

P.O. Box 27404
Los Angeles, CA 90027
323-663-1031
president@hillsidefederation.org
www.hillsidefederation.org



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Michael LoGrande
Director of Planning
Department of City Planning
200 N. Spring Street, Room 525
Los Angeles, CA 90012-4801

August 6, 2012

Re: Mulholland Scenic Parkway Design Review Board Codes and Regulations

Dear Director LoGrande:

The Federation of Hillside and Canyon Associations, which represents 40 homeowner and resident associations and approximately 200,000 constituents spanning the Santa Monica Mountains, is concerned that the Planning Department is not instructing the Mulholland Design Review Board (DRB) in a manner sufficient to comply with the rules and regulations governing the DRB's actions and proceedings. At our July 2012 meeting, the Federation voted unanimously to request that the Planning Department take corrective action immediately to assure that the DRB comply with the laws governing its operations.

The Federation requests that the Planning Department review DRB policies and practices to assure future DRB compliance with the applicable laws as follows:

1. Multiple Approvals Ordinance. The DRB should be instructed that its responsibility to assure Specific Plan Compliance and proper environmental review is not diminished when a project requires more than one approval, nor does the fact that a project may be governed by the Multiple Approvals Ordinance lessen the DRB's responsibilities under the Code. The Planning Department member assigned to the DRB expressed confusion on this issue during the June 21, 2012 DRB hearing when the Curtis School project was being considered.

2. Complete Applications. Applicants seeking DRB approval must submit *complete* applications for DRB review. Their projects cannot be considered by the DRB until *all* required materials are submitted, including the project's environmental documents. This requirement was not followed for the Curtis School project, where the applicant did not submit the almost 200-page MND, in violation of Specific Plan requirements and CEQA Guidelines. Similarly, the Mirman School recently submitted an application for a project that was approved by the DRB despite the fact that the project MND was not included for review. The Mirman application was also deficient because it failed to include lighting plans, as required under the Specific Plan Guidelines. The Planning Department should instruct the DRB that it cannot consider for final review (much less approve) projects that are not supported by a complete application, including environmental review documents.

Beachwood Canyon Neighborhood
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Bel Air Ridge Association
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
Crests Neighborhood Assn.
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Hollywoodland Homeowners
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
Lookout Mountain Alliance
Los Feliz Improvement Assn.
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon Assn.
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon Assn.
Oaks Homeowners Assn.
Outpost Estates Homeowners
Pacific Palisades Residents Assn.
Residents of Beverly Glen
Roscomare Valley Assn.
Shadow Hills Property Owners
Sherman Oaks HO Assn.
Studio City Residents Assn.
Sunset Hills Homeowners Assn.
Tarzana Property Owners Assn.
Torreyson Flynn Assn.
Upper Mandeville Canyon
Whitley Heights Civic Assn.

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3. A Majority of the Entire DRB Must Vote to Approve a Project. Municipal Code Section 16.50.D.8 requires that a majority of the entire DRB (not just the members present at a particular hearing) must vote in support of a motion for it to pass. At the June 21, 2012 meeting, the DRB, which currently has six members, voted 3-2 in support of the Curtis project. Since a majority vote of the entire DRB requires at least four affirmative votes, the motion did not pass. Although the Planning Staff member advised the DRB of this requirement, the DRB directed that the matter be deemed passed, in violation of the law. The Planning Department obviously cannot allow the DRB to deem a motion passed when it has not passed in the manner expressly required by statute.

4. The DRB Is An Advisory Body, Not “Just” An Advisory Body. The Planning Department should explain to the DRB that the advisory function it serves is critical to the process and mandated by law. While the DRB is not a final decision-maker, the advice it provides is the only assurance that the community has that projects within the Mulholland Corridor will be subjected to review by those with expertise in the Mulholland Specific Plan and in matters of design review, including the environmental impacts of a project’s design. DRB review is therefore mandatory and important.

The laws regulating development within the Mulholland Corridor are the most important protections that the community and general public have against development interests that lack sensitivity to the environmental value of Mulholland and the unique interests of those living within this low density, residentially-zoned area. For that reason, it is important that the Planning Department address the four matters raised in this letter as soon as possible, to assure that the DRB process functions in the manner envisioned and mandated by the Code.

Sincerely,

Marian Dodge

Marian Dodge

cc: Councilmembers Koretz & Rosendahl
Alan Bell, Deputy Director of Planning
Dan Scott, Principal City Planner
Tom Henry, City Planning Associate
Mulholland DRB c/o Alan Kishbaugh, Chair