



Catherine Palmer <council@babnc.org>

PLU 4/11 Meeting, Agenda Item 7 - Statement of Opposition

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To: PLU@babnc.org

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Dear Members of the Planning & Land Use Committee and Bel Air Beverly Crest Neighborhood Council,

We join in the objections of our neighbors regarding EF's proposed new use of the AJU campus. EF's proposal is not a re-use of the campus; it is an entirely new use. AJU is a religious University that trained clergy and provided part-time religious education to local students; the majority of their student body did not live full time on campus and their calendar generally followed an academic year cycle with ebbs and flows in their use. EF proposes a non-religious English language study abroad program for international students coming to Los Angeles to have a good time; the majority of their student body will reside on campus full time, 365 days of the year.

The problems with EF's proposal stem from its for-profit status: EF's target housing and enrollment numbers are high **because** it is a for-profit enterprise. We would not expect the same issues from a non-profit educational use like AJU was.

The focus of our objection is in anticipation of EF giving the Planning & Land Use Committee the false impression that it has been a diligent, forthright, and good faith partner to the Community. **Nothing could be further from the truth.** Below is a non-exhaustive list of examples of EF's bad faith since the first meeting with our two HOA boards in October, 2022:

1. **October, 2022.** EF was made aware of the Community's concerns regarding security, traffic, parking, and fire safety in our first meeting with them in October, 2022. Despite a \$60 million+ price tag for the property, EF incredulously claimed that they did not know how many students the campus could house or accommodate, nor did they have any idea how many students they planned to enroll or house in their program.
2. **November - December, 2022.** EF provided their first proposal in November, 2022, planning to reduce parking by half, more than doubling the housing, and significantly increasing the total enrollment. EF hosted meetings in December for the Community to hear about its proposal. In those meetings, the Community voiced vehement opposition to the proposal.
3. **December, 2022.** The Community provided written opposition to the proposal's parking, housing, and enrollment numbers on December 22, 2022, and requested a copy of the current CUP. EF immediately acknowledged receipt but did not provide the CUP. The Community believes EF was intentionally hiding the CUP because it would be abundantly clear that EF's proposal far exceeded the existing CUP's limits and is not a re-use of the campus but an entirely new use.

4. **January, 2023.** In early January, 2023, without notice to the Community, EF filed permit applications with the City of Los Angeles without any changes to its proposal in response to Community concerns and began to schedule various presentations and meetings with Councilwoman Yaroslavsky's office, the Mulholland Design Review Board, and this Neighborhood Council. This aggressive maneuvering prompted the Community to retain counsel so as not to miss deadlines or fail to appear at important meetings or hearings. The Community provided a list of questions and concerns to EF regarding the details of its proposal to attempt to come to a meeting of the minds.
5. **February, 2023.** While EF was proceeding full steam ahead with the City, EF dragged its feet with the Community. EF did not respond to the Community for over one month, until February 15, 2023. A response to certain basic concerns, such as fire safety, remain outstanding many months later. The CUP was also finally provided in February, 2023. When accused of acting in bad faith by hiding the fact that their proposal obviously differed from the current CUP, EF responded that the CUP was a public record and we could have gotten it ourselves.
6. **March, 2023.** EF represented in meetings and in writing on March 11, 2023 that they would not present to the Land Use Committee of the Neighborhood Council on April 11, 2023 until there was a consensus between the HOAs and EF. EF said they were working to revise their first proposal in response to the concerns from the Community. There is no such consensus, yet EF is proceeding with its plan to present anyway. EF informed the Community that it was proceeding with this presentation with only two business days' notice, during the Passover and Easter holidays.
7. **EF's New Proposal, March 20, 2023.** EF presented an entirely new proposal on March 20, 2023. This plan *increased* housing numbers to 700 (the most important issue), while disingenuously claiming EF was responding to the Community's (lesser important) concerns. Under EF's March 20, 2023 proposal, a majority of its students will be housed on campus. This in itself is a new use of the campus.
8. **EF's Disregard for Life.** Despite being made aware that fire safety and evacuation was a principal concern to the Community in our first meeting in October, 2022, six months have passed and EF still has not provided a plan. EF only has said they plan to obtain a "shelter in place" order. The Community has objected to such a plan and EF's disregard for human life, even at their first lower numbers. It is insulting to the intelligence of a reasonable person to increase the number of students housed on campus from 200 to 700. Please see the attached articles for an explanation of why a "shelter in place" plan in a high-density population, with only one egress, is a very dangerous idea: <https://www.redding.com/in-depth/news/2019/04/25/california-wildfire-shelter-place-plans-questioned-evacuation-preparation/3427075002/>; <https://www.nbcbayarea.com/news/local/sheltering-in-place-during-a-wildfire-a-dicey-strategy/157987/>; <http://harmonygrovefiredanger.com/shelter-in-place/>
9. **EF's Conflict of Interest.** EF recently hired the same consultant that the Community previously hired to advise us on how to challenge EF's proposal. The Community shared confidential information with the consultant. Despite the Community's objection, as far as we know the consultant has not withdrawn from advising EF.
10. **EF's Other Lies.** EF represented to the Community that all of their students would have a VISA (and therefore a background check); we later learned this was not true. EF represented to the Community that none of their students would have cars on campus; this was also not true as exceptions are made. EF represented that the current CUP allows for 1400 total enrollment; this is not true and it is not intended to accommodate this many full time students. EF represents that their Code of Conduct is sufficient to control for the anticipated burdens on the Community; from our own investigations at other EF campuses, we know this is not true. EF represents

that their on-campus food offerings mitigate the demand for students using food delivery services that will increase unplanned traffic in the Community; from our own investigations at other EF campuses, we know this is not true. On-campus food choices are limited and very expensive. (This will be even more of an issue at this location than it is at other campuses because of our remote location, away from any businesses or restaurants.)

As can be seen from this litany of examples of bad faith, EF is disingenuous when it claims it has been working diligently for months with the Community. It has been unresponsive in addressing our primary concerns; it has proceeded with the City permit process without our input or involvement; it has attempted to hide documents and blindside the Community during the process; and it has made last minute changes to its positions and proposals right before important dates and meetings.

We urge the Planning & Land Use Committee not to approve any proposal by EF unless and until it begins to actually work in good faith with the Community and revise its proposed use to align more closely with AJU's CUP. We are hopeful that it becomes apparent to the Planning & Land Use Committee that the Community has attempted to be engaged in this process, but that we do not have a good faith partner and, understandably as a result, are proceeding with cautious skepticism of EF.

Sincerely,

Dr. Babak Barcohana

Elizabeth Barcohana, Vice President of Casiano Estates Homeowners Association