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Alan Como, AICP
City of Los Angeles, Department of City Planning
221 North Figueroa Street, Suite 1350
Los Angeles, California 90012

January 8, 2021

Re: **CPC-2020-5985-GPA-ZC-CA-SP; ENV-2019-4565-EIR**
Opposition to Berggruen Institute Project

Dear Mr. Como,

The Federation of Hillside and Canyon Associations, Inc., founded in 1952, represents 46 homeowner and resident associations with approximately 250,000 constituents spanning the Santa Monica Mountains. The Federation strongly opposes the newest proposal for the Berggruen Institute Project, due to the negative impacts the project will inevitably have on the neighboring hillside residential communities and the local canyon ecosystem, as well as its precedential implications for the Santa Monica Mountains as a whole.

Once again Nicolas Berggruen is seeking to develop his out-of-scale and highly impactful think tank complex on two ridges on an environmentally fragile and fire-prone 447-acre site, in a very low density residentially-zoned area of the Santa Monica Mountains. Only a very limited portion of the site is approved for development—and then only for very low-density residential development of 28 single-family homes. Furthermore, the approved residential area is surrounded by protected open space and trails, which are controlled and maintained by the Mountains Recreation and Conservation Authority, secured in perpetuity for the public trust, resulting from a 2006 legal settlement.

This is Mr. Berggruen's third attempt at an application since 2017. In the project's first iteration his team attempted to locate the centerpiece of the campus, the massive spherical Institute Building, in the middle of protected open space. They were apparently hopeful that their dazzling design/architectural renderings/sales job would so sweep stakeholders and officials off their feet that the land use transgressions would be overlooked. When that didn't work, Mr. Berggruen voluntarily withdrew the project. His team then came up with a new strategy: to circumvent the zoning laws by redefining the think tank as an *educational institution*. This method would have shepherded the project into existence using the more forgiving Conditional Use Permit process and thus concealing its full impacts. Thankfully this gambit was rejected by the City. For the third project attempt, Berggruen re-applied using a Specific Plan process, which would require a General Plan amendment, Zone Change, and adoption of both a *Berggruen Institute Specific Plan* and a *Berggruen Institute Open Space Specific Plan*, overriding the existing zoning.

Argyle Civic Assn.
Beachwood Canyon NA
Bel-Air Assn.
Bel-Air Hills Assn.
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
Crests Neighborhood Assn.
Dixie Canyon Assn.
Doheny-Sunset Plaza NA
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Hollywoodland HOA
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
LFIA (Los Feliz)
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon NA
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon HOA
Oaks Homeowners Assn.
Outpost Estates HOA
Pacific Palisades Res. Assn.
Residents of Beverly Glen
Save Coldwater Canyon!
Save Our Canyon
Shadow Hills POA
Sherman Oaks HOA
Silver Lake Heritage Trust
Studio City Residents Assn.
Sunset Hills HOA
Tarzana POA
Torreyson Flynn Assn.
Upper Mandeville Canyon Assn.
Upper Nichols Canyon NA
Whitley Heights Civic Assn.

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Often when we talk about the precedent-setting nature of a project, we do so in rather abstract, future-looking terms. But at this moment in time, there are a number of these inappropriately large institutional/commercial projects already lined up, looking for the zoning loophole, the precedential case, that will give them a foothold in the Santa Monicas. So we are not talking about an eventuality, about some possible, as-yet-undefined future. We are talking about the domino effect that is going to be set off within five minutes after the first project using a re-zoning strategy like this one is approved. Furthermore, in light of the upcoming revision of the Brentwood-Pacific Palisades Community Plan, legitimizing such a significant project, in this manner, at this time, would undermine the entire Community Plan process going forward.

These projects, taken individually and cumulatively, will deal a serious blow to our already endangered “urban wildlands”; furthermore, the nature of the application (creating custom zones to accommodate the “needs” of a private development project) will stand as an open invitation to continued degradation of the open space and low-density residential character of the Santa Monica Mountains, leaving our hillsides and canyons vulnerable to an onslaught of similar spot-zoning changes and resulting in essentially uncontrolled commercial development with all the associated negative impacts.

It becomes clear, as one follows the history of this project that, in spite of paying lip service to environmental concerns and sustainability, in spite of attempting to take credit for the creation and protection of the public trails (already guaranteed by that 2006 settlement), Mr. Berggruen and his team do not truly embrace the vision that led the United States Congress to recognize these mountains as a treasure worthy of and in need of protecting *for their own sake* back in 1978, when it established the Santa Monica Mountains National Recreation Area, under the auspices of the National Park System. The various zoning, easements, and other environmental protections that have been fought for, so long and so hard, by the Hillside Federation and many others, are perceived by this Applicant not as essential protections for the good of the mountains and the City but as a kind of game, a series of challenges/obstacles to be overcome, using all the resources available to a billionaire. The true goal is not to protect this spectacular property, teeming with wildlife and wildlife corridors, native habitat, public trails, and city views, but to exploit it for Mr. Berggruen’s private development project. Would the institute be a prestigious addition to the L.A. “scene?” Perhaps. Would the institute cause irreparable damage to our glorious canyons and hillsides? Definitely.

This is a large project, and it will have many negative impacts beyond the issues of process and precedent.¹ It will impact wildlife corridors; it will impact traffic; it will impact emergency response times; it will impact the quiet enjoyment of the hillsides. Back in February 2018 the Federation adopted a policy that the Mulholland and Sepulveda Corridors had already reached the tipping point in terms of density, infrastructure, and emergency response times. We concluded that we could not support further development in either area without a comprehensive traffic and safety study/plan with the involvement of citizen stakeholders and under the auspices of the affected Council Offices (CD4, CD5, CD11).

Most critically, the intensification of use associated with this project would exacerbate fire risks in a designated Very High Fire Hazard Severity Zone. Our state is currently living through the largest and most destructive wildfire season in California's modern recorded history—with more than 4 million acres

¹ The current project proposal calls for 86,483 square feet of construction with a future growth allowance of another 63,000 square feet TBD, and an additional 19,270 square feet of exterior covered “seating and circulation areas” (these do not count as part of the footprint according to the proposed new Berggruen Specific Plan), all to house a variety of research, conference and event spaces accommodating up to 400 guests at a time. Facilities would include limited-term living units for residential and visiting scholars and a large support staff, dining, kitchen, and recreational facilities, a subterranean garage for 301 vehicles, and additional surface parking. As currently proposed the project would require 200,000 cubic yards of cut, 90,000 cubic yards of fill, 110,000 cubic yards of export, and another 30,000 cubic yards of soil import for landscaping purposes.

burned in 2020 so far. Experts warn this is the “new normal” due to (1) Climate Change producing hotter, drier, and more intense wildfires and (2) **increased human intrusion into fire-prone areas like the Santa Monica Mountains**. The proposed Berggruen Project is therefore completely at odds with California Governor Newsom’s April 2019 report “Wildfires and Climate Change: California's Energy Future,” which recommends that local governments begin to *deprioritize new development in areas of the most extreme fire risk*, and also with the state’s new climate goals mandated by Governor Newsom in an executive order issued on October 7, 2020, which commits the state to **protecting 30 percent of California’s land and coastal waters by 2030**.

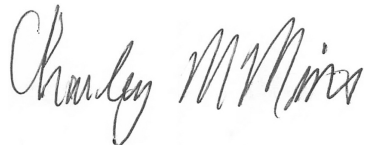
To make matters worse, it appears that this project is being streamlined for passage at the height of the COVID-19 pandemic—while public attention is necessarily diverted from the important long-term public policy concerns which the project raises.

The Berggruen Project is at odds with the Federation’s mission on every level. It violates policies and programs that support consistency with zoning for public health and safety in the hillsides, that support maintaining lower densities to preserve wildlife habitat and connectivity, and that protect the hillside environment from devastating wildfires.

For all of the reasons stated above, the Hillside Federation urges the City to deny this project and to resist bending existing zoning laws or setting dramatically new zoning precedents for any high-density projects such as the Berggruen Institute in our precious natural hillside environment. These projects should be held—and held rigorously—to the existing zoning standards and Community Plan(s). Zoning changes in the hillsides should only be revisited at such time as they can be reviewed through a proper citywide process that includes both the Planning Department and public stakeholders, and that takes into account the “new normal” of increased intensity and frequency of wildfire.

Please add our organization to the notification list for this project.

Sincerely,

A handwritten signature in black ink that reads "Charley Mims". The signature is written in a cursive, flowing style.

Charley Mims, President

cc: Los Angeles Mayor Eric Garcetti
Councilmember Mike Bonin
Councilmember Paul Koretz
Planning Director Vince Bertoni