



Building A Better Community

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**General Meeting Minutes Approved
 Wednesday, March 26, 2014 7:00-9:00 p.m.
 American Jewish University 15600 Mulholland Drive Bel Air, CA 90077**

Present: 16

Quorum: 12

2014 Stakeholder Groups / Certified Representatives	Present	Not Present
Bel Air Crest Master Homeowner Association		
<i>Irene Sandler</i>	X	
Bel Air Ridge HOA		
<i>Andre Stojka</i>	X	
Benedict Canyon Association		
<i>Michael Chasteen</i>	X	
<i>Alan Fine</i>	X	
<i>Don Loze</i>	X	
<i>Nickie Miner</i>	X	
Casiano Estates Association		
<i>Gary Plotkin</i>	X	
Faith-Based Organizations		
<i>Lonnie Mayfield</i>	X	
K-6 Private Schools		
<i>Vicki Kelly</i> (Notified of planned absence)		X
K-5 Public Schools – Open Seat Pending		
7-12 Private Schools		
<i>John Amato</i> (Notified of planned absence)		X
Laurel Canyon Association		
<i>Jamie Hall</i>	X	
<i>Cassandra Barrere</i>	X	
<i>Monica Weil</i>		X
<i>Tony Tucci</i>	X	

2013 Stakeholder Groups / Certified Representatives	Present	Not Present
Members-at-Large		
Larry Leisten	X	
Chuck Maginnis	X	
Residents of Beverly Glen		
Robert A. Ringler	X	
Open Seat		
Roscomare Valley Association		
Robin Greenberg	X	
Michael Kemp	X	
Save Our Strip: Pending		
Santa Monica Mountains Conservancy		
Travis Longcore, Ph.D.		X

Alternates present but not voting

Janet Glucksman (Bel Air Ridge)
 Kerry Welland (Benedict Canyon Association)
 Sam Levitt (Religious Institutions)

Changes in Board Membership:

Ramin Kolahi, Residents of Beverly Glen, former Chair, Planning & Land Use Committee, has resigned from the Board.

City Officials

From DONE:	Thomas Soong, Incoming Project Director:	Not Present
	Alisa Smith, Elections Advisor:	Not Present
From CD5 Office:	Jeff Ebenstein, Field Deputy:	Not Present
	Noah Muhlstein, Planning Deputy:	Present
	Gurmet Khara, Council Deputy:	Not Present
	Shawn Bayliss, Director PLU:	Not Present
From CD4 Office:	Sharon Shapiro, Deputy:	Not Present

Stakeholders Present:

- John Seiz
- Judy & Jay Sher
- Ronnie & Jay Michel
- Joan Rimmon
- Lauren Saval
- Patricia Hearst

Special Guest Speaker Present:

- Dick Platkin, Retired City Planner
- Steve Dargan, LA City Emergency Management Department

Public Comment Speaker Cards: RE: Agenda Item #17 11767 Bellagio Road

- Farhad Ashofteh, Architect and Developer, spoke for
- Daniel Saparzadeh, forfeited time to Mr. Ashofteh for
- Bruce Kuyper, Bellagio Road, spoke against
- Steve Twining, Roscomare Valley Association, spoke against
- Lauren Joy Sand, Casiano, spoke against
- Pat Nation, Moraga, spoke against

ADMINISTRATIVE MATTERS

The BABCNC says thank you to *Suzanne Weinstock* for taking the group photo now on the website!

1. **Call to Order:** Council President, *Gary Plotkin*, called the meeting to order at 7:17 p.m.
2. **Roll** was called by Secretary, *Robin Greenberg*. 16 certified members were present and a quorum of 12 was met. (Three alternates, *Sam Levitt*, *Kerry Welland*, and *Janet Glucksman* were present but not included in the total.)
3. **The Pledge of Allegiance** was recited.
4. **Approval of February 26, 2014 Minutes:**
 - *Robert Ringler* moved, *Larry Leisten* seconded, 13 yeas, 0 opposed, 2 abstentions (*Alan Fine* and *Don Loze*); *Chuck Maginnis* noted a correction to item 11(a) last line, where it said, “*Ron Parnell*,...” it should be changed to “*Ron Cornell*, head person at Bel Air Ridge, whose wife died this past week.” The minutes were approved as amended.
5. **Approval of March 26, 2014 Agenda:** President, *Gary Plotkin*, related that Agenda item #17b) **Report on Special PLU meeting of March 18, 2014**, has no motion pending; we cannot hear a motion to accept or reject the applicant’s request at this time. There will be only discussion and report.
 - *Chuck Maginnis* moved to approve the agenda; *Robert Ringler* seconded, question was called, 0 opposed, 0 abstentions; and the agenda was unanimously approved.
6. **Public Comments** – Non-agendized public comments
Ramin Kolahi: *Ramin* announced that he has resigned from this Board, and is no longer on the Residents of Beverly Glen Board. He expressed his gratitude for everyone that he has worked with on this Board, and pointed out how far the Board has come in the last year. *Gary* in turn thanked *Ramin*, on behalf of the Board, for all that he has contributed, having done a wonderful job chairing the Planning and Land Use Committee and tutoring *Michael Kemp* to take over that position. *Gary* also extended his appreciation to *Ramin* for how he has helped him as President and personally. Members of the Board confirmed their appreciation of *Ramin* and will all miss him. **Thank You & Best Wishes Ramin!**

(Public Comments are also noted below under Planning and Land Use Report)

7. (Agendas, brochures, & public service handouts available)
8. **President’s Report** – *Gary Plotkin*
FAST TRACK – REPORTS: (Updates)
 - a. **Vacant Seats:** Public Schools K-5 Rep & Business Rep – No report.
 - b. **Update / Report on Pothole Repair Blitz, Part II** – *Andre Stojka*
 - *Andre* reported that of the three most seriously damaged roads listed for repair during the quick pothole repair blitz, including Mulholland from Antelo on west to Woodcliff on east, Claray Dr. from Claray & Nicada, 400 feet southwest on Claray Washboard Road, and Sunset Blvd. and Veteran, only Veteran and Sunset were repaired.

- Gary related that he had spoken with *Joan Pelico* about this and as a result the Board will have a special guest speaker, General Manager from the Bureau of Street Services, *Nazario Saucedo*, at the May Board meeting, to discuss the damaged streets.

9. **Special Guest Speaker on Mansionization/Amending the Baseline Mansionization Ordinance *Dick Platkin, AICP, City Planner***

Gary introduced *Dick Platkin*, Board member of the Beverly Wilshire Homes Association and retired L.A. City Planner.

- *Mr. Platkin* spoke to the Board about the Baseline Mansionization Ordinance (BMO) adopted in 2008 with regulations for the non-hillside area of the city, focusing on Floor Area Ratios (FAR) and height, (building size to lot size ratio), intended to protect housing scale and character in single planning areas, and the similar Baseline Hillside Ordinance (Hillside Mansionization Ordinance) adopted in 2011 to prevent out-of-scale single family development in the hillside communities, that also deals with slopes and grading.
- He noted that the L.A. City General Plan is opposed to mansionization.
- This is relevant to communities that do not have Historical Preservation Overlay Zones or Specific Plans, such as the Mulholland Corridor.
- He spoke on tightening up provisions for the BMO because it has many exceptions and bonuses that permit the very McMansions it was supposed to stop. He also explained how the new Beverly Grove Residential Floor Area (RFA) Overlay District could be used in Hillside area.
- He related that this process of Mansionization loopholes began with Jack Weiss, in the Beverly Grove/Farmer's Market area; that 80% signed petitions for an overlay with greater restrictions, and a second campaign began five years ago, with *CM Paul Koretz*, that after 10 years of campaigning led to the adoption of the Beverly Grove RFA District Overlay in October 2013.
- *Tony Tucci* noted it is exactly the same in the hillsides and would like the Hillside BMO loopholes removed.
- *Gary* asked if *Mr. Platkin* is seeking a motion from BABCNC for support and what they are seeking from Councilman, *Paul Koretz*. *Mr. Platkin* would like to make a proposal to *Paul Koretz*, to go back and get rid of the bonuses, (e.g., green bonus among others), exemptions and other loopholes used to get around an ordinance to stop mansionization.
- *Tony Tucci* mentioned difficulty getting resources in the Planning Department and the need to get this done now, so the Mansionization Baseline Hillside Ordinance does not have to wait years to be included in the code reform process.
- *Gary* transferred the obligation to review to the PLUC, on exactly what they would like to see in the Hillside Ordinance. *Jamie Hall* volunteered to assist with research of legal and historical aspects of this. *Mr. Platkin* will provide him with his version of the ordinance with exemptions and bonuses referred to, and recommended working towards simplicity with the idea of having good basic ordinances in the Code, without the need for overlay districts.
- *Don Loze* responded that this issue would take more than month, referring to the Community Plan, which reflects some of the intent of the policies. *Mr. Platkin* replied that the Community Plan is a policy statement, not an ordinance, and that the proposed Zoning amendments would not require any Plan amendments.
- *Gary* referred *Mr. Platkin* to work with the PLUC that will meet in April, to see what they come up with in a month, and thanked him for his presentation. *Mr. Platkin* expressed his gratitude for the opportunity to present this issue to the Board.
- *Irene Sandler* asked if other individuals who have worked on this issue who are no longer on the Board could participate in this process, to which *Gary* replied that this would be up to the PLUC Chair.

10. **Secretary's Report** – *Robin Greenberg* – No report.

11. **Treasurer Report & Funding Expenditure Requests** – *Alan Fine*

(4 illegible to vote: *Irene Sandler, Nickie Miner, Lonnie Mayfield & President Plotkin*)

a. **MOTION** that BABCNC approves a One-time Outreach Expenditure of \$200.00 for refreshments for a special PLU committee meeting held on March 18, 2014, at AJU, to discuss significant land use issue of a tentative subdivision tract under small lot ordinance. *Alan* moved, *Robert* seconded, *Chuck* called the question; 12 yeas, 0 nays, and the one-time outreach expenditure was approved.

(See Vote Count Sheet for details indicating yes votes by *Andre Stojka, Alan Fine, Don Loze, Michael Chasteen, Jamie Hall, Cassandra Barrere, Tony Tucci, Larry Leisten, Chuck Maginnis, Robert Ringler, Robin Greenberg & Michael Kemp.*)

b. **MOTION**: *Alan* moved that BABCNC approves the Monthly Expenditure Report of February 2014, *Robert* seconded; 11 yeas, 0 nays, 0 abstentions, 1 abstention (*Larry*) and the Treasurer's report was approved. (Yes votes by *Andre Stojka, Alan Fine, Don Loze, Michael Chasteen, Jamie Hall, Cassandra Barrere, Tony Tucci, Chuck Maginnis, Robert Ringler, Robin Greenberg & Michael Kemp.*)

12. **Election of 2014-2015 Officers** - *Gary Plotkin*

President: *Robert Ringler* nominated *Gary Plotkin*, for President, *Larry Leisten* seconded, *Chuck* called for the question, and *Gary Plotkin* was unanimously approved by acclamation as President.

Vice President: *Alan Fine* nominated *Robert Ringler* for Vice President, *Cassandra Barrere* seconded, all voted with no abstentions, and *Robert Ringler* was unanimously approved as Vice President.

Secretary: *Robert Ringler* nominated *Robin Greenberg* for Secretary, seconded by *Larry*, none opposed, all voted with no abstentions, and *Robin* was approved as Secretary.

Treasurer: *Robert Ringler* nominated *Alan Fine* for Treasurer, *Larry* seconded, all voted with no abstentions, and *Alan* was approved as Treasurer.

13. **Public Safety/Disaster Preparedness Committee** (Update) – *Chuck Maginnis*

- Senior Lead Officer 8A29 - *Chris Ragsdale*, WLA Community Police Station

- Senior Lead Officer - *Ralph Sanchez*, Hollywood Community Police Station

- **Special Guest Speaker on AlertLA County** - *Steve Dargan*

Steve Dargan works for the LA City Emergency Management Department and spoke on Alert LA County (www.alert.lacounty.gov) and Wireless Emergency Alerts (WEA.) These alerts are generated from the City of Los Angeles Emergency Operation Center or Emergency Management Department. Messages for both systems are generated only for the City of Los Angeles. Messages for areas outside of the City of Los Angeles are generated by the Los Angeles County Sheriff's Department.

- Alert LA County is an emergency mass notification system that reaches landlines (hard-wired phones) in L.A. County with emergency alerts. All landline telephone numbers are already in the system's data base; however, if you want to receive alerts through other devices (e.g., VOIP, cell, text or e-mail address) you need to register these lines at the website above!

- Wireless Emergency Alerts (WEA) is a system that sends alerts over through cell phone as text messages, with the intent to give you as much notice as possible. All 2G or greater cell phones are WEA capable cell phones, which already have a particular chip embedded in it. The system puts out geographically-based alerts with a short easy to read message, up to 90 characters. It has a unique tone and vibration, that can't be changed, although they can be disabled. The WEA system was put into place by the Dept. of Homeland Security to send a) Presidential Alerts (those cannot be disabled, b) Imminent Local Threat Alerts, and c) Amber Alerts. A WEA message will not get stuck in an overloaded cell phone system. The message will move to the front of the delivery cycle. If you are on your phone, the WEA message will not drop your service or bump you off your system. The 5-point criteria for an emergency alert considers the following issues: 1) severity; 2) public protection – if you need to take some sort of action, e.g., evacuate, avoid areas, etc., 3) warnings, 4) predefined geographic area, and 5) used when traditional media will take too long to get the message out. The system automatically finds the cell phone towers in the area of the emergency and sends the messages through those towers. If you don't get the message, it was determined that you are not in the area affected by the emergency. If you enter the area affected, the message will be delivered to your phone. When the emergency is over, there is a closing of the loop. Another message will be sent saying the emergency is over. You wouldn't get the message if you left the area. Gary noted that there was a major issue on Mulholland Drive for seven hours today that brought down electrical lines; people couldn't cross the bridge but nobody was notified. Steve replied that the alerts are generated by Police or Fire departments, and this one was not called into the system.
- Summary: WEA - No action is necessary to receive WEA messages. If you have not deactivated the function in your cell phone, you will get the text message if you enter an area affected by the emergency.
- Alert LA County – All hard-wired phones and TTY/TTD devices are in the system already. If you want to receive an Alert LA County message by cell phone, text message or e-mail, you must register those devices by going to www.alert.lacounty.gov.
- Chuck also has a BABCNC emergency notification system.
- Gary thanked Mr. Dargan for providing the information on this important subject, and Mr. Dargan thanked the Board for allowing him to do so.
- (Chuck noted, in his subsequent EP meeting minutes that some members of the Board have requested a copy of Steve's Power Point presentation which will be made available.)
- Report on March 20, 2014 EP Committee Meeting @ Skirball Ctr. Chuck Maginnis – Tabled.

14. Bylaws, Rules & Elections Committee Report (Updates & Motion) - Larry Leisten

- a. Approval of Bylaws with Authorization to Submit to Empowerment for Ratification – Larry Leisten (20 minutes) (Continued to April Meeting)
- b. Request by “Save Sunset Strip” for a seat on Board – Larry Leisten (Continued to April meeting).

15. Outreach Committee. Report (Update & Motion*) – Robin Greenberg

- a. Update from AD-Hoc Outreach Committee: Robin will be holding an Outreach Committee meeting on Tuesday April 1, 2014 5:00 at Bel Air Bar & Grill. Robin is paying for all drinks & hors d'oeuvres, and says that all are welcome.

*(See “Treasurer’s Report” 11a) for one-time outreach expenditure motion approved for the 03/18/14 PLU Special Meeting.)

16. **West LA Regional Alliance of Councils (WRAC) (Motions/Discussion) Robin Greenberg**
a. Update on March 19, 2014 WRAC Meeting. Robin related that WRAC meets once a month at Lenny's Deli. They are made up of 13 NCs and they all vote on motions.

b. Two WRAC Motions:

1) From the 02-19-2014 WRAC Agenda: (Robin noted that 9 NCs have voted on the housing unit audits motion and if we are #10, City Council will approve of it.)

MOTION: BABCNC approves WRAC's Housing Unit Audits Motion which states that: We recommend to the City Controller, the Housing Department and the City Council that they audit all income restricted units built under SB1818 and all RSO units and buildings that replace pre-1978 buildings: *Please See Attachment "EXHIBIT A" below for entire motion.*

Robin moved; Larry seconded; 14 yeas, 1 nay (Michael Chasteen), 0 abstentions, and the motion passed.

2) From 03-19-2014 WRAC Agenda:

MOTION: BABCNC approves Earthquake Fault Analysis Motion which states: Whereas the 1972 Alquist-Priolo Earthquake Fault Zoning Act (California Public Resources Code 2622 et. Seq.) mandated faults to be mapped and state legislators banned construction across active earthquake faults after the Sylmar Quake
Whereas said State mapping has not been completed due to budget cuts and some 1000 of California's 700 miles of faults have not yet been zoned
Whereas the building ban has not been enforced in unmapped areas
Whereas the failure to finish said fault mapping and enforce the ban constitutes a significant public health and safety hazard
Now therefore the WRAC calls upon the City to require a fault study by the project applicant/developer as a condition of submission of an entitlement application when the proposed project is within 1000 feet of a known fault line as mapped by the California Geological Survey's existing map of all 7000 miles of faults, published in 2010, and to fully enforce the ban on construction in active earthquake zones.

Robin moved; Larry seconded; 11 yeas, 1 nay (Michael Chasteen) 3 abstentions (Michael Kemp, Chuck Maginnis and Irene Sandler) and the motion passed.

17. **Planning & Land Use Committee Report – Michael Kemp**

a. Report on Regular PLU meeting of March 11, 2014

Michael Kemp noted that no motions were passed at the 03/11 meeting. The following motions were listed on the agenda as follows:

MOTION: 10615 W. Bellagio Road, 90077, ZA2013-3596-CE: To oppose a variance to allow an over-in height wall in the front yard setback. **(Withdrawn, No Variance.)**

MOTION: 616 N. Nimes Road, 90077, ZA-2013-3701-ZAA. To oppose a variance to allow an over-in height wall in the front yard setback. **(TABLED.)**

b. Report on Special PLU meeting of March 18, 2014 RE: 11767 Bellagio Road

Michael Kemp related that his PLU Committee held a Special Meeting on Tuesday, 03/18/14, in regards to the project at 11767 Bellagio Road, and it's utilization of the Small Lot Subdivision Ordinance. He noted that concerned neighbors and the developer were there

to speak, with a half hour on public comments from the community. The outcome was that the 1st motion to oppose the project did not pass by the committee and a 2nd motion was made to recommend the project with conditions, not spelled out, but that the developer would work with the community and come to some type of agreement.

Gary Plotkin disclosed that he and Michael met briefly with the developer as mediator on Friday to find out what each side wanted first, to benefit both the developer and the community.

Michael Kemp added that as to the Public Comment period, there was a hearing in front of the ZA Planners and currently the project is under advisement as they are pending negotiations with the Community and Developer. The Public Comment period ends on March 31st.

Noah Muhlstein, Planning and Land Use Deputy for Councilman *Paul Koretz* spoke. He stated that the Councilman has looked at the project over and over again, that they tried to step in and find a compromise, but as they see what the applicant is doing, and how he is following the law, even being amenable to reducing a unit, that leaves them in a bind. They are willing to hear any solution that anyone has, to make it work for everyone.

Steve Twining asked if we've all seen the set of plans. *Gary* asked for pdf of the plans from *Farhad*, who will get it to him so *Gary* can send them out to those who don't have them.

Public Comments:

Farhad Ashofteh, the architect/developer spoke on the Bellagio property, located at the 1st block North of Moraga. He stated that he has met all criteria, that he has already changed the project design to do so, and noted that continued opposition from neighborhood. He attended meetings, heard concerns and completely redid the building, which efforts he feels did not go far when he presented them to the Special PLU meeting. He stated that he is adhering to by-right development guidelines of the City of L.A. He raised the issue that apartment and condo buildings do not require public hearings, but to build these types of buildings would attract a transient community, and that this project is an alternative to the "megamansion." He noted that if he were to get approval from this committee, he would reduce the units from 6 to 5, stating that this is the only multifamily area, established years before; that an argument has been made about the setbacks and stories, but that there are four or five lots for multifamily other than single family homes in the area.

Bruce Kuyper introduced himself as a neighbor organizing the neighbors, trying to work with the developer, who lives four houses up from the property in question. He noted that this lot is in an RD1.5 zone, and that the apartments referred to by *Mr. Ashofteh* are in a different zone. He reported that the next door neighbor is concerned about the curb-cut issue, that there are no curb cuts on this section; and is objecting to this. He pointed out in regards to the letter from Bel Air Association, that none of the neighbors that he is communicating with were involved in that. He noted that because there was no motion on the agenda this evening, he didn't ask all of the neighbors to come; however, 9 to 10 neighbors have come. He thanked everyone including the developer and the efforts by BABCNC to negotiate this. He does not believe this is a by-right project and doesn't believe that they were asked for their position.

Gary related that he had sent *Bruce* emails suggesting a meeting. *Bruce* replied he didn't know they had a separate meeting. He noted that we now have a new proposal with lower density after several meetings with the developers and they are still open to negotiating a different scope but as there was no motion noticed for this meeting, he didn't get all the neighbors here.

Steve Twining showed a project map and asked who would like this built next to their home. He mentioned that this would be by right only after the project has been approved. He asked, how the buildings would react in an earthquake, given only 4” between them. **Steve** stated that he “heard you ask the full Board to vote against it at your PLU meeting. The two architects voted in favor.” **Michael Chasteen** replied that “we did not vote in favor” and clarified that PLU does not “approve.” **Steve** referred to the vote for the project with conditions, which conditions were not known to anyone at that point.

Lauren Joy Sand: *Ms. Sand* stated that her family has lived on Bellagio for 50 years; they are not giant grand homes in this part of Bel Air. She noted that she will have to drive by this place every day since it is the only access, and that all fire engines will have to drive by. She finds the project inappropriate, with no green space, no setback and described it as looking like “six silos with a roof deck.” She suggest that all the Board members drive by that lot and think about what it’s going to be like to have essentially six four-story silos on a 7000 square foot lot where there is one single family home. She noted that except for the apartment building next to the gas station there are no apartment buildings in this area, and feels that this project is not in keeping with the neighborhood, a small lot subdivision with no trees, etc.

Jamie Hall asked, what is the specific request and standard by which we are supposed to be measuring this? Why is he seeking a discretionary permit and what is the City thinking about in generating that permit? Did he satisfy that standard? **Michael Kemp** replied that while the parcel map is being processed, the developer has withdrawn the variance so there is no discretionary approval now. The goal to try to see if something can be worked out.

Larry Leisten brought up the question of the definition and apparent difference of opinion as to whether this “by right.” He noted that we’re here to make a recommendation, not an approval.

Bruce Kuyper brought up the State Subdivision Map Act, and the need to conform to the General Plan, which **Noah** added to, stating that there is a Subdivision Map Act, a State Law, but that the City has an ordinance that allows for – or may supersede the State Law; that the ordinance allows you to develop one unit per 1600 sq. feet. He noted that if the developer is using the ordinance of the small lot subdivision as a guideline and tool, and is following what is allowed, then they have nothing.

Farhad clarified that you can use the ordinance in a minimum of 5000 sq. feet in RD1.5 zone, while you cannot with only 4000 square feet in RD1.5. He noted that the law allows a certain number of units per 1500 sq. feet. He said that he is here to listen and respond to the neighbors; and that they have already moved the roof deck back 10 feet to the center, added balconies and moved windows; as well as moved the “silos” from the exterior to the inside of the building.

Pat Nation stated that she has lived in Bel Air since 1958 on Moraga Drive. She doesn’t see megamansions where she lives or on Casiano. She has spoken to **Shawn Bayliss**, Land Use Deputy, and **Paul Koretz**, to whom she described the Bel Air area as a suburb, which she feels the developer is trying to “de-suburb.” She stated that **Paul Koretz** has said it is an unintended consequence of this ordinance, and concluded that this is the wrong project in the wrong place.

Irene Sandler questioned the use of the term “multifamily” in this context, if you’re making individual lots with one family each, unless several families move into each of those homes.

Gary noted that we have several alternatives at this point: We cannot vote on a motion today, because there's none set. We can call a special meeting with 24-hour notice, or wait until the April meeting, or do nothing. He noted that the Chair needs guidance.

Gary accepted *Jamie's* suggestion to take input for what we want the motion to look like and give direction to draft a motion to be brought before the next meeting for a formal vote.

Janet Glucksman, Bel Air Ridge Association Alternate, asked if we have pictures, which there were some available.

Gary strongly suggested that everyone to go by the neighborhood and lot, to better understand what they will vote on.

Nickie asked where the Small Lot Subdivision Ordinance came from; how it got passed, etc., and asked, in regard to the idea that by building six things where one single family house was affords more people to be able to live in Bel Air, what will this do to those people who live in their single family houses? She noted it seems that what's new supersedes history in this city and expressed the idea that some in Code LA want to get rid of single family houses altogether. She added that because a law is a law doesn't mean that it is appropriate and applicable everywhere. (She later added that the Bellagio property is not "underutilized" and that what may work at Hollywood & Western is inappropriate at the base of a hillside.)

Larry stated that there seems to be uncertainty whether this City ordinance is enforceable; that without exceptions, if State Law conflicts with a City Ordinance, it gets trumped by the State Law, and without safe harbor for the ordinance, it will not hold up in court. He would like to look at the Map Act and the ordinance, to come to the conclusion if the Ordinance has teeth.

Gary asked *Larry*, with his experience in law and real estate, to research this, to share with the developer and residents, to be sure we're dealing with the same facts. *Larry* will get a copy of the ordinance and work with *Jamie* on it. *Gary* authorized calling the City Attorney if needed.

Tony Tucci explained that the Small Lot Subdivision Ordinance has been around since 2004, and that these are "by right" projects. He noted Councilmen *LaBonge & O'Farrell* have talked about these being problematic in their communities, and that in November 2013 a motion passed (the Council File existed for 2 years) and that it has been asked that the guidelines be updated. *Noah* confirmed that they just were updated and are now in the PLU Committee, will go to the City Attorney and to Council for final approval. *Noah* added that it was pushed by Mayor *Eric Garcetti* in 2004 for Hollywood.

Gary asked *Noah* for a copy of the updated design guidelines, so he could send it to everybody.

Irene asked *Noah* if he could extrapolate from Hollywood to Bel Air. He replied that he would not extrapolate, but said that it was pushed by the development community, to use for "underutilized" lots in 2004. It was a density move and it does apply to the whole city.

Nickie asked how this meets standards in calculations in both the Hillside Ordinance & Hillside BMO; whereupon it was noted that this is a different zone and doesn't apply to the hillside.

Jamie was asked if there is a motion, to which he replied that this is a discussion to see if you can get a consensus to bring back a motion. *Larry* concurred. *Jamie* noted that the developer

has made a lot of effort to meet with community and should be given credit for engaging. As to the need to separate what we think the law should be, and how to advocate for the change in the law, which we are empowered to do as a body, toward application of the current law to a proposed project, in order for us to retain legitimacy as an organization we have to separate those two things. We need to get our facts straight before we take a position – particularly to understand why it’s not by right, and if it is truly by right and if you believe that this developer has met the reasonable requests of the neighbors to go above and beyond. First we need a consensus before coming back for a proposed motion.

Don Loze commented that whenever an ordinance is passed by City Council, there is a file referring to its legislative history and there is an indication in the history about what the ordinance was really intended to do. He stated that he is not convinced that this Small Lot Subdivision act is intended for the purpose of what it’s being done with it here.

Gary asked that we get the documentation and figure it out. *Don* is not available for that at this time, but suggests that whomever is doing that research ask for the file, as he cannot do it. *Nickie* said she would take on that responsibility, with the help of someone else, such as *Bruce*.

Gary and *Larry* requested copies of documentation relative to this act, any legislative history regarding adoption of this ordinance, how the Council viewed it, and how it squared with the Map Act.

Gary asked for a motion to continue this to the April meeting, *Robert* so moved; *Robin* seconded.

Jamie asked for a vote on who approves and who is opposed. *Gary* noted that we would need to call a special meeting to do that because the motion is not on calendar. There is a lot of information that we still need on this very important issue; we want both sides to have an opportunity. *Farhad* stated that he has the ordinance.

Gary stressed that this is important, not only for us but for the entire City. He assured that we will make every effort to get this done by the next meeting. He strongly suggested that everyone to look at the street, to engage the homeowners and move this along.

Michael Kemp stated that on 03/31 the Advisory Agency can take action on this. *Gary* asked if it can be continued for a month. This will be both on the Land Use calendar and our calendar as a motion to recommend approval or disapproval of developer’s plan.

c. Medical Marijuana Shop in Bel Air (Discussion) - *Michael Kemp*

- Shop opens on Sepulveda & Moraga, across from Bel Air Bar & Grill & Chevron Gas Station. Consider contacting City Attorney who has started to look at criminal prosecution where shops have opened without proper approval, per Noah Muhlstein of CD5. (TABLED)

18. Santa Monica Mountains Conservancy Report - *Travis Longcore* – No report

19. Ad-hoc “I-405 Sepulveda Widening Improvement Project” & Metro Update on Sidewalks @ Skirball Bridge to Mulholland -- *Irene Sandler* – No report

Updates from the following 4 Ad-Hoc Committees, established on 01/22/14:

20. **Ad-Hoc Committee for a Red Flag Alert System** – *Chair, Hillary Slevin*, President of Benedict Canyon HOA – No report
21. **Ad-Hoc Special Committee on Use of Financial Surplus Before End of Fiscal Year** – *Chair, Jamie Hall*, with *Alan Fine*, *Treasurer*
Alan noted that at the time of the next meeting, we will need to vote on how to use the \$10,000 balance.
He suggested contacting Outreach and Emergency Preparedness.
Jamie will contact *Robin, Chuck, Irene, Andre, Janet, Cassandra* and *Robert* and welcomed anyone who wants to discuss ways to potentially use those funds, brainstorm ideas so he could present same to the next meeting.
Gary mentioned that they will need a budget for those ideas.
Jamie will bring the concept plus the proposed budgets.
Chuck brought up the availability of the template used in the past by EP for door hanger information signs, as something that can be discussed at the committee.
22. **Ad-Hoc Standing Committee on Los Angeles 2020 Report “Monitoring City’s Solutions & Actions”** – *Chair, Andre Stojka & Co-Chair, Tony Tucci* – No report.
23. **Ad-Hoc Transit Committee** – *Chair, Ramin Kolahi* – No report. Ramin is no longer on the Board. If anyone else is interested in taking over this issue, please notify Gary.
24. **CD5 Report** – Planning Deputy, *Noah Muhlstein* & Council Deputy, *Gurmet Khara*
Noah offered comments above in the PLU Committee report with regard to the Bellagio project; otherwise, no specific CD5 report given today.
25. **Council District 4 Report** – Field Deputy & Deputy of Housing and Transportation, *Sharon Shapiro* – No report.
26. **Traffic Committee Report & Police Advisory Board Report** – *Robert A. Ringler*
Next LAPD West Bureau Traffic Committee: Wednesday April 9, 2013 at 8:30 a.m. at the West Los Angeles Community Police Station, 1663 Butler Avenue (This meeting was subsequently rescheduled.)
27. **Private and Public Schools News** – No report.
28. **New Business / General Announcements:** (Discussion & Possible Action)

L.A. City Central Collections System - Don Loze – No report.
Council File #: 14-0600 (FY2014-2015 City Budget Proposal)
29. **Meeting adjourned at 9:25 pm.**

**NEXT MONTH – We Will Have Special Guest, *Ron Galperin*, City Controller, who will speak on
“A View of the Financial Status of the City”**

NEXT BABCNC MEETING: April 23, 2014 @ AJU

AGENDA POSTING LOCATIONS

These are the posting locations on file with the Dept. of Neighborhood Empowerment:

- Bel Air Foods (formerly “Bel Air Market”), 2323 Roscomare Rd · L.A., CA 90077
- Glen Center Postal Service 2934 1/2 N Beverly Glen Cir L.A., CA 90077
- Laurel Canyon Country Store 2108 Laurel Canyon Blvd, L.A., CA 90046
- Glen Market, 1603 N Beverly Glen Blvd., L.A, CA 90077
- Bel Air Bar & Grill, 662 North Sepulveda Blvd., L.A., CA 90049

EXHIBIT "A"

Agenda Item #16 – Complete motion as presented by WRAC states:

Housing Unit Audits Motion: WRAC requests the City Controller, the Housing Department and the City Council to AUDIT all income restricted units built under SB1818 and all RSO units and buildings that replace pre-1978 buildings:

SB1818 Hollingsworth Chapter 928, statutes of 2004: amends the density bonus law (Gov. Code 65915, which references section 50079.5, 50105, 50053, 50052.5, 3334.2, 50093, 50079.5 of the Health and Safety Code)

Effective January 1, 2005:

Applicants are eligible for a range of density bonuses up to 35% based on the percentage of affordable units in a development.

Applicants are also eligible for an innovative new land donation density bonus.

Localities are required to offer at least 1-3 incentives (reduction in parking, for example), rather than one, based on the percentage of affordable units in a dev.

The moderate income density bonus is applied to PUD's (Planned Unit Developments) not just condo projects.

A flat 20% density bonus is given for all senior housing.

RSO (Rent Stabilization Ordinance) The purpose of the Rent Stabilization Ordinance (RSO) is to protect tenants from excessive rent increases, while at the same time allowing landlords a reasonable return on their investments. Following a moratorium on evictions for the purpose of major rehabilitation, the Los Angeles City Council removed major rehabilitation as a legal reason for eviction under the RSO. Ordinance 176544, effective May 2, 2005, establishes the Primary Renovation Program which includes major rehabilitation. The Rent Adjust Commission (RAC) of the City of Los Angeles is responsible for adopting policies, rules and regulations to carry out the purposes of the Rent Stabilization Ordinance. A complaint can be filed by a tenant who believes that an owner/manager/agent has committed a violation of the Rent Stabilization Ordinance of the City of Los Angeles.