



Draft Minutes

**Bel Air-Beverly Crest Neighborhood Council Regular Virtual Monthly Board Meeting
Wednesday January 24, 2024, 7:00 P.M.**

NAME	BOARD SEAT	Present	Absent
Barcohana, Elizabeth	Private Schools Grades K-6 (Selected 09/27/2023)	X	
Bayliss, Shawn	At-Large Traditional Stakeholder (2025)	X	
Evans, Ellen	Community Interest At-Large (2025) / VP – Legislative Affairs	X	
Sandy Ryan	Casiano Estates Association (Appointed/Seated 01/24/2024)	X	
Mark Goodman, MD	Bel-Air Association	X	
Greenberg, Robin	Faith-Based Institutions (Re-selected 07/2023) / VP – Operations	X	
Gros, Mirco	Doheny-Sunset Plaza Neighborhood Association	X	
Hall, Jamie	Laurel Canyon Association	X	
Holmes, Kristie	Public Educational Institutions (2025)		X
Kadin, David Scott	Benedict Canyon Association	X	
Kamin, Aaron	North of Sunset District (2025)	X	
Kwan, Robert (Bobby)	Laurel Canyon Association	X	
Vadim Levotman	North of Sunset District (2025)	X	
Longcore, Travis Ph.D.	Custodians of Open Space (Re-selected 07/2023) / President	X	
Loze, Donald	Benedict Canyon Association	X	
Mann, Mindy Rothstein	At-Large Traditional Stakeholder (2025)		X
Miner, Nickie	Benedict Canyon Association / Secretary	X	
Paden, Andrew	Bel Air Hills Association	X	
Palmer, Dan	Residents of Beverly Glen		X
Ringler, Robert	Residents of Beverly Glen		X
Roessel, Angela	North of Sunset District (2025)	X	
Jaye Rogovin	Bel-Air Association	X	
Sandler, Irene	Bel Air Crest Master Association	X	
Savage, Stephanie	Laurel Canyon Association	X	
Schlesinger, Robert	Benedict Canyon Association	X	
Smith, Maureen	Commercial or Office Enterprise Districts (2025) (arrived at 7:31pm)	X	
Spradlin, Jason	Holmby Hills HOA		X
Sroloff, Gail	Bel-Air Association	X	
Steele, Timothy Ph.D.	Bel Air Glen District (2025) / Assistant Secretary	X	
Stojka, André	Bel Air Ridge HOA	X	
Templeton, Patricia	Bel Air Hills Association		X
Wayne, Cathy	Laurel Canyon Association		X
Weinberg, Steven	Franklin-Coldwater District (2025)	X	
Weisberg, Leslie	Bel-Air Association		X
Wickers, Alonzo	At-Large Youth Rep (2025)	X	
Wimbish, Jon	Private Schools Grades 7-12 (Re-selected 07/2023)	X	
Total:		28	8

President Longcore called this all-online meeting to order at 7:00 PM, and related information pertaining public comment and the new rules as to the LA Neighborhood Councils to meet virtually under SB411. Following the flag salute, Dr. Steele, Assistant to the Secretary, called the roll with quorum met. Maureen Smith arrived at 7:31pm.

Motion to ratify Sandy Ryan who will be replacing Dr. Robert Garfield as Representative for Casiano Estates Association **passed** with no objection as **moved** by Stojka. Dr. Longcore expressed appreciation of and thanked Dr. Garfield for being on this board, having served that community many years, and for his service and good humor. He welcomed Sandy Ryan, who provided some background on himself and that he is looking forward to helping.

1. The Agenda was **approved** as **moved** by Savage.
2. **Motion #1** to approve **October 25, 2023 Board Meeting Minutes (Attachment A)** **passed** unanimously, as **moved** by Stojka,
Motion #2 to approve **November 15, 2023 Board Meeting Minutes (Attachment B)** **passed** unanimously, as **moved** by Stojka.
3. **General Public Comment: Robert Schlesinger** noted that as PLUC no longer meets in person at TreePeople and are able to meet online, we may review six projects instead of four. **David Kadin** thanked Robert Schlesinger and the PLU Committee for their devotion to Land Use.
4. **Comments of Elected Officials & Agencies:**
Haley Martinez, Office of Councilmember Katy Yaroslavsky, CD5:
 - 1) They are working with LADWP and MRCA to reopen Franklin Canyon, hoping construction starts soon, and are drafting a license agreement so MRCA can bear the costs of that road.
 - 2) The Federal Aviation Administration (FAA) is seeking public comments on the Southern Shift Environmental Assessment (EA) for proposed amendments to the Bob Hope “Hollywood Burbank” Airport, Southern Departures. CD5 will ask for extensions for public comment. *[The FAA subsequently extended public comment period for 60 days to **March 24, 2024**. Submit comments by email to 9-AJO-BUR-Community-Involvement@FAA.GOV or by mail to Federal Aviation Administration, Operations Support Group, Western Service Center, 2200 216th Street, Des Moines, WA 98198.]*
 - 3) They are working on Traffic Safety measures on North Beverly Glen. Questions were asked and Haley responded to each from Member Hall regarding Council meetings returning to Van Nuys Civic Center, from Member Paden about Senderos Canyon and Member Miner about squatters and party house in an empty mansion on Beverly Grove.

Sidney Liss, Office of Councilmember Nithya Raman, CD4:

- 1) The 2024 Homelessness Count aka Point in Time Count is ongoing, with volunteers needed in Hollywood and West Hollywood. <https://www.theycountwillyou.org/>.
Legislative Development: Emergency Declaration on Homelessness was renewed as a step to keep funding streams open to make the work on homelessness in the City possible. They received the BABCNC’s letter regarding insufficiencies of the Hillside Construction Regulations (HCRs). He appreciates remedies suggested. Their Legislative and Planning Teams will review our recommendations. Check with him on status of their work. Questions were asked and answered, with Member Schlesinger asking who is responding to our Land Use Committee’s HCR letter & Member Loze noting that numerous items were not included in the letter. Sidney noted that we can schedule a meeting.

Octaviano Rios, Department of Neighborhood Empowerment: 1) There is a new process to submit Event Approval Forms; instead of emailing to staff, submit forms in the Funding Portal; a 30-day deadline will be strictly adhered to. 2) Roberts Rules Made Simple training is available, paid by the Department; it is especially good for Chairs or aspiring Chairs. Login credentials are available. 3) Register our homelessness liaisons; reappoint if not done.

Joshua Marin-Mora, Office of Assemblymember Rick Chavez Zbur: The Retail Theft Committee met and has a second meeting 02/09. Asm. Zbur's bill package addresses the homelessness crisis, the housing crisis and public safety crisis. The Assemblymember is looking at some new committees. Josh noted that there is a \$38bn deficit, per the Governor.

Nick Ferrari, LAFD Battalion Chief for the Hollywood area, serves our communities in Bel Air-Beverly Crest. He reported that last year in 2023, the LAFD responded to roughly 418,000 calls for service, 1,437 of which calls were from the BA-BC area = 3.9 calls per day. He noted that Fire Station #71 is our local station. He discussed their operational response times, Christmas tree recycling and storm activity; and noted that they provide free sandbags to homeowners. He discussed preparing for rain storms and how to deal with debris flows and mud slides, in anticipation of further rains in February. nicholas.ferrari@lacity.org.

Marian Ainsley from the Mayor's Office & Amanda Laflen from Supervisor Lindsey Horvath's Office were working on the Homeless Count and not present.

5. **President's Report:**

1) Dr. Longcore cautioned us as to "spear-fishing" spam on the NC email, where someone impersonates him and we respond to that email; a classic scam; that email is not from him.
2) Regarding email, we currently have a Public Records Act (PRA) Request that we are responding to, and suggested taking this time to value use of our board email addresses for NC business, noting that we would still need to share our personal email if a PRA Request comes.
3) Per recent conversations, he has learned that we are not "City Officials" as members of the NC; but are "Public Officials" and should never represent ourselves as a "City Official." We are *not* technically "Elected Officials" – though elected. This is related in our bylaws. He stressed that if you are going to identify yourself as a member of a NC, unless authorized to speak on behalf of the NC if you have been empowered to do that by the NC, you need to clarify that you are speaking in your personal capacity and do not represent the NC or the City of Los Angeles. Dr. Longcore added that our City Attorney is available to help us comply, protect us and ensure that we don't do anything that jeopardizes what the City is doing. Our job is to advise the City and keep our NC hats explicitly to that. You can say you are "a member" of a NC, but need to disclaim in public & say "I am not speaking on behalf of the NC" unless specifically authorized.

6. **Committee Chair Reports** – None.

7. **Discussion and Possible Motion:** To write a letter to the appropriate City of Los Angeles Departments, (e.g., the Mayor's office, DONE and City Council) requesting integration of our Neighborhood Council email system into the City of Los Angeles IT Department in order to save greater than \$3,000 annually. Levotman moved this motion, with a second from Gros, and the motion passed by 26 yeses and 2 abstentions from Dr. Longcore and Secretary Miner.

8. **February 2024 Meeting Location**

Motion to hold the February and March Board meetings via videoconference, because the TreePeople Conference Center in Coldwater Canyon Park will not be available in February and March, was approved unanimously as moved by Stojka.

9. **Monthly Expenditure Reports**

Motion to approve the November 2023 Monthly Expenditure Report (Attachment C) passed by 22 yeses, 0 noes, 0 abstentions, 8 absences & 6 ineligible as moved by Levotman.

Motion to approve the December 2023 Monthly Expenditure Report (Attachment D) passed by 22 yeses, 0 noes, 0 abstentions, 8 absences & 6 ineligible as moved by Levotman.

10. **8429 W CRESTHILL ROAD 90069 ZA-2023-2055-ZAD ENV-2023-2056-CE**

Filed: 03/24/2023. APN: No.: 5555-012-024

Assigned/Staff: 04/13/2023.Yamillet Brizuela

Project Description: Zoning Administrator Determination to allow 6 additional retaining walls in lieu of the 2 maximum allowed. 48 inches max height, solely to enable planting of native trees & shrubs to control erosion. Zone R1 SFD w/hillside garden

Owner of Record: Mdn Living Trust

Applicant: Matthew C. Cox coxeandc@gmail.com 323.382.3333

Architect: Agapito Fernandez Civil Engineers Abfcivill@gmail.com 818.626.2088

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjY1OTgw0>

Dr. Longcore introduced this item, noting it was heard at the PLU Committee twice (on November 7 and December 12, 2023.)

PLU Committee Motion: To support the project with the caveat that there be a covenant that runs with the land that designates that these walls are only to support trees and landscaping and not to set a precedent for retaining walls was **moved** by PLU Chairman Schlesinger. There was no public comment. Questions were asked and answered. Member Evans explained that while they are retaining walls they are more like terracing, not part of a structure nor facilitate a structure, to which the applicant, Mr. Cox agreed with Evans, noting that this was terracing to plant native trees and plants to control erosion. The motion **passed** by **24 yeases, 2 noes**, by Savage and Sandler, and **1 abstention**, from Dr. Longcore. (*Wickers was offline briefly.*)

11. **1255 N CLARK ST 90069 ZA-2022-8436-ZAD ENV-2022-8437-CE**

Project Description: Remodel of an existing two-story sfd for a 316 sq ft addition and new roof deck in the R1-1-HCR zone.

Applicant: Mark K Robinson & Olivia Grigorjeva. mjr1969@gmail.com 323.304-0892

Trustees of the MOR Family Trust 1255 N Clark St. WeHo, CA 90069

Representative: Isaac Lemus isaac@crestrealestate.com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYyNzU40>

PLU Committee Motion to support the project with the caveat that the roof deck be required to display a large no smoking sign, and that only shielded low intensity lighting be used on the roof deck was **moved** by PLU Chairman Schlesinger.

Isaac Lemus gave a brief explanation of the project and reasons for going into the entitlement process, previously reviewed by PLUC. Discussion was held. Questions were asked & answered.

Amendment to delete the portion of the recommendation that says “be required to display a large no smoking sign” from the motion was **moved** by Member Gros and **seconded** by Member Levotman. Following discussion, the motion to remove the no-smoking sign **failed** by **5 in favor**: Gros, Roessel, Levotman, Barcohana, and Greenberg; **19 opposed** and **2 abstentions**: Longcore and Savage. The no-smoking sign piece stays in the main motion.

Amendment to remove the rooftop deck portion was **moved** by Member Kwan.

Per Isaac, there is no entitlement for the rooftop deck; he explained that what is being proposed, request is as to height and setback zones (pointing). Dr. Longcore clarified and Member Kwan agreed that this to *not* support the rooftop deck but to allow the determination for the bedroom, and that would also eliminate the lighting because there would be no deck; and that this amendment is to support the project but *not* if you include the deck in the overall project. Isaac showed the context and shared some data on “neighborhood compatibility” as discussed at the PLU meeting. The amendment to *not* support the deck but support the expansion into the airspace where it is currently prohibited was **seconded** by Miner, and following discussion, a **vote** to go with the addition but *not* the deck **failed** by **0 yeases, a majority of no votes** and **3 abstentions** from Dr. Goodman, Member Miner, and Dr. Longcore. The main motion persisted.

Amendment to add the word “**prominently** display a large no smoking sign” was **moved** by Member Loze and was approved by 12 yeses, 11 noes and 2 abstentions from Dr. Goodman and Dr. Longcore. We will add “prominently” to the motion.

Main motion with the addition of “prominently” before “display” – to support the project with the caveat that the roof deck be required to **prominently** display a large no smoking sign, and that only shielded low intensity lighting be used on the roof deck **passed** by **23 yeses, 2 noes** from Savage and Kwan, and **2 abstentions** from Dr. Goodman and Dr. Longcore.

12. **1261 N Tower Grove Dr. ZA-2022-9453-ZAD-ZAA ENV-2022-9454-EAF**

Project Description: Remodel of existing 2-story single-family dwelling into a 1-story, 6,755 sq ft single-family dwelling including additions to the existing footprint; new 2,330 sq ft accessory living quarters; and haul route request in the RE20-1-H-HCR Zone.

App: 1261 Tower Grove, LLC / **Rep:** Benjamin Eshaghian [Crest Real Estate]

See Submittal Docs: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYzODEy0>

Background: The Board took action on this project at the November Board meeting. After that action, a committee member pointed out that part of the position adopted by the Board was not accurate under State regulations. The item was brought back to the PLU Committee in January, which voted to suspend the rules and reconsider the item. The previous motion stated that construction of the project would not be allowed under the State Fire Safe Regulations because of the lack of a 20-foot continuous paved roadway to the site. This prohibition applies to new construction not associated with an existing developed parcel, and therefore does not apply. The PLU Committee recommends that the Board suspend the rules to reconsider this item and then to adopt a modified position on the project.

PLUC Motion #1 to suspend the rules and reconsider the position previously adopted on 1261 Tower Gove (requires 2/3rds vote) was **moved** by someone who voted on it before, Member Weinberg and **seconded** by Member Gros, adjusting a position we took before, that we need to rectify. There was no objection to unanimous consent, and the motion **passed**.

PLUC Motion #2 to take no objection to the proposed rear yard setback proposed for 1261 Tower Grove, and to express strong concern over ongoing approval of homes on streets that fail to meet the State’s Fire Safe Regulations was **moved** by Members Stojka and Loze.

Discussion was held and included but was not limited to Member Loze requesting clarification on two issues to be fully considered on the discussion on whether this should be approved: 1) the flag lot, and ability to extract material in ingress and egress through a narrow roadway less than 20 feet; and, 2) whether an ADU is to be built by an extraction of 3,000 CY of dirt. Tony Russo was asked to speak on the project and for relevant context. Tony acknowledged that it is an awkward lot where the street frontage on Tower Grove has a weird flag shape, and the reason for the rear yard request is because what is the side yard is considered a rear yard just based on how it is aligned to the frontage of Tower Grove... because the entry is parallel to the rear line (pointing) though it effectively functions as a side yard it is considered a rear yard, which is why they are making a request for the small addition to the house.

Tony noted that an ALQ downslope of the house is also being proposed. He noted that on Tower Grove Drive, there are many points wider than 20’ and there are pinch points. There was a haul route reviewed as part of this. They have no objection to revised support or nonsupport from the NC, regarding the request for the setback relief that we were in support of at committee, and they are fine with certain recommendations of the relief from the CPR.

Hall related that, looking at the regulations, the theory is that a remodel is not a new building construction. Dr. Longcore responded that Member Templeton went over this in detail and he would rather that before we send out letters that make that assertion that we have external

confirmation and are that we are safer here drawing attention to our concern. Hall noted that he was involved in the passage of this, and doesn't want to concede this issue. Tony noted that they do *not* have a date for the ZA hearing at this time

Amendment to postpone a month and re-agendize this for future discussion was **moved** by Hall, and **seconded** by Miner. Member Loze would to add to this that we would like clarity on the **haul route and if that was for an ADU** which he noted would not be permitted in the first place, and to clarify the applicability of the remodeling code. Dr. Longcore read the language that convinced him – from an interpretation by the SMMC in a letter to the Planning Department dated May 15, 2023, from Interdiction subchapter 2 of the regulation. Member Hall noted that this is a very important issue and he needs to validate what SMMC said. Further discussion was held, and the **motion to postpone passed** by **21 yeases, 0 noes** and **3 abstentions** from Longcore, Steele and Goodman. Tony asked to be kept informed of the return date.

13. **9171 W THRASHER AVE 90069 ZA-2023-5121-F ENV-2023-5122-CE**
9181 W THRASHER AVE 90069

Filed: 07/27/23 Assigned/Staff: 09/12/23. Yasmin Diaz

Project Description: SFD with over-in-height fence.

Construction of a 6-ft tall fence and gate along the front property line for approximately 131 feet long. Lot Area: 17,914 sq ft. A new 6,851 sf SFD w/ 2-car garage in the process of being constructed. This is in lieu of max height of 3' 5" allowed in the front yard setback area. LAMC Section 12.21-C, 1 (g)

Applicant: Elliot Aryeh [Elliot Aryeh Living Trust]

Representative: Chloe Parker [Company: Pacific Crest Consultants] 818-591-9309

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjY5MTU00>

PLU Committee Motion To recommend that the Zoning Administrator *not* grant the request for an over-height wall/fence because of its location within the street dedication area and because it was not considered as part of the original permit application and should have been because it would have triggered review of the project design so that the street dedication area could have been protected. **Moved** by Schlesinger/committee.

Member Evans related what was discussed at the PLU Committee, that this is about a long tall fence that the committee realized was partly in the dedication in the street. Dr. Longcore added and that they came for permission on the fence after having constructed the structure, which precluded any design changes that might have allowed the 20-foot roadway area and dedication area to be protected, because now they had boxed in the City to say if we are going to have a fence, it has to go here, because otherwise they cannot use their off street parking.

Amendment that we add “request that the Bureau of Engineering *not* issue a revocable permit for the proposed fence within the street dedication and thus will protect the public interest of having the street widened in the future. While the nature of revocable permits is temporary, we are well aware that the City almost never requests to clear dedicated land from previously installed structures” was **moved** by Member Evans. **The amendment was clarified** that we want to add that the BOE *not* issue a permit because if they give a permit, they will never revoke it and the street will not be widened. The amending motion was **seconded** by Miner.

Discussion was held on this including but not limited to clarification on the fence, regarding which Dr. Longcore related that the fence is in the area that is designated in the street dedication area. Member Evans noted that it is not a fence but is a wall. Member Barcohana asked for clarification on the significance of the fence, to which Dr. Longcore explained that the problem is the combination of it being in the street dedication area, and having not been considered as part of the original permit application for the construction that could have led to the street dedication

being protected with some design changes, but now cannot be done because they went with an ministerial permit for the building and then came back for a permit for the fence that needed permission to go where it is going to go because now it can't go anywhere else because there was no consideration of it in the permitting process for the structure, and, it is over height. The recommendation is to *not* approve the over-in-height aspect of this, because of where it is. Member Evans also spoke to the greater issue of the “piece-mealing” that projects do: they pretend that the project doesn't require review... and then there is a surprise review at the end, when everything else is done. She noted that if they knew they were going to do this, we should have known about it and all the issues we care about at the beginning, and that didn't happen.

Motion as Amended: To recommend that the Zoning Administrator *not* grant the request for an over-height wall/fence because of its location within the street dedication area and because it was not considered as part of the original permit application and should have been because it would have triggered review of the project design so that the street dedication area could have been protected.

Amendment that we add “request that the Bureau of Engineering will *not* issue a revocable permit for the proposed fence within the street dedication and thus will protect the public interest of having the street widened in the future. While the nature of revocable permits is temporary, we are well aware that the City almost never requests to clear dedicated land from previously installed structures” **The amendment was clarified** that we want to add that the BOE *not* issue a permit because if they give a permit, they will never revoke it and the street will not be widened. The amending motion was **seconded** by Miner. Evans' amending motion **passed** by all but **1 no** from Loze and **4 abstentions** from Stojka, Barcohana, Schlesinger, and Dr. Longcore.

Motion as Amended: The BABCNC recommends that the Zoning Administrator *not* grant the request for an over-height wall/fence because of its location within the street dedication area and because it was not considered as part of the original permit application and should have been because it would have triggered review of the project design so that the street dedication area could have been protected. BABCNC furthermore requests that the Bureau of Engineering *not* issue a revocable permit for the proposed fence within the street dedication and thus protect the public interest of having the street widened in the future. While the nature of revocable permits is temporary, BABCNC is well aware that the City almost never requests to clear dedicated land from previously installed structures. The motion **passed** by 19 yeases, 1 no, and 4 abstentions.

14. **Proposed CEQA Thresholds Update**

Discussion & Possible Motion: To approve the draft letter for the Noise and Vibration CEQA Update including comments on Historical Resources Thresholds (Attachment E).

Background: This letter, from the PLU Committee, was already submitted to the City, after which point City Planning extended the comment period for the public, so the same letter is now before the Board for consideration. Longcore introduced this item, noting that the PLU Committee acted on this and sent a letter from PLU Committee, and due to an extension on public comment to February 19th, we are taking it up today. The motion was **moved** by Stojka/Miner and **approved** by unanimous consent of all 24 members present and voting.

15. **Congestion Pricing in Santa Monica Mountains Zone**

Background: Metro has been investigating the use of tolls on local roads to reduce traffic, raise revenue, and reinvest those funds into non-roadway transportation projects (such as rail and buses). It has narrowed the areas investigated to traffic in an out of downtown, traffic on I-10 west of downtown to Santa Monica, and traffic north-south over the Santa Monica Mountains from I-405 to I-5 (including tolls on Sepulveda Blvd, Roscomare Rd, Beverly Glen Blvd, Benedict Canyon Drive, Coldwater Canyon Ave, Lookout Mountain Ave, and Laurel Canyon Blvd. Such tolls would affect hillside residents running local errands in addition to cross-

mountain commuters. Brentwood Community Council has prepared a letter opposing congestion pricing until after the Sepulveda Transit Corridor and Metro D/Wilshire Line have been completed and their effect on traffic assessed (Attachment F).

Discussion and Possible Motion: To write to the Mayor and Councilmembers expressing a position on the Metro proposal to impose tolls on local roadways in the Santa Monica Mountains Zone.

Dr. Longcore introduced this item on the agenda at the request of BABCNC Traffic Committee Chairwoman Sandler and opened the floor for a motion and position. Member Barcohana spoke as a homeowner and as a representative of the schools in her district, and for all the commuting, opining that it is not necessarily cost effective to bus all the kids, so parents come up to Wise in five to six carpools a day, and this will have significant impacts on those parents and the people who live there.

Motion that we draft a letter in opposition, similar to what Brentwood Community Council (BCC) did; however, do *not* delay as BCC suggested, until Metro comes in; rather, express flat out opposition to the concept of imposing a toll in LA which is impractical was **moved** by Member Barcohana. Dr. Longcore asked if, in her motion there could be certain exemptions, to which Member Barcohana opined that that would *not* work; you'd have to have an administrative process to exempt people, which would take resources, then you are leaving people who commute to and from work to pay the toll. Dr. Longcore paraphrased that this is to oppose the motion in its entirety as infeasible, stating reasons including the schools in this area, and commuters, and echoing the BCC letter but *not* their approach of wait and see. The motion was **seconded** by Member Sroloff.

Discussion was held, with Member Stojka preferring to "wait and see" but be opposed to it, for all the reasons outlined in the Brentwood letter. Member Ryan agreed with Member Barcohana, that this is impractical at best but to try to toll this is not feasible. Member Paden spoke on behalf of the Bel Air Hills Association (BAHA) who has discussed this and neither opposes or supports this right now; would like more information, technical information, and would request a presentation by the City to the NC before making any premature decision, noting we haven't seen a prototype or any data and are lacking information and context to make a decision. He noted that, as an HOA for Roscomare Road, this could go either way for his area, could reduce or increase traffic on Roscomare... He'd like to slow down and get the data and information to make informed decisions. He understands that congestion pricing is meant to make commutes better, take traffic off the streets and promote transit, and we need a lot of information before making a decision. Member Evans agreed with Member Paden and would vote against the motion for that reason. She noted that there is a big project meant to do a similar thing and would like to understand how those interact. Member Miner thinks it is a terrible proposition that will punish various people, the canyons and the kids, and there are other alternatives to lessen traffic between the City and the Valley.

Traffic Committee Chairwoman Sandler is concerned that this is driven by UCLA, who wants the station at their campus no matter what, and would be leaving us with all the problems, without paying a dime. She thinks it seems like taxation without representation, noting that these are our roads... there is no alternative to the freeway..., a way to cross our mountains; and our canyons are the only way we have to cross the mountains..., and this is a terrible imposition for all the people of Los Angeles to ask them to pay money to ask them to be on a very narrow canyon road that cannot be enlarged and say let's do it. Member Levotman opined that this is another way of taxing citizens and he totally opposes this. Member Stojka thinks they presented so few facts and so little practicality he thinks that we should vote no and have them explain why we should change our vote.

The motion is expressing that we draft a letter that says no way, no how now; we know this is something we know we don't want for our community **passed by 17 yeses, 5 noes** from Members Evans, Greenberg, Paden, Bayliss, and Savage, and **1 abstention** from Dr. Longcore who noted that if we want to change our vote later, will do with a 2/3rds vote.

16. Drug Rehabilitation Facilities in Very High Fire Hazard Severity Zones

Discussion and Possible Motion: Whereas California law requires cities to permit drug and alcohol recovery facilities of 6 or fewer patients within any residential zone; smoking rates among those with substance abuse disorders are three to four times higher than the general population; 75% of those who receive drug or alcohol treatment smoke cigarettes; smoking outdoors in Very High Fire Hazard Severity Zones is prohibited but staffing levels at substance abuse recovery facilities may preclude enforcement; the BABCNC will therefore request that the Mayor and City Council support changing State law so that substance abuse facilities are not automatically approved in Very High Fire Hazard Severity Zones.

Public Comment:

Pamela Pierson, M.D. related that she is preemptively raising concerns about a developing problem with a rehab facility of questionable background at Mulholland and Nicada. She noted that the owners have had a previous location in another part of Beverly Hills and Bel Air that opened in 2005, that was closed by the State in 2013, when the Marriage and Family Counselor therapist who was part of the ownership with her non-medical husband had some adverse events, one resulting in a death at the facility. Now that they have moved, as of 2019, to the location at Mulholland, they have had another death from an overdose, which, in itself is a problem for her.

Dr. Pierson related that this came to her attention due to the growing presence of parked vehicles on the easement, which is illegal on Mulholland that has caused her to wonder, as there are five huge homes there, that these parked cars must have been by the employees, as they were the same cars every day. She noted that her neighbors on Nicada had the same problem; however, with the help of the council districts, have made headway with some no-parking signs on Nicada. The signs are temporary on cones to discourage but they are being ignored, removed, and they are moving further down the street. There are 15-30 vehicles every day and usually 5-10 overnight.

Dr. Pierson related that she had asked someone whom she met walking on the street who works there about the patient-to-caregiver ratio, and was told that they have about 10 people at the facility; she doesn't have proof but she understands that the limit is six. She noted that the problem a lot of people don't appreciate is that when we refer to a "residential facility," like a nursing home or an advanced care facility, a hospital or an acute care facility, we are talking about *ongoing residence* of the patient; it does *not* mean it is in a residential neighborhood. She recognizes that there has been lobbying in Sacramento to impose the privileges of residential zoning, to impose these businesses in residential zoning; however, when there is no one medically involved, there are problems. It is even more severe than smoking. She noted that she had someone in crisis come up and ring her doorbell. She concluded that the potential problem is that it appears that this organization plans on purchasing the other four residences; potentially we will have a small acute care hospital located in this area, and we need to discuss this with the relevant council offices to prevent this from occurring.

Mr. Jacob Lipa related that he lives at Mulholland and a private driveway that services three homes, and one of which is being advertised as a "sober home." He noted that he is dealing with a medical facility, has found that there is not enough parking in that area for anyone who doesn't live there on a regular basis, and it is in a high fire risk area. His problem is that there has been no one in the City to talk to; when speaking to the Council District office, Fire Department, Department of City Planning or Building and Safety, nobody pays attention. He noted that this is

being advertised and will happen, at which point it will be very dangerous. He noted that because it's a small area, they need our help; that this will get worse, not just for himself, and even one home for six, where the Fire Department can barely get on that driveway, it's a difficult situation.

Dr. Longcore showed a screenshot provided by Member Templeton of permitted treatment facilities in the hills here, noting that by the account of it, there will be more. This is posted to our website at <https://www.babcnc.org/assets/documents/16/meeting65b0a7732b944.pdf> and lists
14475 Mulholland Drive LA 90077 – Evergreen Fund / Red Door Life
1690 Coldwater Canyon Drive 90210 – Safe Haven Recovery, Inc.
2200 Coldwater Canyon Drive 90210 – Faith Recovery Center
1771 and 1775 Summitridge Drive 90210 – 90210 Recovery Inc
1427 Bluebird Avenue Los Angeles Ca 90069 – The Melrose Group
8020 Jovenita Canyon Drive Los Angeles Ca 90046 – Breathe Weho Treatment Services

Dr. Longcore continued that, as alluded to by Dr. Pierson, California law requires that we allow facilities with six or fewer patients be located in any residential zone. He opened the floor to the Board to discuss, noting that the proposed motion could be done or we could take many different approaches on this item tonight.

Member Miner related her experience with one of these facilities in Benedict Canyon 20 years ago, that was Elizabeth Taylor's old property... which was a nuisance factor, with many people coming for daily therapy sessions, on narrow winding streets, with no room for parking, a nuisance and danger factor for the whole area. With the councilmember, they got rid of it. She feels that you cannot have these rehab centers taking over the hills; as it is known that if addicts try to stop their addictions, they will smoke, smoking cigarettes is prolific in these rehab homes and they are putting in more and more residents into these homes, with two, four or six in a bedroom in bunks. It becomes very unsavory that neither the State or County or City has business doing. We should to oppose this.

Member Levotman related that he is familiar with the two types of licenses in these facilities, Detox and for Rehab, and sometimes both in one facility, almost by right. If they follow the rules of the State and get City LAFD to approve it and post certain smoking designated signs throughout the facility, it will be approved. He noted that we are trying to advocate that the State *not* to have "by right" approval but we can force the LAFD to *not* approve the facility and as such the State *not* issue the license. He noted that this is the route we can take.

Member Evans shared that she has had several of these in her neighborhood, some have had issues with mostly issues of parking and people hanging around on the street, but the one on our Attachment "G" on Bluebird, she had no idea about or heard about, and thinks it seems it is a problem with operation as much as a problem with the permitting.

Member Stojka noted that this is a growth industry with fentanyl and other things going around, and sadly there is a lot of rehab going around, and there are people who are financing these single family homes, stack it with as many people as possible, in the middle of a residential neighborhood with kids around, etc. He noted that the people (who have spoken) have gone to everyone with no satisfaction. They have come to us and thinks we should do something about it.

Member Gros related that it seems to him that it is a State law we are trying to address, and that many of the issues are a result of how the facilities are being managed. He was not aware of facilities near where he lives, and has no issues in his area. He opined that we do have a mental health and drug addiction health crisis, and do need, as a nation and the city, to provide places. He does not see a reason why his neighborhood, if properly reinforced, including the no smoking signs, why we should not provide housing for people who need housing and provide treatment as

well. He understands the high fire zone but thinks if properly managed – it is a question of management of the facilities.

Member Kamin related that they had one of these residential treatment facilities about 1500 feet from his house on the eastern side of DSPNA, and it was a bit of a nightmare... They had neighbors complaining that their seven-year old girl couldn't go outside anymore to play because the gatherings were so big, and they turned vulgar. It was really not the place – unfortunately he had to learn firsthand – for facilities in neighborhoods. We might want them to coexist peacefully but it falls a lot on the operators. This place was also abused, there was an excess of six residents; got shut down by the homeowners, who loved to rent it out for what they thought was extra money at the time. He thanked Member Levotman, noting it can become local by referring our concerns to the Fire Department.

Member Barcohana expressed appreciation of Mr. Kamin for being conscientious on how these facilities can affect families with children. She would propose 1) Pursue the fact that we have reason to believe they have exceeded their capacity, and, on that basis, their permits should be revoked. She asked if we can send our position to ASMs Zbur and Irwin as well as State reps in this area, asking if we can go to them directly if this is a CA State Law.

Member Barcohana related that she is glad she heard this tonight, because she frequently drives on Nicada and Mulholland and had seen the cars there that didn't make sense, which she noted would be congested and dangerous, particularly when people are walking around. Dr. Longcore appreciated that Member Barcohana raised 1) Policy question 2) Situation with one particular.

Mr. Jacob Lipa noted that they are at a different address on Mulholland near Roscomare. There is no parking on Mulholland, which will be difficult, and for sure there is no parking along their driveway.

Dr. Longcore noted that we cannot go directly to the State but can advise the City that we would like them to advocate with the State to solve this issue and seek an exemption, then each of us, as individuals, not on behalf of the NC, can take that position and show it to somebody at the State.

Member Evans asked what enforcement authority gives the permits and how a person would report a facility that exceeds residents and is poorly managed, to which Dr. Longcore noted that we that with the support of the City Councilmember, it has successfully been done in the past. Dr. Pierson pointed out noted that the State law didn't exist at that time, the way it is currently. She noted that the property he is referring to has decided to take it up an ante by obtaining the federal oversight organization, so that they will be involved with billing, to be able to bill insurance, MediCal and Medicare, and that they brought on a Medical Director who has lost his license in NY and CA for fentanyl use. She anticipates that they are ramping things up but now will be involved with some discretion on how the federal government will allow them to conduct themselves, which is a lot more constraining than the state agency... She noted that these people are grifting and there are a lot of complaints about the way they are taking peoples' money.

Motion to request of Council Districts 4 and 5 their assistance in coordinating with the neighbors of these two sites specifically to investigate that all of the avenues of ensuring compliance and addressing their concerns are happening, so that request is coming from us as a neighborhood council for their help was moved by Kwan and seconded by Stojka. (*This is part I.*)

There was one objection from Levotman because in order to close the facility, they have to be out of compliance; each facility is reviewed on an annual basis and there are also surprise visits; that it is by State and there is nothing we can do locally. (Dr. Pierson interjected that they haven't been reviewed except every 39 months.)

Member Levotman referenced the agency that Dr. Pierson mentioned, noting that it is not a federal institution but is a private certifying body... who has nothing to do with licensing; the only thing they will go to the facility and make sure everything is up to code; that's it but if you want to shut down the facility, there are avenues to take with the State. Dr. Longcore noted that what we can do as a NC is to advise that the City involve itself that in this particular location from the complaints from our community, there are issues going on. Member Levotman thinks while we can to go our City leaders, to help us, but it could be a waste of time. Longcore noted that he understands that, but that there may be possibilities such as parking enforcement to make it less comfortable for the illegal operation, if it is that, and our Councilmembers may be better able to get action from the State. Mr. Levotman added the point that the number of parking spaces has never been part of the licensing.

Amendment that the CD offices educate their constituents on how to seek enforcement when there are problems was **moved** by Evans, **seconded** by Levotman and **passed** without objection.

Amendment: (the original motion on agenda item #16) Whereas California law requires cities to permit drug and alcohol recovery facilities of 6 or fewer patients within any residential zone; smoking rates among those with substance abuse disorders are three to four times higher than the general population; 75% of those who receive drug or alcohol treatment smoke cigarettes; smoking outdoors in Very High Fire Hazard Severity Zones is prohibited but staffing levels at substance abuse recovery facilities may preclude enforcement; the BABCNC will therefore request that the Mayor and City Council support changing State law so that substance abuse facilities are not automatically approved in Very High Fire Hazard Severity Zones. This was **moved** by Stojka, and **seconded** by Greenberg.

Amendment to also recommend that the City direct the LAFD to carefully review applications for safety in the very high fire hazard severity zone (VHFHSZ), to not issue clearance approving it was **moved** by Levotman, **seconded** by Longcore and **approved**.

The motion as amended passed by **17 yeases**, **2 noes** by Gros & Paden, and **1 abstention** by Evans.

#17 through #19 were deferred due to time constraints.

17. **Van Nuys Airport**
Council Files 23-1338 and 23-1339
18. **Gas-Powered Leaf Blowers & Garden Equipment**
Council Files 23-0002-S96 and 24-0055
19. **Request to Revise the LAMC/Zoning [WRAC] (Deferred from November.)**
Background: <https://westsidecouncils.com/wp-content/uploads/2023/07/Background-Revise-LAMC-Zoning-1.pdf>

Dr. Longcore thanked everyone for participating in the democratic process and the meeting adjourned at 10:12 pm to return on February 28, 2023.

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