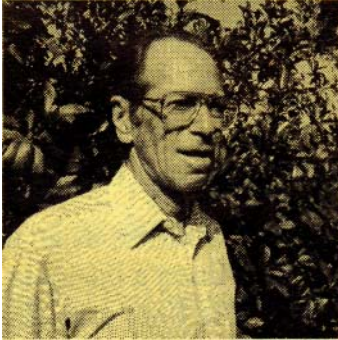


TPOA

NEWSLETTER

WINTER 2008
VOL. 45 NO.2



Dave Garfinkle TPOA President

It's time for a look at TPOA this past year:

- We had a very successful Town Hall meeting, featuring "mixed use developments", including presentations by Emily Gable-Luddy of the Planning Department on implementing mixed use in Los Angeles; by Developer Brian Gordon on Village Walk, the mixed use project on the old Mann Theater/Brown Center site; and by Joe Bernstein on Tarzana Crossing, a concept for the future of the Orange Line/Reseda Blvd. intersection.
- We joined the 21st Century. Goto www.tarzana.propertyowners.org to see the positions we took on proposed Mansionization, Reduced Parking and Density Bonus ordinances. Meet your Board of Directors. Review what we have accomplished as an organization since our founding in 1962. Access recent minutes of TPOA Board Meetings and the past five years of our newsletters.
- We took strong positions on proposed Planning initiatives which will have a profound effect on Tarzana and the entire

City, such as the Baseline Mansionization Ordinance, the SB 1 8 1 8 Density Bonus implementation ordinance, and the Reduced Parking requirements ordinance.

- We worked with developers to tailor their projects to be compatible with our community.
- We supported homeowner efforts to protect their neighborhoods.
- We worked closely with the Tarzana Neighborhood Council, striving together to meet community needs and challenges.

Looking forward to 2008, we will continue those efforts. The efforts of TPOA and other homeowner groups during 2007 have been instrumental in shaping the proposed Baseline Mansionization Ordinance into a form that can protect the look and feel of our communities; this year we need to make sure it is adopted by the full City Council.

The battle has been joined on the proposed Density Bonus and Reduced Parking ordinances; we need to continue resisting the call for ever increasing density regardless of the deleterious effects on our existing communities. We will continue to work with developers to improve Tarzana; a number of potential projects are in the early stages.

Finally, we will continue to oppose projects that detract from the community and adversely affect neighbors. New challenges are on the horizon, including potential revisions to the Ventura Blvd. Specific Plan and mega projects that could impact traffic in the entire Valley, such as the proposed Las Lomas and Universal City developments.

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TPOA NEWSLETTER

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BOARD MEETING SCHEDULE
Second Monday of each month
Except July and August
7:30 PM

at
**TARZANA COMMUNITY &
CULTURAL CENTER**
19130 Ventura Blvd.
Tarzana, 91356

ADULT MERCHANDISE ESTABLISHMENTS

TPOA has been receiving complaints from the community regarding the increase in the number of businesses selling adult merchandise on Ventura Boulevard. The City of Los Angeles cannot prohibit these so-called adult bookstore establishments, but it can regulate them through the current ordinance. This ordinance states that they may not be within 500 feet of a religious institution, school, public park or residential housing and also not within 1000 feet of another adult entertainment business.

Before these regulations can be applied, the City must first determine whether the adult business qualifies as an adult bookstore. By policy, the City has defined a business as an adult bookstore if more than 25% of the floor area displays adult merchandise and the store has more than 33% in stock-in-trade of adult merchandise. Lingerie does not qualify as adult merchandise.

TPOA and the Tarzana Neighborhood Council have contacted the Dept. of Building and Safety to inspect these establishments. If the inspectors find that these businesses are operating as adult bookstores, the business must discontinue the use of the premises as an adult entertainment business or obtain the proper approvals and permits from the Dept. of City Planning and the Dept. of Building and Safety. If the business follows through with the required application to the Planning Department, the public would have an opportunity to express their objections. If the business continues to operate as an adult bookstore without the necessary permits, the case can be referred to the City Attorney for prosecution.

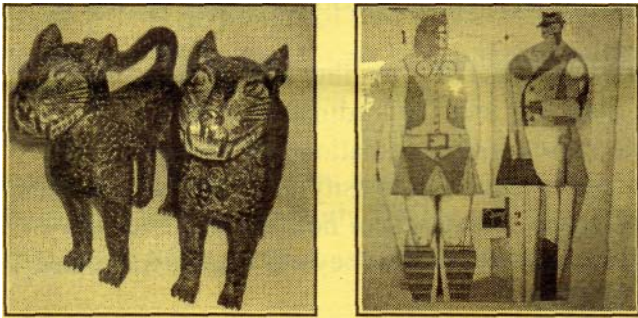
If you are concerned about the proliferation of these adult businesses, we encourage you to call Councilman Zine's Field Deputy for Tarzana, Jose Martinez at (818) 756-8848 and express your concerns.

**ORLANDO GALLERY
CELEBRATES 50 YEARS**

Orlando Fine Arts Gallery, 18376 Ventura, is celebrating its 50th year on Ventura Blvd. The gallery opened in 1958 as the first fine arts gallery in the Valley and has been in continuous business since then featuring the contemporary work of lesser known artists.

In business at its current location in Tarzana since 1999, the gallery has an extensive permanent collection of tribal African art as well as an eclectic selection of other art.

To celebrate its 50th anniversary, the gallery plans two special shows. The first, featuring the works of 40 California artists in different media, runs from February 9th (reception) to February 29th. The second, featuring the gallery's extensive private collection, will be in April.



PROPOSED REDUCED PARKING ORDINANCE

We've all heard the mantra "build it and they will come." Well, the Planning Department is working on another mantra "eliminate parking and people will junk their cars and take the bus." For the last several months a proposal by the Planning Department has been in the works to emasculate current parking requirements for new projects. The department and its apologists have taken the position that a carrot and stick approach is the only way to solve the current traffic gridlock in much of the city. The problem is that the carrots only go to developers while the general public gets the stick.

**SAVE THIS DATE - MAY 6, 2008
for
ANNUAL TPOA MEETING
and
TOWN HALL FORUM
at
El Caballero Country Club
6:30 PM
On
TRANSPORTATION CHALLENGE**

Basically, the Department proposes to extend a specific set of requirements for large Commercial and Industrial uses to all zones, including multiple residential housing. This ordinance would allow reductions in current parking requirements or even eliminate all on-site parking when "parking management alternatives" are provided. The "parking management alternatives" include such unworkable plans as providing bicycles for the residents/tenants and setting up vanpool plans for the project. Metro transit riders would also be able to use any remaining project on-site parking if the project was within 750 feet of a rail station.

The proposed ordinance has several serious flaws and misleading assumptions including:

- Granting reduced parking for a specific project would certainly result in the additional need for on street parking in the immediate area. Additional on-street parking is simply not available in most parts of the city.
- Who is going to ensure that the non-resident person who parks in the project is going to take public transit; opening up on-site parking provided by a specific building to any casual user would certainly reduce the available on-site space reserved for the tenants of the building. What happens to

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Proposed Reduced Parking.....cont. from page 3

buildings with security systems operating the parking entrances?

- Allowing alternative uses such as providing carpool vehicles and bicycles on-site would be impossible to monitor and enforce, even if they were adequate alternatives to personal automotive transport.
- As recently reported in the Los Angeles Times and LA Weekly, residents of current transit oriented projects own cars, need to park them on-site, and rarely if ever use the public transportation.

The misguided Planning Department proposal is based on the false premise that public transportation provides a reasonable alternative to automobiles. While a number of transit-oriented, multiple-family residential and commercial industrial projects have recently been proposed, it is essential to keep in mind that public transit must service both the trip origin and the trip destination. The existing public transit network in Los Angeles is simply not capable of fulfilling these requirements and is quite unlikely to be able to do so in the foreseeable future.

As one presenter at a recent Planning and Land Use Management (PLUM) hearing remarked, there are already areas of the city where people park on the sidewalks due to the lack of parking.

On December 3rd, the proposal was presented at the City Council Transportation Committee hearing. The public response was again heavily against the proposed ordinance. In fact, the ordinance was only one of several items on the agenda; the public response for each of the items was overwhelmingly against any plan that reduced parking. As an aside, an aide to one of the City Council people was heard

to ask another "so who's for this anyway?"

No action was taken on the proposed ordinance. Be prepared to oppose the ordinance when it comes before the full City Council.

AFFORDABLE HOUSING SCAM

As noted in our Fall Newsletter and website, in 2004 California passed SB1818, which mandates that cities and counties provide a bonus to developers who include some affordable housing units in their developments. Each jurisdiction must adopt an ordinance to implement the state law.

On February 6th the City Council passed the ordinance to implement SB 1818, with only Councilman Zine and LaBonge voting against it.

Under the guise of providing affordable housing, the State law and City ordinance seriously undermine current regulations for multiple family residences regarding density, parking, height limits, open space, and neighbor notification. The City's ordinance even goes far beyond what is mandated by **SB1818**.

For example, under the State law, a new condominium development could qualify for a bonus of only 5% in the number of units normally permitted if at least 10% of the total units are set aside for moderate income housing; *the City's ordinance provides a 15% bonus, three times that required for compliance. More critically, the proposed ordinance doesn't require new projects to provide as many affordable units as were demolished to make way for the new multiple housing project.*

Bottom line: we lose affordable housing, particularly rent controlled apartments, and lose hard fought regulation of new developments.

TARZANA DEVELOPMENT

..... **Kathy Delle Donne**

Public Hearings Have Been Held on the Following Cases:

5448 Aura Avenue: Request to build a 4400 square foot house on a 6800 square foot lot with access to and from a substandard street. Residents in the surrounding neighborhood voiced their concerns at the hearing that such a large home would add to the traffic and circulation problems that currently exist on this street. The developer is unwilling to make any adjustments or modifications to the plans. TPOA and the Tarzana Neighborhood Council agree with the residents that this project would not only harm the character of the neighborhood, but also cause safety issues on the street. Decision is pending on this case.

18869 Pasadero Drive: (Building Permit Issue.) The owner of this property obtained building permits for 2 massive concrete walking decks that together cover almost 3,000 sq. ft.. The lower deck comes within 5 ft. of a neighbor's property line and overlooks his backyard and pool. Both TPOA and TNC feel that these permits were issued in error.

In this type of case, it is necessary to follow a particular course of action. The first step was to appeal the issuance of the permit to the Department of Building & Safety. This was done and, as anticipated, the appeal was denied. The next step was to appeal to the Director of Planning that the Department of Building & Safety had erred and abused their discretion in their interpretation of the Municipal Code. The public hearing was held for this appeal. As of this date, a decision has not been made by the Zoning Administrator.

18900 Ringling Street: The owner of this property is requesting a 32-foot setback in lieu of a 40-foot setback, which is the prevailing setback for the street. This is the second application that has been submitted for the same

issue. The first case was heard in 2005. At that time, the prior owner compromised with the neighbors and agreed to a 36 1/2-foot setback. It seems that this owner had built an addition to the house based on inaccurate plans that were submitted to the City.

The new owner refuses to make changes to the house, even though he was aware of the problem when he purchased the house. Residents are again agreeable to the 36 1/2 -foot setback. Both TPOA and TNC supported the original compromise, the Zoning Administrator questioned whether his Office had jurisdiction over this case. The Zoning Administration plans to consult with the City Attorney before making a determination.

Other Cases.....

6020 Reseda Blvd: In September, 2005 TNC supported a conditional use permit for the sale of beer and wine at the Bazel Restaurant located at the above address. The sale of beer and wine was for on-site consumption incidental to food service for this new sit down restaurant with 49 seats. Hours of operation proposed were 10AM until 10PM, Sunday through Thursday and 10AM until 11PM on Friday and Saturday. In November, 2005, the request was approved by the City.

The same restaurant owner is applying for another conditional use permit. This time, the request is to permit the expanded sale of beer and wine for on-site consumption incidental to food service for 144 seats, up from the original 49 seats and for up to 18 outdoor patio seats, (only to be used until 8:00PM or sunset whichever comes first), with hours of operation from 10AM until 10PM, Monday-Thursday and 12 Noon until 2AM Friday through Sunday.

In addition, there is a request to permit dancing and live entertainment consistent with the hours and operating conditions described above.

.....continued on page 6

Tarzana Development

.....continued

Dancing and live entertainment will be restricted to times when the facility is booked for private parties and banquets and will not be allowed when open to the public. TNC is supporting this application provided conditions are required, such as redesign of the loading and traffic circulation plan for the shopping center and changing Sunday closing time to 10:00PM, not 2:00AM. A public hearing has not, as yet, been scheduled for this case.

Subdivisions....

5135 Avenida Oriente: On January 17, 2008, a public hearing was held on this project. The developer is requesting to build 7 homes on 2 hillside lots - each home approximately 4,000 to 5,000 sq. ft. The residents were concerned that "cramming" 7 homes on this property would destroy the look of the neighborhood, leave little space for landscaping and exacerbate the water problems that currently exist both on Avenida Oriente and Avenida Hacienda. Both the TNC Board and TPOA recommended that 5 homes would be a more reasonable plan for this hillside property. The Deputy Advisory Agency is recommending 7 homes. TPOA will continue to support the neighboring residents in fighting the overdevelopment of these lots.

Village Walk:

Phase II west of Yolanda, formerly Brown

Center: Demolition of the retail stores structures has been completed. Excavation for the two stories of subterranean parking is underway. The plans are that Whole Foods will be the anchor store for this second phase.

PLANNING 101...

You hear hammering next door and wonder what you're neighbor is constructing? Or you see a new house being constructed and want to check it out. Or you want to find out what the zoning is on a particular property. It's all on the City website.

For Planning information:

Go to www.lacity.org/pln. On left side click on zoning information, then ZIMAS and put in address.

For Building & Safety permit information:

Go to www.lacity.org/LADBS. On left side click on property activity report, then put in address.

Short and informative classes are currently being planned to introduce residents to the above web sites. If you would be interested in attending these classes, call or email the Tarzana Neighborhood Council (818-345-1966/www.tarzananc.org).

TRANSPORTATION REPORT

The Department of Transportation has recently taken several steps to improve traffic flow along Ventura Blvd. Among them are the installation of a compound left/right turn signal at the Ventura-Tampa intersection. New left turn signals are in place at Reseda/Burbank Blvd. for eastbound and westbound traffic, but at this writing are not yet in operation.

Improvement in the surface of Tarzana streets is a long held goal, and Max Flehinger, chair of the TNC Transportation Committee has submitted to Council District 3 Field Deputy Jose Martinez a list of streets that need resurfacing, compiled in order of priority based on condition of street and the amount of use. Martinez has also compiled a list based on requests received at the Council office.

At a recent meeting, a TPOA member registered a complaint of speeding on Reseda/Mecca from Ventura south to the top of the hill. This has been reported to the West Valley LAPD with a request for strict enforcement and a visible read-out sign showing the speed of cars as they pass.

Night time closing of the Yolanda tunnel has been in the planning stage for some time. The City has agreed to the requested closure by the Rosebud Homeowners Association if they can produce someone who is acceptable to the City to sign a contract.

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Transportation ...continued

DOT has posted "No parking for unhitched trailers" signs on Tampa Avenue. The effectiveness of such signs is evident on other major Tarzana streets where they have been in place for months.

A one-half percent sales tax increase has been proposed to fund an addition to the subway and other transportation projects. Assemblyman Mike Feuer has proposed an amendment to the California constitution to reduce from 66 2/3% to 55% the percentage of votes required to pass a transportation bond issue.

Max Flehinger

MANSIONIZATION ORDINANCE STATUS UPDATE

Our Spring and Fall Newsletters and the TPOA website, tarzanapropertyowners.org, discussed the proposed Baseline Mansionization Ordinance in detail. The ordinance seeks to limit the impact on existing communities by houses that are out of scale for the community and that impose on the privacy of neighbors.

The proposed ordinance, developed as a result of unprecedented input and compromise by homeowner groups, architects, developers, and City personnel, is modest; it curtails only massively over-sized homes. It permits homes of more generous size than permitted in surrounding cities. The proposed ordinance evolved from a motion in the City Council by Councilman Tom LaBonge in June of 2006, through the Planning Department's initial response, and with input at numerous public hearings. The revised ordinance was passed by the City Planning Commission on June 28th and forwarded to the Council Planning and Land Use Management Committee. After four PLUM hearings, the measure was finally forwarded to the full City Council on January 8th. A coordinated letter writing and phone campaign by numerous homeowners associations was instrumental in breaking the PLUM logjam.

The PLUM instructed the Chief Legislative Analyst to provide a "thumbnail" report on the economic impact of the proposed ordinance and attached four Amendments. There are problems with each.

- A mechanism making it "easy" for neighborhoods to choose more restrictive or less restrictive provisions than the Baseline. The Planning Department had already provided a menu of ways for a community to opt out of the baseline provisions.
- Use of the Adjustment process rather than the Variance process for FAR changes. The Adjustment procedure is less comprehensive, provides less notification to the community, and does not include mandatory public hearings which are vital to our effected stakeholders and neighborhoods.
- A "Green " (environmentally responsible) bonus. The proposed "Green" bonus makes little sense. Whether or not a house is "green" does not mitigate the impact of an oversized house that is out of scale with the neighborhood and impacts the privacy of neighbors. How can robbing your neighbor to the north of you of sunlight on his property be considered "green"? People concerned with the environment are unlikely to want to live in a grossly oversize house with the concomitant extra energy needed to heat, cool, and clean it. In addition, the City would be unable to ensure that the house stayed "green" after it was built. While some sort of reward to homeowners who build or retrofit "green" may be an excellent idea, the Baseline Mansionization Ordinance is not the place to address the issue.
- A provision for "relief for exceptionally large lots. This proposed amendment is particularly egregious. Those communities with RA lots fought hard to limit the allowable house size and to preserve the agricultural adjuncts of the zone.

As of this writing, the City Council has not yet scheduled a hearing on the proposed ordinance. When the hearing is announced, be sure to take the opportunity to urge the Council to pass the Baseline Mansionization Ordinance without the four amendments and to urge the Planning Department to proceed with the Hillside version.