

KENTWOOD HOME GUARDIANS

MINUTES OF THE BOARD MEETING

FIRE STATION #5 COMMUNITY ROOM -- 8900 S. EMERSON AVE

TUESDAY, MARCH 17, 2015 7PM

PRESENT: Maria Warner, President; Michael Oliver, 1st VP; Tracy Thrower Conyers, Outreach Committee Chair; Mary Putnam, Treasurer; Suzann Rogers, Operations Manager.

ABSENT: Kristine Wilson, Secretary

CALL TO ORDER

Maria Warner called the meeting to order at 7:10 pm.

SECRETARY'S REPORT

Maria Warner made the motion that the February, 2015 Board Meeting Minutes be approved as submitted. The motion was approved.

TREASURER'S REPORT

Mary Putnam presented the Finance Committee Report (SEE ATTACHED). The Board agreed that this year KHG will not seek attorney advice directly regarding the Reserve Account Funding Disclosure and Reserve Study which are required by Davis-Stirling to be mailed to members each year. KHG has a very low reserve requirement (approximately \$625 per year for insurance and maintenance) because KHG's only common areas are the three strip lots bordering Manchester Blvd just south of the intersection with Kentwood Ave. Attorney advice is projected to be very expensive due to the complex nature of the law regarding reserves which are, under most circumstances, critical to the purpose of an HOA. KHG will use a member-drafted support document and attorney advice available online to meet KHG disclosure requirements in good faith (SEE ATTACHED).

The Board discussed the process of filing liens on members who have not paid 2015 dues. A Board member made the motion that KHG file liens for the unpaid 2015 dues on the properties where the dues have not been paid for 2 or more years (approximately 93 properties) subject to a review by Ms. Putnam to determine whether the pre-lien letters meet the precise requirements of the KHG Collection Policy. The motion was approved. Board members discussed sending letters to all delinquent property owners regarding the filing of liens. A final decision regarding letters was delayed pending the evaluation of the pre-lien notifications.

ARCHITECTURAL COMMITTEE

Maria Warner reported on the Architectural Committee meeting of March 10, 2015 regarding the new construction of a 9-bedroom, 9 ½ bath home at 8109 McConnell. The AC has sent a letter to the builder, met with Cyndi Hench of the Neighborhood Council of Westchester/Playa, and contacted Mike Bonin's office and the LADBS.

Despite the fact that Kentwood is zoned R-1, the current conclusion is that the City of LA and KHG cannot control design on the interior of a home. The neighbors should wait until the home is completed to see how it is used. Concerned neighbors should send letters to the relevant city officials and the developer to let them know that the community is aware that this new construction appears to be a boarding house which is not an allowed use under R-1 zoning law:

- LADBS General Manager: Raymond Chan -- Raymond.chan@lacity.org
- District 11 (includes Kentwood) Councilman: Mike Bonin – councilmember.bonin@lacity.org
- Mr. Bonin's representative: Fred Sutton – fred.sutton@lacity.org
- District 11 Director of Planning: Tricia Keane -- tricia.keane@lacity.org
- The developer: Thomas James Capital -- (949) 463-7883:

James R. Quandt -- james@thomasjamescapital.com

Thomas L. Beadel -- tommy@thomasjamescapital.com

- Thomas James Capital's Kentwood real estate agent: Stephanie Younger
(424) 203-1828: stephanie.younger@telesproperties.com

Kentwood primarily is zoned R-1, single family residences. A home with 9 bedrooms close to LMU is very likely intended to be student housing. One issue which is unclear under City law is the definition of "family." Under certain parts of the municipal code it is any group living together without regard to size; however, Vince Bertolini brought to the meeting an excerpt from the LA zoning law which said that if the persons living together were not related by blood or marriage, and were not foster children, then the limit was five persons per household. It appears that there is a contradiction within different municipal codes.

Mr. Bertolini pointed out that an R-1 residence is only required to have one car per residence, whereas a boarding house is required to have parking based on the number of rooms. Another resident pointed out that a nine-bedroom house occupied by possibly up to 18 students might require parking for 18 cars.

The KHG DPRs primarily relate to setback and building height. The KHG DPRs do not give KHG any authority over the size of homes. The City of LA has zoning laws and building codes which regulate the size issue. If the City of LA approves a building's size, KHG cannot legally challenge it. On this issue, KHG can raise community awareness and encourage individual members to express concern to elected officials. Also, KHG's Architectural Committee does have the legal right to require that builders submit plans prior to construction. Therefore, KHG has the ability to review what the LADBS is looking at and to ask questions about how the **Baseline Mansionization Ordinance (BMO)** is being enforced because, as Mr. Bertolini said, there is a question of timeliness. If the building is potentially out of compliance, LADBS should put a hold on the construction to investigate.

Fred Sutton attended the KHG Board meeting. He said that at this time the LADBS claims that the plans for 8109 McConnell are in compliance with LADBS size restrictions found in the BMO. This is open to question because a key provision of the BMO is that the size of the residence not be greater than 50% of the lot size. The approximately 6000 sf lot is to have an almost 4000 sf house, which allows the developer to plan 9 bedrooms. Although the BMO has several exemptions which enable developers to build larger buildings (SEE ATTACHED FACT SHEET), Vince Bertolini of the KHG Architectural Committee does not believe this plan meets those criteria.

Mr. Sutton pointed out that just this week, the LA Planning and Land Use Committee passed an **Interim Conservation Ordinance (ICO)** which takes away all exemptions under the Baseline Mansionization Ordinance. This ICO which applies to a list of specific neighborhoods, including Kentwood, will be voted on in two weeks by the City Council. If passed, it then will go into effect for 45 days; thereafter, there will be another vote every 45 days, until the BMO has been fully evaluated and finally modified to improve its effectiveness.

A KHG member commented that there are 15 City Council members and a majority is required to approve the ICO. The Kentwood community has 45 days to lobby the council members and to send petitions around. The member said that there are large groups which are trying to stop the ICO and that supporters will need to be proactive to get it passed.

In the case of 8109 McConnell the best approach is a public campaign to increase neighborhood awareness of this construction and the importance of the ICO. Mr. Sutton strongly recommends that neighbors and local residents express their concerns to **Tricia Keane, Mike Bonin's District 11 Planning Director**, and that if they see potential violations on this property or others that they **take pictures and notify him**.

Mike Bonin is scheduled to be speaking at the KHG Annual Meeting on May 30, 2015. This is a great opportunity for Kentwood residents to ask Mr. Bonin face-to-face what his opinions are and to express their concerns.

OPERATIONS MANAGER'S REPORT

Suzann Rogers gave an update on assessment collection: as of 3/17/15 there are only 192 assessments still unpaid; 94% of assessments have been collected. A third notification was sent out on 2/12/15. Some KHG mailings (less than 25) are regularly returned by USPS. This will be investigated.

OLD BUSINESS

Ms. Warner announced that the KHG Board Election is approaching in May and she asked for members to consider running for the Board or assisting with the election process. She said KHG will advertise that Mike Bonin will be speaking at the Annual Meeting on May 30 in order to draw a good turnout.

The April KHG Board Meeting will be on Tuesday, April 21 at 7pm at the Westchester Fire Station.

The meeting was adjourned at 8:30 pm.

Submitted by Mary Putnam for K. Wilson, Secretary

ATTACHMENTS

KHG Finance Committee Report

KHG Reserve Account and Reserve Funding Study Requirements

Fact sheet- Mansionization Ordinance LAMC by Vince Bertolini