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VIA E-MAIL (paul.koretz@lacity.org)

October 2, 2021

The Honorable Paul Koretz
Councilmember, District 5
Los Angeles City Hall
200 North Spring Street, Suite 440
Los Angeles, CA 90012

Re: Proposed Vacation of Public Right of Way
Project: VAC-E1401394

Dear Councilmember Koretz,

I am sending this correspondence to convey my opposition, in the strongest manner possible, to the above vacation of public right of way proposed by Bel Air Glen Homeowners Association ("BAG").

I am a resident of the adjacent Bel Air Ridge Homeowners Association ("BAR") and am also a member of its Board of Directors. While I am not writing this letter in my official capacity, I am enclosing a copy of the August 13, 2021 correspondence from the BAR Board of Directors to the Bureau of Engineering, voicing our association's official opposition to the proposed vacation.

There has been a litany of vociferous opposition from BAR residents, and many who previously sent their own letters to the Bureau of Engineering are now sending similar letters to you, as it appears that the proposed vacation is progressing through its chain of approvals.

As I read through the emails and correspondence I have been copied on, several things have become clear: a) very few homeowners outside of BAG have received actual notice from the city, b) BAG has sent correspondence to select members of BAR, attempting to garner their support but stating information and plans contrary to those contained in their official application, and c) because of the preceding, there is now a tremendous amount of confusion and uncertainty as to the scope, timing, negative impacts – and most importantly the deadlines to oppose – the proposed vacation.

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My professional background is in commercial real estate development and investment, and I have been in position similar to that of BAG on past matters. If I had made some of the errors or omissions outlined below in a professional capacity, I would have been raked over the coals. Following are my key takeaways from my brief review of the limited documents I've been able to find online:

The proposed vacation directly impacts 100% of all landowners east of Beverly Glen and north of Briarwood Drive, as well as the majority of landowners west of Beverly Glen and north of Nicada. Very few have received actual notice or request for consent and waiver.

This area has two distinct groups of stakeholders aside from the general public: BAG, comprised of 220 units and BAR, comprised of 377 units. In addition to the 128 individual BAR units east of Beverly Glen, BAR has significant recreational facilities and land directly abutting the proposed vacation area, meaning that all members of BAR – not just those whose units are east of Beverly Glen – are stakeholders. *The consent and waiver of all BAR residents should be sought, and such results considered, prior to this project proceeding.*

The closure of Angelo Drive at the southerly terminus of the proposed vacation area would eliminate one of only two means of ingress and egress for all of BAR's 377 units.

BAG has attempted to quell the concerns of BAR residents by claiming that access through its gates could be provided in the event of an emergency. Regardless of whether this can be practically or actually achieved, BAG has failed to address the extreme inconvenience to all BAR residents under non-emergency conditions, the remaining 99.99% of the time. BAR residents utilizing its fitness center, pool, and tennis courts, as well as those whose units are adjacent to the proposed south gate on Angelo, will be forced to drive 1.2 miles, rather than 0.5 miles, should they wish to exit the neighborhood northbound on Beverly Glen. *In a city grappling to deal with traffic congestion, this should be a non-starter.*

BAG's proposal leapfrogs solutions that would preserve free use of the public streets by other significant stakeholders, while limiting through traffic from the general public.

BAG claims that vacation of the public right of way is necessary to quell excess traffic through its neighborhood and suggests that increased property values are a pleasant secondary benefit. However, their actions prove otherwise. They have

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leapfrogged the first logical step to combat through traffic, of placing – and enforcing – “No Thru Traffic” signs where through traffic is currently able to proceed east of Beverly Glen Boulevard. This would serve to quell excess traffic, while preserving the access of the adjacent landowners and residents. Further steps should not be taken unless and until signage and enforcement proved fruitless. Legal precedent errs in favor of the free use of land, and while this matter has not reached the courts, it would not be inappropriate for the city to consider such a standard.

BAG’s application contains material inaccuracies and omissions.

Section II of the Environmental Assessment Form contains a yes/no questionnaire. The following answers provided by BAG are incorrect:

Question #3: “*Could the project result in ...annoyance to community residents.*” The answer given was “no,” but is, without question, “**yes.**” Even in the absence of the many complaints received by the city to date, a reasonably informed person should be able to ascertain that the answer is yes. To answer otherwise is a bald-faced lie. That BAG is attempting to convince the Bureau of Engineering and City Council to rely on an intentionally dishonest answer is without question unethical.

Question #6: “*Could the project cause increased traffic congestion... through a residential neighborhood, or cause increased street parking or loading? Could the project cause increased congestion in the use of other facilities...?*” The answer given was “no,” but should be “**yes.**” Plenty of other responses have addressed traffic that may back up onto Beverly Glen or the south section of Angelo, waiting for a gate to open. *None has addressed that the supposed excess traffic through BAG would now be stopped at the south Angelo gate, only to be forced to make a U turn on a narrow residential street and return to Beverly Glen – effectively doubling the amount of excess traffic on the south portion of Angelo and Briarwood through BAR.* I’m sure BAG would suggest addressing this with “No Thru Traffic” signs at Beverly Glen and Briarwood, but if that was a feasible solution to the claimed excess traffic, why haven’t they tried it?

Question #8: “*Could existing ambient noise levels be increased by the project...*” Again, the answer given was “no,” but should be “**yes.**” Conceding that BAG residents will quickly pass through the gates with a key-card, those without key cards will need to cue at the gate, waiting for it to be opened. This would include traditionally noisy delivery vehicles (Amazon, UPS, FedEx, USPS, etc.), household employees, construction vehicles, etc., all of which make significant noise and have tailpipe emissions.

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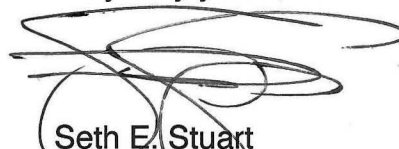
Question #11: "Could the project change or affect the continued use or enjoyment of a natural, ecological, recreational or scenic area or resource?" The answer given was "no," but should really be "yes." The northernmost two proposed gates are in the outer corridor of the "Mulholland Scenic Parkway." I'm sure that BAG would claim that being able to stroll the neighborhood sidewalks "in the heart of the Santa Monica Mountains" (as described on their website) is a key attribute of its community. Prohibiting public access to existing city sidewalks in the Mulholland Scenic Parkway should be avoided at all costs.

Question #26: "Could the project generate a controversy or result in public objections?" As with Question #3 above, the answer given was "no," but given the outcry and objections in the neighborhood, clearly "yes."

I'm obviously against this project. Personally – I'm furious at what BAG is attempting, and how they're going about it. I have spent a great deal of time on Angelo Drive during both morning and afternoon rush hour, and quite simply have not seen the quantity of traffic that would justify the measures that BAG is attempting, let alone the costs it would incur. The primary impetus is clearly to increase home values within BAG, and to masquerade as a traffic and safety mitigation project is deceptive and dishonest.

I cannot fault Bel Air Glen HOA for their desire to create a gated community with increased home values, but to do so at the expense of their neighbors, permanently altering the characteristics of the balance of our neighborhood for the worse, is shameful. I appreciate your time and consideration of my position on this matter.

Very truly yours,



Seth E. Stuart

cc: Jarrett Thompson (via e-mail: jarett.thompson@lacity.org)
Bert Moglebust (via e-mail: bertram.moglebust@lacity.org)
BOE case file (via e-mail: eng.landdev@lacity.org)

Encl.



August 13, 2021

Sent By Mail and Email To:

Bert Moklebust, PE
Principal Civil Engineer
Permit Case Management Division
Bureau of Engineering
Street Vacation Investigation Section
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Los Angeles, CA 90012
eng.landdev@lacity.org

*RE: VAC – E1401394 / Portions of Nicada Drive, Woodwardia Drive, and Angelo Drive
Vacation District*

Dear Mr. Moklebust:

We, the Bel Air Ridge Homeowners Association (the “**BAR Association**”), are writing to adamantly oppose the proposed vacation of right-of-way of the streets referenced above.

A few years ago the Bel Air Glen Association approached us to discuss their proposed vacation of the above-referenced streets and construction of gates thereon because many BAR Association homes are located east of Beverly Glen Boulevard, directly adjacent to the Bel Air Glen Association. We objected then for the same reasons we are objecting now: (i) in an emergency, the proposed gates will jeopardize lives by limiting ingress and egress; (ii) the proposed gates would increase traffic on Beverly Glen, an already-congested, major traffic artery (although it was never constructed to be as such); and (iii) the proposed gates would restrict or sever the main access road for BAR Association homeowners who live on Angelo Drive.

In terms of safety, first responders currently drive down Angelo Drive, the fastest route to many homes east of Beverly Glen. Waiting for two gates to open would add precious travel time. Emergency vehicles would most likely reroute—traveling half a mile south of Angelo Drive on Beverly Glen Boulevard and access Angelo Drive using Briarwood Drive. For someone in dire need of medical attention, such delays are likely the difference between life and death.

Also in terms of safety, experts have recently warned us that, because of climate change, our area has become a very high-risk fire zone. Indeed, two years ago the Skirball Fire required evacuation of all homes less than a mile away from our development. If a fire were to break out in our area, hundreds of homeowners would all need to evacuate immediately and time would be of the extreme essence. For example, the Glass Fire last September burned an acre *every five seconds*. We shudder to imagine desperate families waiting in line on Angelo Drive to get through not one—*but two*—gates, while a fire raged around them.

In terms of traffic, we have no doubt that during morning and afternoon rush hour, cars waiting to enter the proposed gate at Beverly Glen/Nicada Drive, would back up onto Beverly Glen Boulevard, which only provides single-lane traffic each way at such intersection. This additional traffic in an already congested corridor would affect not only our community, but surrounding communities as well. Moreover, the proposal *ignores* that this portion of Beverly Glen Blvd is a main north-south thoroughfare connecting the West side to the Valley and would, especially during peak rush hour times, add significantly to commute times while compounding traffic congestion not to mention cause added noise and air quality problems for residents along the corridor.

Finally, in terms of access, currently all BAR Association residents living on Angelo Drive traveling from the San Fernando Valley south on Beverly Glen Boulevard simply turn left onto Angelo Drive to get home. The proposed "exit gate" on Angelo Drive would block incoming cars. Thus, all Angelo homeowners--inside and outside the gates—would now be forced to either drive further south on Beverly Glen Boulevard to the gate entrance on Nicada Drive or even further south to Briarwood Drive (a half-mile detour), most probably in traffic—to get home every day. We question the legality of blocking BAR Association residents' direct route access to their homes— on a public street—in this manner.

To that end, we should also note that, according to Bureau of Engineering's basic instructions for requesting a street vacation (<https://engpermits.lacity.org/vacation/>), those who want to vacate streets are required to:

"Fill out the attached application completely. If possible, the signatures and/or consents of all property owners abutting the public right-of-way proposed to be vacated and of those who make use thereof for ingress and egress to their property should be included."

None of the BAR Association residents who "make use for ingress and egress" were contacted for their consent. Thus, again, we question the legality of this process.

We understand that Bel Air Glen is proposing these gates to alleviate traffic on Woodwardia (the street parallel to Beverly Glen Boulevard) at peak hours. We propose, instead, that they erect a "NO THRU TRAFFIC 3-7PM WEEKDAYS" sign on the east side of Beverly Glen at Nicada Drive, to achieve this goal.

We urge you to deny the vacation of our streets and preserve the safety of all concerned.

Very truly yours,

Board of Directors of the
Bel Air Ridge Homeowners' Association

cc: Paul Koretz (paul.koretz@lacity.org)
Jarrett Thompson (jarrett.thompson@lacity.org)