



Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting (Virtual)
Tuesday August 9, 2022 5:00 P.M.

Minutes

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage	X	
Robin Greenberg	X		Nickie Miner	X	
Don Loze	X		Jamie Hall <i>(Left by 6:06pm)</i>	X	X
Shawn Bayliss	X		Jason Spradlin <i>(Left by 6:06pm)</i>	X	X
André Stojka <i>(arr. <6:45 & recused)</i>	X	X	Ellen Evans	X	
Steven Weinberg		X	Cathy Wayne	X	
Maureen Levinson	X		Leslie Weisberg <i>(Left by 6:06pm)</i>	X	X
Stella Grey		X	Travis Longcore <i>ex officio</i>	X	

Chair Schlesinger called the meeting to order at 5:04pm, read the informational items on the agenda, led the pledge of allegiance to the flag, and called the roll with quorum met. Members Hall, Loze & Spradlin arrived shortly thereafter for a total of **13 present** & **3 absent**. By 6:06 pm, Members Hall, Spradlin & Weisberg left, with **10 remaining**. By 6:45 pm, Member Stojka arrived, however, while present, he recused himself.

1. The August 9, 2022 Agenda was adopted unanimously as moved by Wayne.
2. The July 12, 2022 Minutes (Attachment A) were approved as moved by Dr. Longcore.
3. There was no public comment on topics within the Committee's jurisdiction, not on the adopted agenda.
4. **Chair Report** – Robert Schlesinger noted that this is meeting will only be addressing item #5.

Old Business

5. 2830 Woodwardia Drive PS-1435-MSP ENV-2020-2854-CE

Project Description: Proposed vacation of public portions of Nicada, Woodwardia and Angelo Drive into private-only access along with improvements entry/exit improvements.

Applicant: Bel Air Glen Homeowners Association Representative: Margaret Akerblom, Fernando Villa [Allen Matkins Leck Gamble Mallor & Natsis, LLP] makerblom@allenmatkins.com, fvilla@allenmatkins.com <https://planning.lacity.org/pdscaseinfo/search/encoded/MjM3NzE20>

PLU Motion on the May meeting agenda: That PLU recommend that the Board approve a letter describing the work of the Task Force and taking a position on the proposal. (**Attachment B**)

Note: This item had been postponed 90 days from the May PLU meeting so that the applicants could prepare alternative traffic calming measures that might be tried before the street vacation application goes forward (see proposal articulated in **Attachment C**).

Applicant's Representative, Fernando Villa of Allen Matkins, et al., returned to speak on the project and respond to comments, accompanied by Kenneth Linzer, President of the BAG HOA, Leslie Gallin, on their Street Vacation Committee, and Aaron Green. **Mr. Villa** gave an overview of the project that he noted involves the privatization of certain segments of a handful of streets, a good number of which have been privatized since the inception of their community, and they are asking that the City privatize the remaining public segments. He noted that if the street vacation is approved, they will ask the City for approval of their private street plan, which shows improvements that will be maintained or added, and will demonstrate their financial commitment and resources that their community will provide. He noted

that the second application will be done subsequent to approval of the street vacation approval. They are ready to proceed. He believes the next steps, when the staff is ready to move forward, the committee and city council will make their recommendations.

He asked that we recall that the committee at their request asked for more time to complete their process for evaluating potential alternatives to the street vacation, as requested by this committee, and raised by some of the commenters. He noted that they have retained experts, traffic & construction building design expert, to try to come up with alternative that would reflect the comments/concerns expressed by this body and neighboring HOA, while achieving their goal to protect their community from speeding drivers who create serious safety and traffic hazards when cut through traffic drivers coalesce during peak periods, Monday through Friday, at Angelo and Woodwardia in particular.

[Members Hall, Loze and Spradlin were noted to be present by 5:18pm.]

Mr. Villa provided a detailed review of their recommendations including but not limited to options that they considered but will not be pursuing. He asked for our support, and that the committee withdraw the letter. He refuted various concerns, and noted that they have the financial wherewithal to fund the improvements. Board questions were asked and answered.

[During the Q&A, three members stepped out and we had 10 members present.]

Public Comment:

Amir Navab, President of Bel Air Ridge, Fred Gaines, Legal Representative, and Allen Gelston.

Mr. Navab thanked the task force for taking the time to look at the issues, and thanked Bel Air Glen (BAG) for participating in this process, for their willingness to taking an incremental step by step by step approach. He noted that they think street signs are very important, as they have also suffered through speeding throughout their community, and have tried to work with the City. They have found ways to curb cut-through traffic and are available to share those. He would ask that the detailed costs be shared with the taskforce and with them, BAR. He recommended re-balloting, and asked to partner with them, as they have 80 homes east side of Beverly Glen, and hopes they would take them as partners as they want to be involved in the methodology to ensure success. He thinks zero-cut-through is a little aggressive. He'd love to hear from or speak to the specialists, to learn how they will be able to stop cut-through traffic. He believes the City has conducted another traffic study of their own and would encourage meeting with the City to get the data from their most recent traffic study to see what the numbers show. He noted specific issues as to using Briarwood, whose access to Beverly Glen was never created for major traffic; that turning left is dangerous, and increasing traffic to both areas without any study is asking for trouble... He noted that during several presentations, it was noted that the children are in danger on Woodwardia, and thinks that they would try anything and everything to find solutions. He noted that they have solutions.

Fred Gaines, Esq. with Gaines & Stacy, spoke to address issues regarding the application sitting with the City now. He noted after months coming up with a list of alternatives, all of which were rejected out of hand except for one with no expert testimony or City person who said we will not do any of them, other than putting up no right-turn signs for one week and if peak-period cut-through trips occur on average over the five-day period – signage may reduce it to 50-80 percent and signage without enforcement – one week with signs will still have cut through traffic – He noted that what they are telling us is if that happens, we guarantee them now that we will not oppose their project. If they ask the City to put up signs and if the City doesn't do it in six months, we are asked to approve the gating. He thinks it's a ridiculous proposal. He noted that typically, the City does a CEQA process but BAG is asking to be exempted from CEQA. He thinks they should go through the process. He noted that the other legal issue that this council is being asked to do is to guarantee that we will not oppose... He noted that to guarantee that if they do this experiment and we have to take a position is not allowed, it is extremely weak, it is not a straightforward, honest and complete way to deal with the NC and BAR. He noted that there are formal ways to do it, with CEQA, an EIR, all of which are not offered by BAG. BAR is asking the City to do that, and thinks that the NC should ask that a detailed analysis be done.

Mr. Navab noted that at this junction that they were happy that BAG was willing to take an incremental approach. He thinks if you really want to... let's work with the City together. There have been measures that have been effective and to simply wave your hand and say it will not work in the neighborhood does not fly with them. He noted that even on Woodwardia, with the steepness of the street, he thinks there are exceptions for speed bumps. He noted that there is a proposal. The task force set out three items that they wanted to see addressed. The task force invited members to come and speak to us. He would encourage the vote to be as originally planned and for the task force to do their job.

Allan Galstian noted that he cannot support this proposal, thinks it is a shell game to have BAG gate its community to its neighbors' detriment and maintains that all of BAGs proposals be rejected at this time.

Public Comment:

Fred Marcus from the east side of BG in BAR noted that gating as proposed by BAG will aggravate traffic on the west side of BG, people commuting from LA to the Valley, and people from Nicada who can't get out of their driveways, and that we need to find solutions that will solve the problem for all of us, not just a specific community. It is also very inconveniencing for people on his side of BG, to go through two gates each time, or extend his trip another mile down Briarwood and down BG. If he doesn't have a fob, to go to the fitness center, he'd need to travel another mile to accomplish that. He is happy that at least they will give fobs to those on the other side of BG but wonders what about Ubers and taxis, etc. He noted that if in the future they don't want to give out all these fobs, there would be nothing the PLUC or LA City could do about it.

Carla Koehler, from BAG on the east side, noted that they are now proposing a no-right-turn on Briarwood from 3-7 that will affect all of us, including residents. Also, there is a public park... They want to put that on a BAG street as well as a BAR street.

David Van Iderstine, a resident of BAG, noted that he thought that there was an editing error as even one car of illegitimate cut-through traffic would be sufficient in their proposal to proceed with gates..., an average of a plus number. He noted that this proposal is something of a straw man. He noted even if you were able to get rid of illegitimate traffic, you'd still get cars that qualify as cut-through, because they would be in and out within the 15-minute period arbitrarily assigned to govern... you'd get school and work carpools at that time of day, cars that have turned in the wrong direction, e.g., one spouse picking up a child for soccer practice or a spouse for dinner in the Valley and zip out the other end, that is cut-through traffic because you are not going to stop every car to ask for papers, to establish that they live there. He opined that it is a meritless proposal, designed to try look like an exercise in good faith when it is anything but. He noted that he is troubled about some things that Council has said... He is not aware that anyone has suggested to WAZE that they "remove the streets in Bel Air Glen" asking how would visitors find a house. He suggested getting a copy of whatever communication WAZE has submitted. He opined that the only proposal should have been to adjust WAZE's programming so it no longer shows Woodwardia as a cut-through... He noted with respect to alleged overwhelming support from Bel Air Glen community, there never been a nay card made available to anyone to cast in a ballot, at that was at the open house when this matter was put to a vote in 2017; the so called ballot – mom and apple pie question submitted was – do you support the idea of gating our community to reduce traffic, reduce crime and increase property values? He noted that this is a proposal that does not satisfy any good faith obligation... only enables this association to proceed full speed ahead.

Leslie Gallin thanked Travis and the committee, and noted that for every objection they have provided us with the pertinent information. She refuted comments from BAR, noting that if we get to gating, it would be state of the art technology and that their homeowners and those on the east side will have total access through the community. She noted that her association is willing to listen to everything BAR has said. She noted that their HOA has 95% of homeowner's approval, and have provided all detailed information to us and the City. As to traffic control conversation, they are doing everything they can to mitigate this traffic. She has personally spoken to WAZE and Google Maps and cannot eliminate ourselves from those services... It is not an option to remove that but she noted that they have worked with their Planning Commission, designers, and all people necessary. She confronted comments as to BAR asking BAG if they can afford to do this and asked what their real concern is. She noted that their concern is protecting the community as a whole.

As to taking a left on Briarwood, it would take you down the hill. As to the young lady who spoke on the public park, the technology for the homeowners is that all of the exits would be pressure sensitive, so it would open on the way out. She wishes that we would allow Mr. Linzer, President of their HOA, to have a conversation with us.

Farryn Dickter noted that she is a resident/homeowner at Bel Air Glen for over 42 years and strongly disagrees with some of the information presented. She is against the proposal. She said that there has never been a detailed financial account of what this would cost and then a formal ballot measure. As to their 90ish percent approval, the postcards that were collected at a town hall meeting with a two-foot box that said yes and post cards that said yes; if you are for it please fill out the postcard. There was not a postcard for no. Not all household members were not present. There has never been a door-by-door by-door legal matter. They whispered on the side that this will be great for property value. She noted that she has taken movies of the streets and the traffic issue is significantly different, and is asking if her community has the right to impinge on the other community.

Pat Brill, resident of BAR, seconded what the lady just said about the so-called vote gathering, noted she was at that town hall meeting, and has video of it. She saw the people who were asked to sign the card if for, but if not, told to take a seat... they've cherry-picked this 95% and does not believe that this was 95%. She said she has had great success with speed bumps on Nicada which has an incline. She thinks the fobs were told for people to keep their mouths shut. There is nothing on the original application about fobs. She can't see why some ex con who drives for Amazon can come in, and use the code, noting that it is a security issue. To say they will give out thousands of fobs has not been thought through. She mentioned that even though Carla is against the sign, there is a sign no right turn, bottom of BG, just north of Sunset, that is very successful, as Mr. Gaines referred: Between 7-9 there is no right turn; people didn't pay attention, tickets were given out; now no one dares to make a right turn at Mapleton and Beverly Glen corner. She agrees with Mr. Galstian that it should be turned down tonight and rejected.

[Stojka was noted to be present at 6:47, with 11 members were present; however, he recused himself.]

Mr. Ken Linzer thanked the task force members and the PLU committee. He noted that initially BAR was in support and more recently there is opposition to the proposal, which is disappointing. He requests that the PLUC base whatever decision they chose to make, if there is any need for them to make a decision, vis-à-vis their application. He recalls the reason this may have been placed on the PLU agenda was not as a result of the BAG Association's request, but because there were members of the PLU committee opposed to this... His request is that they have listened to many of the concerns that were raised, have asked for but have not received any evidence of the claims made by those opposed to their application; including traffic studies, or that the statistic and data by their consultants are inaccurate. He believes he has worked very well with the Task Force, and noted that if there are suggestions they are open minded and willing to consider that. He noted that if the PLUC takes a position, which he feels is not necessary for the Committee to support or oppose it, if they believe some action should be taken this evening, he would respectfully request that it be based on facts, not inaccurate misrepresentations. He noted that Mr. Villa went through the three items on page 2 of Attachment "B" where the task face concluded that they were unable to support the application, and noted that some of those were not factually accurate. He thinks rather than taking an action based on false facts that would undermine the legitimacy of the PLUCs actions, they encourage the PLUC to act in their genuine discretion, that the outcome of this evening is to either to revise Attachment B to more accurately reflect the actual state of events or provide the BAG Association time to provide us the specific details without getting into a he said-she said. He noted that they could simply provide the data to discredit items #2 and #3 in Attachment B. He thanked the task force and PLU Committee.

Danielle Cohen from BAR noted she is against the gating for all the reasons many people mentioned.

1818** 288** identified himself as a resident of Woodwardia Drive, noting that he wished they were given notice of this meeting. He has seen the traffic get worse and worse, having been here since 2011. He related a story of a driver taking a U-turn almost running over the small child, believes in safety over cost 100% of the time and supports the gate, the vacation and privatization of his road so this never happens again.

Joan Herman member of BAR Board of Directors noted to Mr. Linzer that we have to agree to disagree and that she has a different memory of why this came before the NC. She noted it was Paul Koretz who said he wanted to hear what the NC thought about this issue, and she believes this is one of the purposes of NCs, to raise the voice of communities. She thanked the task force and the PLUC for their thoughtful approach and urged a vote against this proposal, because the latest proposal that we have heard is largely a shell.

Board discussion was held, following which President Longcore noted that our purpose under the charter is to advise the City on items that come before it. One of the areas of importance are developments. This is a proposal for development that has been put in to the City that involves vacating a street and putting up gates but from the perspective of the NC, it is like a house proposal. We look at the proposal, as to the laws and the knowledge we can gain from public testimony, then we write something to the City, where the city will be made, recommending support, deny or take no objection, or we think that this doesn't comply with CEQA unless you do an EIR, all of which we have done

President Longcore noted that this evening we had before us a letter drafted by the task force, put on hold for 90 days that says we don't support the proposal for various articulated reasons. We have a proposal from the applicant now. Longcore concurs with the assessment that we can't adopt the proposal as presented to us, and if we do adopt it, he will submit it to the City Attorney tomorrow; however, he doesn't believe we can tie the hands of a future board by some action like this trigger mechanism. He noted that his assessment as a non-lawyer but as the president is that we can't actually adopt the proposal put to us. If not technically illegal, the ramifications of agreeing to something that binds a future board is something we should not be getting into. He has a problem with that element of it, and has to make sure we follow the law and get advice from our City Attorney.

At this point, there was no motion on the floor; there was a motion at the previous meeting to adopt the letter and take a position... He noted that any option is open to anyone who wants to articulate it now, citing a wide range of examples of what could be said. The floor was opened to make a motion or start from the letter and amend that.

He encouraged the committee to look at this like any issue they have engaged in, and give some guidance to the Board on what advice should be given to the City on this development proposal.

[At this point in the meeting there were 11 members present but Stojka recused himself.]

Motion that this committee oppose the application was moved by Member Loze and seconded by Member Miner. Board discussion was held. **President Longcore restated the motion** that the PLUC recommend to the Board to recommend that the application for the vacation be denied. A vote was taken with 4 yeses from Members Greenberg, Loze, Miner and Evans, 1 no from Member Bayliss, 5 abstentions from Members Levinson, Savage, Wayne, Schlesinger and Longcore, and 1 recusal from Member Stojka. The **motion carried** and would be the recommendation to the Board.

The meeting adjourned at approximately 7:30 pm, as moved by Member Wayne, to September 13, 2022.

ACRONYMS:

A – APPEAL
APC – AREA PLANNING COMMISSION
CE – CATEGORICAL EXEMPTION
DPS – DEEMED TO BE APPROVED PRIVATE STREET
DRB – DESIGN REVIEW BOARD
EAF – ENVIRONMENTAL ASSESSEMENT FORM
ENV – ENVIRONMENTAL CLEARANCE

PM – PARCEL MAP
PMEX – PARCEL MAP EXEMPTION
TTM – TENTATIVE TRACT MAP
ZA – ZONING ADMINSTRATOR
ZAA – ZONING ADMINISTRATOR'S ADJUSTMENT
ZAD – ZONING ADMINISTRATOR'S DETERMINATION
ZV – ZONING VARIANCE
MND – MITIGATED NEGATIVE DECLARATION

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