it also had a dark side: it attracted a flock of unscrupulous developers, ravenous to snap up and develop every speck of vacant land, regardless of the fact that many of those lots were rendered “unbuildable” by the Hillside Ordinance.

“But how is this possible?” you might ask. Why would speculators buy tiny pieces of land which the law said cannot be developed?

The answer is astonishingly simple: the developers started making friends at City Hall, and then flooded the City with requests for exceptions to the Hillside Ordinance.

Within a few years, the City’s Zoning Administrator (who has the power to grant exceptions to the Hillside Ordinance if specific legal findings can be made) became known as “the woman who never saw an exception she didn’t like.” Time after time, our Zoning Administrator granted exceptions to the law, barely making even token efforts to justify her decisions with facts. Instead, she merely parroted back the legal standards and concluded, with little or no explanation, that the hardship requirement had been met.

Time after time, CCEA appealed these one-sided, ill-reasoned decisions which favored developers.

At first, CCEA met with success, convincing the Board of Zoning Adjustments (BZA) and, in some cases, the City Council itself, to reverse the Zoning Administrator’s decisions.

But the going soon got rougher.

City Council Caves

Although the Zoning Administrator hasn’t changed in all these years, the members of the City Council have. And what has become shockingly clear is that the majority of current City Council members — many of whom campaigned for office with heartfelt promises to uphold the Hillside Ordinance — have, in fact, turned a deaf ear to longtime hillside residents.

And as of late, we can add “a sharp tongue” to the deaf ear.

Like locusts devouring fields, developers scoop up “unbuildable” lots at bargain-basement prices, gambling that they can get their friends at City Hall to give them all the exceptions required to build.

And make no mistake about it; the developers are winning.

With potential profits in the millions of dollars, developers spare no expense — and leave no fabricated sob story untold — to obtain their precious exceptions to our Hillside Ordinance.

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Uphill Battle at City Hall

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And this City Council — or at least a majority — has jumped aboard the speculators' bandwagon.

In the past few years, CCEA and longtime homeowners have appeal again and again to the City Council to uphold the Hillside Ordinance. Petitions with hundreds of signatures and scores of e-mails have decried what has become a pro-forma granting of exceptions to the law. Residents have pleaded with the City Council to enforce the plain language and intent of the Hillside Ordinance.

But instead of justice, or even a fair and honest hearing, homeowners have received legally specious lectures about the developers' "property rights," have been forced to endure heart-rending stories that the developers were actually building "dream houses" for their families (despite documented cases in which the land and plans for those "dream houses" were sold by the developer before one shovel full of dirt was dug) and, most recently, have been subjected to vicious verbal attacks — not only from the developers and their gang of cronies who are always on hand to lend support, but also from members of the City Council.

During one recent hearing, Councilman Bob Yousefian sneered and made rude remarks as he read aloud e-mails from concerned citizen who were begging the City Council to uphold our laws. He then laughed aloud — repeatedly — at e-mails in which residents suggested that "someone must be on the take" to allow such blatant abuse of our zoning laws. At least one member of the audience could be heard paraphrasing Shakespeare: "Mr. Yousefian, thou doth protest too much."

For a Jolt of Reality, Just Watch Channel 6

City Council meetings are televised on cable TV on Channel 6. If you don't have cable, see them online at <http://www.ci.glendale.ca.us/>.

Watch and be horrified as concerned Canyon residents and citizens from other parts of the City are maligned by greedy developers and certain Council members as "old," "retired," "selfish" and, most recently, "racist."

Watch and be disgusted as the big dollars at stake inspire certain Council members to perform feats of mental and legal contortionism to justify granting exceptions to our laws.

And take care that your jaw doesn't hit the floor when you learn that, in one highly controversial request for a zoning change, one City Council member used to be the applicant's landlord while another City Council member used to be the applicant's accountant.

If you have not yet been personally impacted by one of these decisions, it's only a matter of time.

So tune in to your City Council meeting and watch your elected representatives in action. Like a bad soap opera, it won't take you long to figure out the characters and catch up on the sordid plot lines.



Real Estate News

Canyon sales in 2006
(data from the Los Angeles County Tax Office)
by Brit Trydal

<u>Address</u>	<u>Br/Ba</u>	<u>Sq Ft</u>	<u>Sales Price</u>
3011 Annita Dr	3/3	1,844	\$ 975,000
1963 Ashington Dr	4/4	3,146	\$1,485,000
2050 Ashington Dr	4/4	3,537	\$1,350,000
3154 Buckingham Rd	3/4	3,024	\$1,405,000
3271 Buckingham Rd	3/3	2,370	\$1,275,000
2404 Cascadia Dr	3/4	3,285	\$1,085,000
3141 Chadney Dr	3/2	1,861	\$ 935,000
3150 Charing Cross Pl	2/2	1,291	\$ 655,000
2440 E. Chevy Chase Dr	3/1	1,325	\$ 774,500
3208 E. Chevy Chase Dr	2/1	1,240	\$ 650,000
136 Coventry Place	3/2	2,026	\$ 857,000
3300 Crail Way	4/2	2,379	\$1,000,000
2964 Edmonton Rd	4/3	2,255	\$1,140,000
3166 Emerald Isle Dr	3/3	2,207	\$ 880,000
3519 Fallenleaf Pl	3/3	2,498	\$1,000,000
2326 Flintridge Dr	4/3	2,403	\$1,175,000
2155 Lenore Dr	4/3	2,856	\$1,020,000
3081 Paddington Rd	3/2	2,645	\$1,025,000
1401 Thurlene Rd	3/4	2,632	\$1,080,000
3364 Tyrrell Pl	4/2	1,983	\$ 740,000

President's Message

by Dick Murray

2006 marks the 69th year of the Chevy Chase Estates Association.

As you have probably read in the *Glendale NewsPress*, seen on Channel 6 and maybe even heard your neighbors discussing, Chevy Chase Canyon — like many neighborhoods throughout our city — is fighting to prevent the urban blight which overbuilding has caused in so many nearby cities.

In thinking of all the things we love about the Canyon, I am reminded of George Dilworth's poem, which epitomizes the feelings many of us have for the Canyon:

Up in the mountains where the air is pure,
Away from the lights of the cities' lure,
Out in the open in a God-given place,
That is the spot we call "Chevy Chase."

Up where the stars twinkle all though the night,
Where there is romance in the soft moonlight,
Up where Dame Nature put color and grace,
That is the spot we call "Chevy Chase."

Up where the birds bring joy with their song,
Chirping sweet music from morn's early dawn,
Tree-clad mountains with their shadows to trace,
That is the spot we call "Chevy Chase."

In God's golden sunlight, with skies silvery gray,
Where you feel the enchantment of Nature's own way,
Up where real beauty mingles with space,
That is the spot we call "Chevy Chase."

What a wonderful poem.

What a beautiful canyon.

Your homeowners association feels a solemn duty to protect this magnificent gift of nature from those who would despoil it.

Greedy developers and City Council members who have apparently abandoned the homeowners for reasons we can only guess must not be allowed to take from us "the spot we call Chevy Chase."

Our deepest thanks to all of you who have taken the time to send letters and e-mails to the City Council expressing your support of the Hillside Ordinance; for attending City Council meetings to support your neighbors as they fight for justice under our City's laws; for signing petitions to help protect our hillsides and our trees; and, when all else has failed, for expressing your outrage to the *Glendale NewsPress*.

You *can* make a difference. In fact, you already have. Your courage and outrage have inspired concerned homeowners throughout the City to organize themselves with a determination we haven't seen in years. If you're interested in participating in any of these groups, let us know and we will try to help you make the connection.

We hope that the sleeping giant of fed-up residents is indeed awakening. If we are committed and work together, we can restore our City to a place we can once again be proud to call home.



A Delicious Addition to the Canyon

You're driving up Chevy Chase after work and realize that there's nothing at home to eat. Your spouse and kids will be asking, "What's for dinner?" Must you turn around and drive back down the hill to find a tasty meal? No longer, my hungry friend. What was once the St. George Mini Mart has been transformed into an ideal place for good eating. It is now a splendid Rotisserie and Deli, called Corner Kitchen.

Stop by and see all the changes that have been made. The first difference you'll notice is the cleanliness. Everything is brand new and

squeaky clean. You'll see whole chickens roasting on spits. Order the entire bird or just half. Combine this with a salad, a few side dishes and a bottle of wine, and you have a delicious dinner. Beef and chicken kabobs are also available, and soon, burgers and steak.

Deli sandwiches, cheeses and meats are also available, so this is a great place to pick up lunch or dinner.

And if you roll out of bed late in the morning, don't settle for instant coffee and dry toast. The store opens early and offers fresh-brewed coffee,

bagels, toast and muffins. If you're blessed with a leisurely morning, grab one of the bistro tables in front of the store and enjoy your coffee and bagel while admiring the beautiful hills beyond.

As Chevy Chase residents, we should support this little business, nestled in our canyon. It's a charming addition to our neighborhood.

Kudos to the owner, Mike, for taking what was once an eyesore and converting it into an asset everyone in the Canyon can enjoy.

Case Study of a Variance Gone Wrong: 2632 Kennington Drive

Want a great example of a good law gone bad? Look no further than 2632 Kennington Drive.

If you missed the fireworks at the City Council meeting when this case came up for hearing, let's fill you in on the facts first.

A developer bought the property at auction for \$23,000 in the late 1990s. Under the 1993 Hillside Ordinance, the lot was too small, too steep and too narrow to be developed: it was significantly smaller than the minimum required 7,500 square feet; it was narrower than the minimum required 80 feet; and it was a whole lot steeper than the maximum limit of 50%.

Let's not fail to mention that the lot was bordered by two available vacant lots on one side, and one vacant lot on another side.

But this developer wasn't going to let a little thing like "the law" get in the way of his profits, or shell out money to combine his lot with one of the adjoining vacant lots. So, in 1999, he applied for a variance and conditional use permits — in other words, exemptions from the law — so he could develop his tiny lot.

The Zoning Administrator turned him down flat since there was no reasonable basis for granting the requested exemption. The developer appealed the Zoning Administrator's decision to the Board of Zoning Appeals (BZA). They also turned him down flat. Still not deterred, the developer appealed the City Council in 2000.

And the City Council turned him down, too — by a unanimous vote.

At that time, Dave Weaver, who was Mayor of Glendale, explained that the granting of the variance would be contrary to the intent of the law. Ginger Bremberg, who was a member of the City Council at that time, reiterated that granting the requested exemption would violate the very reason the Hillside Ordinance was enacted.

Now, let's fast-forward to 2006.

Another developer — well, to be accurate, the *son* of the original developer — sensing the huge shift in the allegiances of several City Council members, decided to "go for it" again.

And did he hit the jackpot!

This time, a different Zoning Administrator — the now infamous Edith Fuentes — heard the case. Ms. Fuentes thought the project sounded just fine to her and affixed her seal of approval.

Outraged that a project which was so clearly unacceptable six short years ago was now being rubber-stamped by Ms. Fuentes, CCEA appealed the case to the BZA.

But the BZA of 2006 is made up of very different people from the BZA of 1999. This time around, the majority of BZA members were on the side of the developer.

One member of the BZA claimed that the developer deserved an exemption because he was suffering from a hardship: the Hillside Ordinance!

Yes, folks, in an extraordinary feat of circular logic, this BZA member declared that the very law which was passed to protect our hillside

neighborhoods constituted a hardship which merited an exemption under the very same law!

So the BZA affixed its seal of approval.

Stunned, CCEA retained an expert land-use attorney and appealed the BZA's decision to the City Council.

Dozens of Canyon residents wrote to the City Council and turned out to speak during the hearing, pleading with Council members to enforce the Hillside Ordinance and render a reasonable decision.

Those of you who attended or watched that City Council meeting — (and, if you missed it, it's definitely worth getting a copy) — witnessed what can only be described as one more huge step in the City Council's arrogant march toward eradicating the Hillside Ordinance and placating developers.

During the hearing, Councilmen Yousefian, Najarian and Weaver did not bother to address the legal deficiencies in the developer's case. Instead, like a few pals discussing their favorite movie, they waxed poetic about how hard the developer had worked on this project and how much they loved the design. Aw, shucks.

But the night didn't consist solely of an ode to the developer.

In a series of lectures which stunned residents, these three City Council members verbally attacked CCEA for appealing the case in the first place!

In the final tally, Councilmen

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Yousefian, Najarian and Weaver voted in favor of the developer; Councilman Manoukian was absent; and Councilman Quintero alone voted against the project, stating that it clearly did not meet the standards required for an exemption under the Hillside Ordinance.

Leaving aside the question of how elected officials could justify chastising citizens for exercising their right of appeal (all the while defending the alleged right of the developer to develop the sub-standard lot, regardless of what that pesky old Hillside Ordinance says), it is vital for every Canyon resident to understand the clear message three of our City Council members sent in this case: *the hills of Glendale are open for development.*

And it seems that no developer will be turned away from the trough. In the Kennington case, Councilmen Yousefian, Najarian and Weaver refused to address the fact that the developer acquired the property with full knowledge of the alleged “hardship” (the fact that the lot was too small, too narrow and too steep). And they simply ignored Assistant City Attorney Michael Garcia’s legal advice that *a self-imposed hardship does not meet the legal standard* required for an exemption.

Only Councilman Frank Quintero dared to discuss the facts and defy the power of the developers.

The final irony of the evening came when Mayor Weaver and his cohorts talked about how the Hillside Ordinance needs to be tightened up! Tighten *what* up, Mayor Weaver? The Hillside Ordinance is perfectly clear; you simply refuse to enforce it.

We should probably mention that Mr. Weaver has been lobbying to reduce the setback requirements, meaning that houses could be built *closer* to the street, further destroying any sense of open space and creating potential safety problems on our already-too-narrow streets. Gee, Mr. Weaver, we’re starting to see what you mean when you say you want to “tighten up” the Hillside Ordinance.

A fitting close to this sad tale may be found in the words of Mayor Weaver himself. In 2000, when the

City Council unanimously denied the very same exemption on this very property, Mr. Weaver — who repeatedly claims full credit for passage of the Hillside Ordinance — said (and this is a verbatim transcript):

“...I know that when we were putting together that Hillside Ordinance, [the] full intent was to stop development on small lots, undersize. And we carefully came up with what we thought was a minimum: 80 foot in width, steepness ... so on. We were trying to send a message out there that you either find adjacent lots and combine and put one suitable house on it, or you don't develop!”

If you can't believe that even a politician could flip-flop that blatantly, seeing is believing. A video clip showing Mr. Weaver's 2000 comments alongside his 2006 comments on this same property is available online at <http://www.youtube.com/watch?v=gZGV7jMY26s>.

So there you have it, folks. Your City Council in all its glory. By granting this variance, the current City Council openly proclaimed that only *they* know the secret meaning of the Hillside Ordinance. Only *they* know what is good for Glendale.

And as for the rest of us, not to mention every single previous City Council — apparently, we've had it wrong all these years.

To those of you who want to stay in Glendale, but refuse to surrender the rule of law to developer-beholden politicians and civil servants, all we can say is, we have our work cut out for us.

Please, keep those letters flooding into City Hall and the *Glendale NewsPress*. Demand that your elected officials respect and uphold our City's laws. Prove to them that our collective outrage at their flagrant violations won't just “die down.”

And if they just don't get the message, remember that you can have the final word — at election time next April!

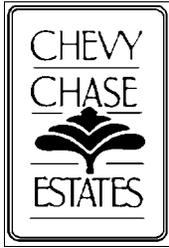


ANNUAL DUES

If you've already sent your annual dues, thank you.

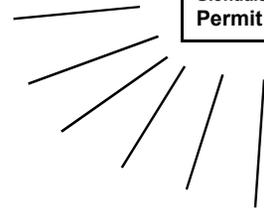
**If you haven't, please take a moment to do so.
We've even enclosed an envelope.**

To continue our work, CCEA needs everyone's support!



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CCEA Members and Guests

Canyon Roundup & Barbecue Saturday, September 16, 2006

CCEA's popular poolside BBQ at the Chevy Chase Country Club is great fun for CCEA members and guests. Invitations will be mailed to all CCEA members in August.

If you haven't sent in your 2006 CCEA membership dues, please do it today.

And **SAVE THE DATE** for the party!

