

# Allen Matkins

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## **Via Electronic Mail**

May 9, 2022

Task Force of the Planning and Land Use  
Committee  
Bel Air-Beverly Crest Neighborhood Council

**Re: Planning and Land Use Committee Meeting May 10, 2022 - Agenda  
Item #10**

Dear Task Force Members:

As counsel for the Bel Air Glen Homeowners Association (HOA) regarding the HOA's proposed street vacation project (PS-1435-MSP, Env-2020-2854-CE) (Project), I ask that the Task Force advise the Bel Air-Beverly Crest Neighborhood Council (BABCNC) Planning and Land Use Committee (PLUC) that it defer any decision and recommendation on the Project, which is on its agenda tomorrow, May 10th.

The HOA's President, Ken Linzer, spoke with Robin Greenberg by phone on April 8, 2022 letting her know that the HOA was investigating other options for the Project based on the feedback received from the Task Force, to which Mr. Linzer was told to let Ms. Greenberg know when the HOA had an update on those other options. The HOA continues to evaluate other options for the Project based on the issues and concerns raised during the HOA's meetings with the Task Force. These potential alternatives include, among others, applying for signage aimed at reducing cut through traffic, an alternative measure strongly advocated by the Task Force and Bel Air Ridge HOA at the Task Force meetings. It takes time with the HOA's engineers and a careful assessment of the costs and feasibility of these alternatives before the HOA can determine the next course of action. Since it is not clear at this time whether the HOA will proceed with the Project as currently designed, it would be premature and inappropriate for the Task Force, PLUC and BABCNC Board to take a position on the Project until the HOA completes its evaluation.

We therefore request that the Task Force propose that the PLUC and BABCNC Board defer any recommendation on the Project for three months. Within this period, the HOA intends to return to the Task Force and PLUC with proposed changes to the Project that the HOA determines are appropriate, desirable and feasible. In exchange, the HOA would extend its commitment not to request a City hearing be set on the Project, which commenced when the Task Force began its work, before the HOA returns to the Task Force and PLUC with an updated proposal.

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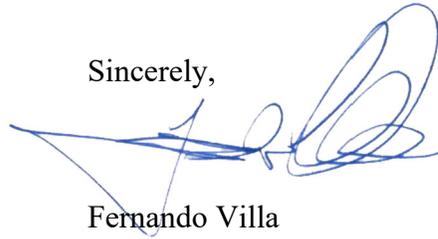
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The May 10<sup>th</sup> PLUC agenda refers to a Task Force proposal and possible recommendation on the Project as an attachment, but it is not attached. The Task Force has not previously informed the HOA about any such proposal or recommendation. In the interest of transparency and fairness and given our previously expressed concerns about the Task Force's process (see attached another copy of Mr. Linzer's April 20, 2022 letter to the Task Force), we ask for a copy of this attachment in advance of tomorrow's PLUC meeting.

For all the above reasons, we ask that the Task Force and PLUC not adopt any position or recommendation regarding the Project at the May 10, 2022 meeting tomorrow.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fernando Villa", with a stylized flourish extending to the left.

Fernando Villa

FV

cc: Kenneth Linzer  
The Honorable Paul Koretz  
Jarrett Thompson  
Jane Pelico  
Travis Longcore



Homeowners Association

April 20, 2022

Bel Air Beverly Crest Neighborhood Council  
Task Force Members  
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Re: BEL AIR GLEN HOMEOWNER'S ASSOCIATION STREET VACATION APPLICATION

Dear Members of the Bel Air Beverly Crest Neighborhood Council Planning and Land Use Committee Task Force:

On behalf of the Bel Air Glen Homeowners Association, we'd like to thank you again for your time and energy in exploring with us traffic safety measures our community seeks to implement. As we and the vast majority of our residents have stated, we have grave concerns about the public safety impacts that endemic, dangerous cut-through traffic has on our neighborhood, and the majority of our residents (more than 90%) vigorously support our Association's proposed street vacation and other traffic control measures (the Project)..

We are dismayed, however, by the Task Force's decision to invite to our Association's March 21, 2022 Zoom meeting with the Task Force, persons who are avowed, known, and strident opponents of our proposed street vacation efforts. We had understood from the Task Force that the Task Force members wished to meet exclusively with our Association's duly elected or appointed representatives separately from the Bel Air Ridge Homeowners Association Board members to discuss possible alternative solutions to the serious traffic and pedestrian safety problems our Association's residents face.

Having this private meeting would, by its nature and intent, encourage a robust, candid and good faith exploration of, hopefully, mutually agreeable ways in which our community and our neighbors could eliminate these problems. Instead, the participation of these three strident opponents – each actively at the forefront of our Project's opposition and each invited to that March 21 meeting without prior notice to or with our consent – had the effect of quashing any such candid exploration. In doing so, the Task Force risked a conflict-ridden, argument-driven exchange, furthering these opponents' challenge to our proposed traffic and safety solutions.

We appreciate and embrace the Task Force's oft-stated desire to serve impartially in its quest to assist the Bel Air Glen and the Bel Air Ridge communities in seeking a mutually satisfactory solution to our Association's traffic problems. Inviting vocal opponents of our Project to what we had been led to believe was to be a candid, productive, separate meeting, however, seriously undermines any appearance of impartiality by the Task Force. One can only wonder whether known, active *supporters* of our street vacation Project invited to the Task Force's separate, private meeting with the Bel Air Ridge HOA Board members? To our knowledge, they were not. How then would having exponents of Bel Air Ridge's opposition to our Association's proposed solution attend our Association's private meeting with the Task Force promote impartiality and even-handedness?

Unfortunately, the presence of these persons at our last meeting only served to elevate our Association's concerns about the Task Force's lack of impartiality, based on certain Task Force members' prior remarks critical of our proposed street vacation Project; even going so far as to suggest our Association should abandon this Project in favor of other measures they prefer, such as speed bumps or empirically deficient measures such as select signage. These previous Task Force members' remarks coincide in virtually every manner with the views expressed by the three invited opponents (none of whom have experienced the dangers of cut through drivers), whom we didn't expect to attend our Association's exclusive meeting with the Task Force, nor that with the Bel Air Ridge Board members. We don't recall hearing any statements from Task Force members acknowledging the merits or efficacy of our proposed street vacation Project in stopping dangerous cut through traffic, which affects residents of our Association.

We hope and ask that the Task Force consider our Project in a fair, impartial manner, but worry that its members' leanings expressed so far and inviting Project opponents to our private discussions with the Task Force might suggest otherwise.

We look forward to our next meeting with you, which will not include any non-elected or appointed members of our Association, at which we plan to discuss the actual issues being presented to the Task Force in light of our previous offer to provide equal access to all Bel Air Ridge residents who reside east of Beverly Glen Blvd. and those Bel Air Ridge residents who reside west of Beverly Glen Blvd. who request or require such access in our ongoing efforts to seek a mutually satisfactory resolution of our serious traffic safety conditions.

And as mentioned to Ms. Greenberg recently, our Association is in the process of exploring with the City some of the alternate measures advanced during our previous sessions to consider the likely success the City has had with some of these measures in combatting serious cut through traffic safety issues.

Please consider our Association's discussions with you with the best interests and safety of our community in mind and free of bias. The safety and well-being of our families depend on it.

Thank you again for your time and assistance.

*Kenneth Linzer*

Kenneth A. Linzer  
President  
Bel Air Glen Homeowners Association

*Cc:*  
*Paul Koretz, Councilman District 5*  
*Jane Pelico, Chief of Staff*  
*Jarrett Thompson, Deputy Council District 5*  
*Travis Longcore, Board Member*