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NOV 03 2021
LOS ANGELES, COUNTY CLERK

COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Parks Make Life Better!"
Norma E. García-González, Director
Alina Bokde, Chief Deputy Director

NOTICE OF PREPARATION FOR THE PROPOSED OPERATIONAL CHANGES AT THE VIRGINIA ROBINSON GARDENS

The County of Los Angeles Department of Parks and Recreation (DPR) is the lead agency for the preparation of a Supplemental Environmental Impact Report (SEIR) for the Proposed Operational Changes at the Virginia Robinson Gardens (Proposed Project). Pursuant to section 15082 of the California Environmental Quality Act (CEQA), DPR is soliciting comments from all interested persons, responsible and trustees agencies and organizations concerned with the project as to the scope and content of the SEIR and the environmental information to be analyzed in connection with the Proposed Project. The project description, location, environmental review requirements, and probable environmental issues to be addressed in the SEIR are included in this Notice of Preparation (NOP).

PROJECT LOCATION

1008 Elden Way, Beverly Hills, CA 90210 (location map attached)

PROJECT DESCRIPTION

DPR is proposing changes to expand the use of Virginia Robinson Gardens for increased public access and benefit. Specifically, the following operational changes are proposed:

- Days open to the public: Monday to Sunday (7 days a week).
- Hours for public use: 9:30 a.m. to sunset.
- Number of patrons in attendance: With advance reservations, up to 200 visitors per day, spread throughout the day for either tours, meetings seminars/classes, events or commercial filming (video only, no motion picture) or a combination of any of these activities.
- Types of events: In addition to existing events, consider family ceremonies such as weddings.
- Special Uses: Up to 24 special use events a year.

POTENTIAL PROJECT IMPACTS

Based on a preliminary assessment of potential environmental impacts that may occur as a result of the Proposed Project, the areas of potential environmental impact to be addressed in the SEIR will include at least the following:

- Air Quality/Greenhouse Gas Emissions
- Noise
- Energy
- Historical Resources
- Transportation/Traffic

In addition, the SEIR will address cumulative impacts, growth inducing impacts, and other issues required by CEQA. As discussed in CEQA Guidelines Section 15163, a lead agency may choose to prepare an SEIR when only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

NOTICE OF PREPARATION REVIEW AND COMMENTS

The NOP is being distributed to solicit written comments regarding the scope and content of the environmental analysis to be included in the SEIR. DPR has prepared this NOP in accordance with the State CEQA Guidelines.

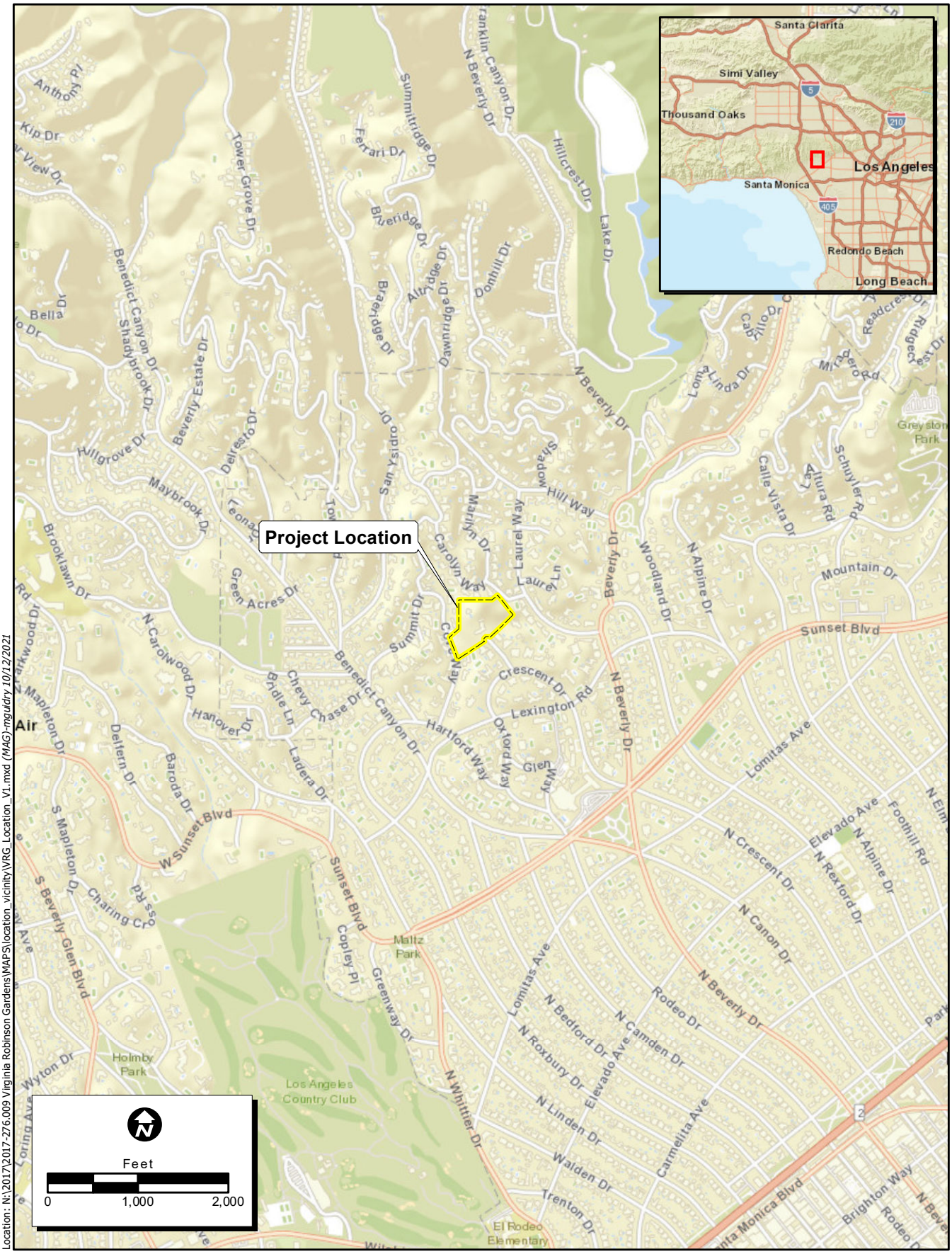
The review period for this NOP is from **November 16, 2021 to December 16, 2021**. Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than **December 16, 2021**. Please direct all written comments to the following address:

Julie Yom, AICP, Park Planner
County of Los Angeles
Department of Parks and Recreation
1000 S. Fremont Ave.
Unit #40 A-9 West, 3rd Floor
Alhambra, California 91083
Telephone: (626) 588-5311
Email: jyom@parks.lacounty.gov

COMMUNITY MEETING

A Community Meeting will be held to present the Proposed Project and to solicit early comments from the public regarding the Proposed Project and issues to be addressed in the SEIR. The date, time, and link to the virtual meeting is as follows:
Monday, November 15, 2021, 6:00 p.m. to 8:00 p.m.
https://tinyurl.com/xnembk6k

Please RVSP to Julie Yom: jyom@parks.lacounty.gov



Map Date: 10/12/2021
Base Source: Esri World Street map

ECORP Consulting, Inc.
ENVIRONMENTAL CONSULTANTS

Figure 1. Project Location

2017-276.009 Virginia Robinson Gardens

Dean C. Logan
Los Angeles County Registrar / Recorder
12400 Imperial Highway, Norwalk, CA
(800)201-8999

BUSINESS FILINGS REGISTRATION

NORWALK DEPARTMENT HEADQUARTER

Cashier: T. TRAN

2021110335000030

Wednesday, November 3, 2021 3:16 PM

Item(s)	Qty	Total
Fee		$0.00
NoP - County Posting Fee 2021241741	1	
Total		**$0.00**

Total Documents: 1

Customer payment(s):

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Robinson Gardens Operational Changes
Date: Thursday, November 4, 2021 4:32:27 PM

Hi Freddie,

Here is the first NOP comment we received.

Julie

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Chuck Alpert <calpert@hotmail.com>
Sent: Thursday, November 4, 2021 4:22 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Virginia Robinson Gardens Operational Changes

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom:

Please consider this message as formal **legal** notice that your Notice of Operational Changes for the Gardens is both a deficient legal notice and prejudiced.

The Department's official, mailed, entitled "Notice of Preparation for the Proposed Operation Changes at the Virginia Robinson Gardens" does not provide the reader of the notice that the Parks Department is preparing a Supplemental Environmental Impact Report. Only by reading the entire document can one find out what is the purpose of the notice: the Preparation of a Supplemental Environmental Impact Report. Readers may not realize the legal import of this document due to this critical error. At best this is a typographical error, but one with a material legal import.

The Departments "Notice of Preparation" further does not cite the prior CEQA documents that relate to this matter. A concerned individual does not have adequate knowledge or reference to comment on the scope of an SEIR document without this critical information.

The Departments "Notice of Preparation" further does not enumerate the current operating conditions, just the changes. Again, a concerned individual does not have adequate knowledge or reference to comment on the scope of the document or the entirety of the environmental impact from the changes without this information.

The Department has prejudiced he outcome of the CEQA process by announcing on the Gardens web site that the proposed changes will have a "minimal impact on the surrounding neighbors." The CEQA process is intended to be a deliberative, unprejudiced public process. The statement with your name at the bottom contains an obvious conclusion as to the outcome even before the process has commenced.
(https://www.robinsongardens.org/events/)

Personally, I believe that the proposed operational changes are anything but "marginal." In my view, the changes will overwhelm the neighborhood with traffic, parked cars, noise, greenhouse gases, and other environmental impacts. All of which could be mitigated or eliminated by moderated operations. Unfortunately, the Department does not apparently retain an open mind on this matter.

Individually and collectively, the actions of the Parks Department have undermined the purpose and intent of the California CEQA process. Correcting these errors just in my case, will not correct the process. The Department should immediately consider withdrawing its SEIR process for this matter and start over again in a manner which corrects the stated prejudicial errors, including issuing a public withdrawal of its conclusion as to impacts for the proposed changes..

Please be on notice, that this statement should become part of the CEQA record so that these issues may be litigated, if necessary, in a proper court of jurisdiction.

Charles Alpert
A County Resident and Resident of the "Neighborhood."

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: RSVP and question
Date: Monday, November 8, 2021 3:48:58 PM

Freddie,

Another comment received below.

Thanks!

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Kathy Checchi <kathy@checchi.org>
Sent: Monday, November 8, 2021 3:47 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: RSVP and question

CAUTION: External Email. Proceed Responsibly.

Hi Julie,

First I want to RSVP to the virtual meeting on Nov 15,2021 at 6 pm.

Second, I live on Cove Way, very close to the Virginia Robinson Gardens. Any time there is an event, the parking is very difficult, filling all the spaces on our street and all the side streets. Is there going to be a parking lot created for the 200 visitors a day? How will this be handled, since this is a residential area, not a commercial area of the city?

Best regards,
Kathy Checchi
kathy@checchi.org
310-351-4939

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Proposed Changes to Virginia Robinson Gardens
Date: Monday, November 8, 2021 5:00:53 PM

Freddie,

Another comment below.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: lili Bosse <lilibosse@icloud.com>
Sent: Monday, November 8, 2021 4:57 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Proposed Changes to Virginia Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

November 8, 2021

Dear Ms. Julie Yom,

I am writing to express my adamant opposition to the proposed operational changes to Virginia Robinson Gardens.

As a neighbor, I feel that we have been supportive and embracing of this beautiful gem to our community, however as you are well aware, the current conditions in place were agreed upon after many years of working together with one another to find a balance of maintaining the quality of life for the residential community while supporting this cultural gem.

The current guidelines in place:
No operations on Sunday
Daily hours of 9:30am- 4:00pm
100 visitors per day
Weddings and family ceremonies are prohibited

4 events per year.

What is is being proposed is a tremendous burden to the residential neighborhood .. In fact, I am surprised that such an aggressive proposal is even being considered.

Proposed:
Sunday hours
Daily hours of 9:30 am - Sunset
200 visitors per day (Double the current allowance)
Expansion of permissible events (including weddings and family ceremonies) which are currently prohibited.
24 events per year (20 events OVER the current allowable 4)

As a former Beverly Hills Planning Commissioner and former Traffic and Parking Commissioner, I am well versed in the balancing of the residential quality of life with neighboring impacts. I have NEVER seen such an aggressive and ill conceived proposal as this one that is being considered.

I feel that our family as well as the residents that live close to Virginia Robinson Gardens have been welcoming and supportive of this cultural location.. however what is being discussed is a bait and switch after many years of working closely to come to a fair and balanced agreement.

I have always prided myself as being fair and open to working towards to solutions however, what is being suggested is an insult to the residents years of good faith negotiations and agreement.

Thank you for your future understanding and support of the residents valid concerns

Sincerely,
Lili Bosse

1017 North Crescent Drive
Beverly Hills, CA 90210

Please confirm receipt of this correspondence

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Robinson Gardens
Date: Wednesday, November 10, 2021 7:35:56 AM

Freddie,

Another comment below...

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

-----Original Message-----
From: Isac Novian <inov@sbcglobal.net>
Sent: Tuesday, November 9, 2021 7:59 PM
To: shiela@bos.lacounty.gov; Julie Yom <jyom@parks.lacounty.gov>
Subject: Virginia Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

Hi Shiela and Jullie,

I am a residing Neigbor to the Virginia Robinson Gardens. It has been brought to my attention as well as my family's , that proposed operations access to VRG are substantially being increased, which will mean more traffic congestion throughout the neighborhood every day of the week, with much less street parking and increased noise. Despite the importance of the Gardens , the county parks department should not treat a neighborhood historic garden as a commercial venue.
Please reconsider this proposal and allow the current operations to continue.

Respectfully,

Nouran Novian

(310)402-7388

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Community meeting tonight
Date: Monday, November 15, 2021 10:21:59 AM

Good morning Freddie,

Another comment below-

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

-----Original Message-----
From: Patricia Wittenberg <pwittenberg@owlhollow.org>
Sent: Monday, November 15, 2021 10:17 AM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Community meeting tonight

CAUTION: External Email. Proceed Responsibly.

Hi
Is the meeting still "on"?
I plan to participate as my husband and I have real concerns about opening up Robinsons gardens to more functions with more noise, music, and strange peoples voices we would have to put up with. It all comes up to us as we know from the annual fundraiser soirée…it is rather loud in our property.
Quiet, Silent visitors are fine with us.
Thank you—
Regards,
Patricia & Armin Wittenberg
1065 Carolyn Way
BH 90210

Sent from my iPhone

From: Julie Yom
To: Freddie Olmos
Subject: FW: RSVP for meeting RE Robinson Gardens this evening
Date: Tuesday, November 16, 2021 7:36:30 AM

Good morning Freddie,

Great job in the meeting last night!
We are starting off with a supportive comment this morning.
Please see below.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

-----Original Message-----
From: Karen Sisman <eliora130@gmail.com>
Sent: Monday, November 15, 2021 7:50 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Re: RSVP for meeting RE Robinson Gardens this evening

CAUTION: External Email. Proceed Responsibly.

Dear Julie,

Thank you for the informative meeting this evening.

As a volunteer docent, I can understand the concerns of the neighbors and I am sure they will be taken into consideration. I am in full support of the plans to increase the use of the gardens and create more equitable access for all and I encourage the County to go ahead with the plans.

All the best,

Karen Sisman

On 11/15/2021 5:27 PM, Julie Yom wrote:
> Thank you for the RSVP.
> A virtual Community Meeting will take place on Monday, November 15, 2021, 6:00 to 8:00 p.m.
> https://tinyurl.com/xnembk6k
>
> Sincerely,
>
> JULIE YOM, AICP
> County of Los Angeles
> Department of Parks and Recreation | Planning Division
> 1000 S. Fremont Avenue Unit #40
> A-9 West, Third Floor
> Alhambra, CA 91803

> Tel. (626) 588-5311 |
> jyom@parks.lacounty.gov
> Please note that our offices are closed on Fridays.
>
> -----Original Message-----
> From: Karen Sisman <eliora130@gmail.com>
> Sent: Monday, November 15, 2021 10:10 AM
> To: Julie Yom <jyom@parks.lacounty.gov>
> Subject: RSVP for meeting RE Robinson Gardens this evening
>
> CAUTION: External Email. Proceed Responsibly.
>
> Hi, Julie,
>
> I am a docent at the Virginia Robinson Gardens and would like to attend the online meeting tonight regarding the gardens.
>
> Thank you.
>
> All the best,
>
> Karen
>
>
> --
> This email has been checked for viruses by Avast antivirus software.
> https://www.avast.com/antivirus
>

--
This email has been checked for viruses by Avast antivirus software.
https://www.avast.com/antivirus

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: Fw: Virginia Robinson Gardens
Date: Friday, December 3, 2021 1:09:15 PM

Hi Freddie,

Please see below for VRG comments.

Thanks!

Julie

Julie Yom, AICP
County of Los Angeles
Department of Parks and Recreation
Tel: (626) 588-5311
e-mail: jyom@parks.lacounty.gov
Please note that our office is closed on Fridays.

From: Wendy Turner <wendy@turner6.com>
Sent: Friday, December 3, 2021 11:11 AM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Virginia Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom,

As residents in the neighborhood, are vehemently opposed to the Virginia Robinson Gardens proposed changes to their operations.

While we are supportive of the Gardens mission, it should not come at our expense.

Whatever the findings of the Supplemental Environmental Report that is being prepared shows, these changes are outrageous and threaten our right to the quiet enjoyment of our homes.

The Gardens already disregards the parking laws, and the Elden Way no parking restrictions as well as the Crescent Drive restrictions. They allow visitors and event trucks to take over on a regular basis despite that being prohibited, and routinely block our driveways cutting off access to our home and our own guests for parking.

There are times when emergency vehicles would not be able to get through. We do not want to have a tragedy occur because the Gardens were not interested in following safety protocols.

These proposed changes are alarming. They essentially change the Gardens into a commercial venue, and will completely ruin the fabric of our neighborhood.

In the face of resident opposition, the Gardens already expanded outside of their original scope in 2014. This cannot be allowed to happen again.

While the current situation is bad enough, these changes significantly threaten our safety, our security, and our way of life and ultimately the value of our homes.

We respectfully request that the County and Gardens abandon their pursuit of this expansion.

Yours Sincerely,

Bryan and Wendy Turner

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Gardens proposed increased activity
Date: Monday, December 6, 2021 4:23:27 PM

Hi Freddie,

Please see below-

Thanks!

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: vera@pvguerin.com <vera@pvguerin.com>
Sent: Monday, December 6, 2021 4:15 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: ttway@beverlyhills.org
Subject: Virginia Gardens proposed increased activity

CAUTION: External Email. Proceed Responsibly.

Dear Julie,

My husband and I want to register our strong opposition to the newly proposed increase in activity slated for Virginia Gardens which sits atop our cul-de-sac. We are proud to have this lovely jewel in our midst but we object to tripling access to it seven days a week, especially on weekends. This was not the contract that had been negotiated when we bought our home at 1014 North Crescent Drive. The congestion and traffic will not only destroy the ambience of our neighborhood, but will decrease the value of our homes as well. I'm sure the County would not be pleased to have all of our neighborhood come to them to recapture compensation for their losses imposed on them without a vote!

Paul and I strongly support our City, County and neighborhood. We would like to be reassured that our City and County support their constituents as well. Please reconsider these excessive changes and let us work together for a peaceful resolution.

Thank you for your time and attention.

Sincerely,

Vera and Paul Guerin

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Robinson Gardens SER Report
Date: Tuesday, December 7, 2021 7:16:50 AM

Good morning Freddie,

Another comment below…

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Joanne Sala <jsala@jbfilms.com>
Sent: Monday, December 6, 2021 5:58 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Virginia Robinson Gardens SER Report

CAUTION: External Email. Proceed Responsibly.

As a resident in the neighborhood, I am are opposed to the Virginia Robinson Gardens proposed changes to their operations. While my wife and I are supportive of the Garden's mission, it should not come at our expense. Whatever the findings of the Supplemental Environmental Report that is being prepared, these changes threaten our right to the quiet enjoyment of our home.

The Gardens already disregards parking laws, the Elden Way no parking restrictions and the Crescent Drive restrictions. They allow visitors and event trucks to take over the area on a regular basis despite that being prohibited, and routinely block our driveways, cutting off access to our homes and our guests from parking. There are times when emergency vehicles would not be able to get through. We do not want to have a tragedy occur because the Gardens were not interested in following safety protocols. Further, these proposed changes are alarming. They essentially change the Gardens into a commercial venue, and will ruin the fabric of our neighborhood.

In the face of resident opposition, the Gardens already expanded outside of their original scope in 2014. This cannot be allowed to happen again.

While the current situation is bad enough, these changes significantly threaten our safety and security.

We respectfully request that the County and Gardens abandon their pursuit of this expansion.

Sincerely,

Jerry Bruckheimer
jerryb@jbfilms.com

From:	Julie Yom
To:	Freddie Olmos
Cc:	Clement Lau
Subject:	FW: Proposed Supplement Environmental Impact Report, Increased Usage of Virginia Robinson Gardens, Beverly Hills
Date:	Tuesday, December 7, 2021 7:20:13 AM
Attachments:	2021.12.07 Letter to Ms Yom (1).pdf

Freddie,

Another comment attached.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Antony Spencer <ais@ags.uk.com>
Sent: Tuesday, December 7, 2021 7:17 AM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Proposed Supplement Environmental Impact Report, Increased Usage of Virginia Robinson Gardens, Beverly Hills

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom,

Please find the enclosed letter.

I look forward to hearing from you.

Regards,

Antony Spencer

Stadium Capital Holdings

7 Manchester Square

London

W1U 3PQ

Tel: 020 7935 2335

Fax: 020 7487 4269

www.stadiumcapitalholdings.co.uk

1075 Carolyn Way
Beverly Hills
California 90210

Julie Yom AICP, Park Planner
County of Los Angeles
Department of Parks and Recreation
1000 S. Fremont Avenue
Unit 40 A-9 West, 3rd Floor
Alhambra
California 91083

7th December 2021

Dear Ms Yom,

RE: Proposed Supplemental Environmental Impact Report
Increased usage of Virginia Robinson Gardens, Beverley Hills

I am completely opposed to any expansion of the current scope of operations, which is absolutely inappropriate in a quiet residential area.

I have lived for approximately 8 years with my wife close to Virginia Robinson Gardens, at 1075 Carolyn Way. I am therefore very well aware that this is a quiet residential neighbourhood, rich in nature, and with a road network that has only a limited capacity to carry traffic and to support parking. Virginia Robinson Gardens is a pleasant oasis, set deep within the residential area.

What is proposed is a considerable increase in activity, which will be to the total detriment of the residents who live in the area. Residents are already severely impacted under the current conditions, and I am completely opposed to any further increases in use.

The proposal seeks that there should be a doubling of daily visitors, a 6-fold increase in events, and an extension of activities from 4pm to sunset (which is 8.10pm in mid-summer). This is totally unreasonable.

Your current concern is the scope of the SEIR. I advocate that this should focus upon:

- Noise; primarily the noise arising from events, especially amplified music and speech, and especially outside the main working day, when residents are entitled to expect quiet enjoyment of their homes. The assessment should include ambient noise readings taken in the evening in a variety of conditions, and predictions spanning the wide range of event types that are envisaged.

- Transportation/traffic; particularly how parking of vehicles is to be accommodated without causing environmental damage. It is particularly important that the assessment considers staff and contractors' vehicles as well as the vehicles of those attending events.
- There should be an assessment by speaking to the nearby neighbors that seeks to understand just how impactful the current situation is. Multiple neighbors report cars routinely blocking access to their homes, event cars and truck parking on Elden Way in violation of the rules, etc. This is a health and safety issue that must be explored to the fullest. And that means speaking to those who live nearby.
- Air quality/greenhouse gas emissions; since all users of the site are likely to arrive and depart by motor vehicle, it is clear that this is not a sustainable location for commercial activity of the type proposed. The assessment should take into account drivers having to cruise around the area in search of parking, and performing manoeuvres in order to park in constricted spaces.
- Urban character; noting that what is proposed is a high degree of commercial activity in the midst of a quiet residential area with a very distinct character.
- The other issues you identify (namely energy and historical resources are important too.

I shall be grateful if you will keep me informed of your progress, and also ensure that I am notified of further opportunities to comment upon what is proposed.

Yours sincerely,

Antony Spencer & Laurie Spencer

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Robinson Gardens
Date: Tuesday, December 7, 2021 4:44:04 PM
Attachments: image001.png

Freddie,

Please see below another comment. It was sent to the Board office.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Morales, Fernando <FMorales@bos.lacounty.gov>
Sent: Tuesday, December 7, 2021 4:25 PM
To: Dar Mahboubi <dar@dmanage.com>
Cc: Julie Yom <jyom@parks.lacounty.gov>; Powell, Marley <MPowell@bos.lacounty.gov>
Subject: RE: Virginia Robinson Gardens

Dear Mahboubi Family:

Thank you for your e-mail to Supervisor Kuehl regarding the proposed operational changes at Virginia Robinson Gardens. Your input is important to Supervisor Sheila Kuehl. For that reason, she asked me to respond to your inquiry.

The Los Angeles County Department of Parks and Recreation (DPR) has just initiated the process of considering and analyzing the potential environmental impacts of the proposed operational changes. Specifically, a Supplemental Environmental Impact Report (SEIR) will be prepared and is anticipated to be completed by April 2022 at which time the public will have the opportunity to review the document and provide comments. DPR will also hold a community meeting in April 2022 to present the SEIR and receive public input.

I will forward your e-mail to DPR for their review and consideration as they prepare the SEIR.

Thank you for reaching out to our office and sharing your input.

Sincerely,

Fernando

Fernando R. Morales *(He/Him/His)*
District Director, West/Metro LA
O: 310.231.1170
C: 213.379.2807
Web/Facebook/Twitter



Sign Up for Kuehl Happenings
Commendation Requests
COVID-19 Resources
LA County's Response to COVID-19

From: Dar Mahboubi <dar@dmanage.com>
Sent: Monday, December 6, 2021 2:30 PM
To: Sheila <Sheila@bos.lacounty.gov>
Subject: Virginia Robinson Gardens

Subject: Virginia Robinson Gardens

Dear Ms. Kuehl:

We, the undersigned, are writing to voice our objections to LA County's suggested modifications to the schedule of operations at Robinson Gardens.
These proposed changes will essentially render the Gardens into a commercial venue, and will completely ruin the fabric of our peaceful residential neighborhood.

The hours of operation as they stand now are way too excessive. Adding more hours is totally unreasonable and unacceptable. Whenever there's an event at the Gardens my driveways get blocked. I can't get in and out of my house, not to mention the dangers posed to our health and safety as emergency vehicles cannot reach us in a timely manner.
We would very much appreciate your understanding of our complaints.

Respectfully:

dar Mahboubi
Mahie Mahboubi
Jonathan Mahboubi
Rebecca Mahboubi

From:	Julie Yom
To:	Freddie Olmos
Cc:	Clement Lau
Subject:	FW: Proposed Supplement Environmental Impact Report, Increased Usage of Virginia Robinson Gardens, Beverly Hills
Date:	Wednesday, December 8, 2021 12:13:40 PM
Attachments:	VRG - Noise (1).pdf

Freddie,

Attached is a Noise Report, personally prepared on behalf of Antony Spencer, one of the commenters from yesterday.

Thanks,

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: pa.ais@ags.uk.com <pa.ais@ags.uk.com>
Sent: Wednesday, December 8, 2021 7:33 AM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Re: Proposed Supplement Environmental Impact Report, Increased Usage of Virginia Robinson Gardens, Beverly Hills

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom,

In addition to Mr. Spencer's email and letter below, I am attaching a noise report on his behalf.

Please confirm receipt.

Thank you for your help.

Kind regards,

Adriana Riganova

PA to Antony Spencer

STADIUM CAPITAL HOLDINGS

7 Manchester Square

London W1U 3PQ

Tel: 020 7935 2335

Fax: 020 7935 3586

Email: pa@ags.uk.com

www.anthonygreenandspencer.co.uk

From: Antony Spencer
Sent: Tuesday, December 7, 2021 3:16 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Proposed Supplement Environmental Impact Report, Increased Usage of Virginia Robinson Gardens, Beverly Hills

Dear Ms. Yom,

Please find the enclosed letter.

I look forward to hearing from you.

Regards,

Antony Spencer

Stadium Capital Holdings

7 Manchester Square

London

W1U 3PQ

Tel: 020 7935 2335

Fax: 020 7487 4269

www.stadiumcapitalholdings.co.uk

PROJECT NOTE

DOCUMENT CONTROL			
DOCUMENT TITLE	VIRGINIA ROBERTS GARDEN (VRG)	**REVISION**	R00
DOCUMENT NUMBER	0051346-0820-0	**ISSUE DATE**	7TH DECEMBER 2021
PROJECT NAME	INCREASED USAGE OF VRG - NOISE	**AUTHOR**	DANI FIUMICELLI
STATUS	ISSUE	**CHECKED**	JS
ISSUED TO	ANTONY SPENCER	**PASSED**	DB

INTRODUCTION

1.1. This Project Note provides comments regarding the noise issues associated with the proposed Supplemental Environmental Impact Report (SEIR) for the increased usage of Virginia Robinson Gardens, 1075 Carolyn Way, Beverley Hills, CA (VRG).

UNDERSTANDING OF THE PROPOSAL

1.2. It is understood that the proposed changes to the use of the VRG will mean a considerable increase in activity with a doubling of daily visitors, a 6-fold increase in events, including use of amplified sound, and an extension of activities from 4pm to sunset (which is understood to be in the mid-evening around 8.00 pm in mid-summer), with associated increases in vehicular traffic to and from the VRG.

BASELINE BACKGROUND NOISE LEVELS AND AMBIENT SOUNDSCAPE

1.3. The effect of noise on people and the use of their homes not only depends on how loud the noise is in terms of noise level, and any relevant regulatory controls; but also, how the noise in question relates to existing background noise levels and the ambient soundscape.

1.4. For example, this would include considering the following:

- What might be the difference between representative background noise levels at outdoor amenity spaces at residential properties and the predicted noise from VRG? and,

- What might be the increase in noise level at outdoor amenity spaces at residential properties due to the predicted noise from VRG? and,
- Does the noise from VRG contain characteristics that increase its impact? For example, the low frequency bass thump of modern amplified music and the information content of amplified speech mean that the noise has a greater impact compared to the relatively anonymous sound such as steady traffic noise from busy but distant highways.
- How might the noise from VRG contrast or blend with the existing soundscape at outdoor amenity spaces at residential properties? i.e. how congruous will the noise from VRG be in the context of the existing sounds making up soundscape in the area.

1.5. Consequently, any noise assessment for the SEIR should include a comprehensive baseline noise survey and observations of the soundscape at locations representative of residential properties around the VRG.

1.6. Background noise levels and the ambient soundscape typically vary depending on the time of the day, evening or night, between weekdays and weekends day of the week, and with the weather conditions.

1.7. Therefore, any baseline survey should be sufficiently long enough to capture sufficient data so that outliers and anomalous values can be rejected and there remain enough values to be able to understand the variability of the baseline noise levels through day, evening and night periods and use statistical analysis to establish representative background noise levels and observations of the ambient soundscape.

1.8. Typically, this requires continual monitoring for 15 minute periods over a minimum of a 7 day period to be able to capture sufficient data to understand and manage the associated uncertainties so that any derived background noise levels and ambient soundscape observations can be confidently relied upon.

SPATIAL EXTENT OF THE NOISE ASSESSMENT FOR THE SEIR

1.9. The district around VRG is almost exclusively residential in character with correspondingly relatively quiet background noise levels and a tranquil ambient soundscape. Noise will

therefore not decay to below background noise levels or stop being incongruous in the context of the ambient soundscape until it has travelled some distance from the VRG.

1.10. Consequently, intensification of existing and introduction of more noise generating activities at the VRG has potential to cause disturbance and disruption to not only residents of properties adjacent to the VRG but also those some distance from the premises.

1.11. It is therefore suggested that the spatial extent of the noise assessment should be carefully considered and a distance of 750 feet from the boundary of the VRG is considered a likely minimum.

SOURCES OF NOISE

1.12. The main sources of noise associated with the proposed changes to the use of VRG that should be included in the SEIR include the following:

- Amplified music and speech
- Crowds
- Traffic
- Miscellaneous e.g. temporary plant installations such a generators or refrigeration equipment for catering, and fireworks.

NOISE PREDICTIONS

1.13. Assessment of the noise from the proposed increased use of the VRG will be dependent on theoretical prediction of noise propagation.

1.14. There are several methods of predicting the propagation of noise e.g. ISO 9613 is a common method.

1.15. Whatever method is used to predict noise levels from the VRG it should include the following parameters that influence the propagation of noise

- Robust source levels i.e. the sound power and frequency spectrum of the source should be realistic and verifiable.
- The effect of distance (geometric spreading).

- Source directivity characteristics.
- Source emission characteristics e.g. some Public Address system (PAs) propagate as a line source at a lower rate of decay before the decay increases to that of a point source at a faster rate.
- The effects of topography and buildings acting as barriers to the propagation of noise
- Ground absorption.
- Air absorption.
- Relative humidity and temperature.
- Meteorological conditions e.g. wind direction.
- Acoustic reflections other than from the ground.

NOISE PREDICTION VERIFICATION

1.16. Whilst the prediction of the noise from VRG will be a starting point in the noise assessment for the SEIR, there will be the opportunity to verify the predictions from amplified sound by installing a temporary PA at the VGR and carrying out noise propagation tests.

1.17. Such a test would involve temporary installation of a PA configured in a way typical of likely an event at VGR and playing test examples of sound at various levels, whilst simultaneously measuring at a reference point at the VRG e.g. the sound mixing/control point at VRG, and at representative residential locations at various distances around the VRG.

1.18. The propagation test would provide real world empirical data directly relevant to the VRG and surrounding locations that could be used to verify the noise predictions and reduce the inevitable uncertainties associated with theoretical prediction of noise propagation so that, they could be more confidently relied upon in the noise assessment in the SEIR.

SUMMARY

1.19. Noise from the proposed changes and intensification of use of the VGR has the potential to cause significant adverse effects to people living at and using residential properties adjacent to and some distance from the VGR.

1.20. As well as considering regulatory requirements, the assessment of the noise in the SEIR from the proposed changes at VGR should include a comprehensive bassline noise survey to establish representative background noise levels and ambient sound conditions in outdoor amenity spaces at residential properties adjacent too, and to at least 750 feet from, the perimeter of the VGR.

1.21. The assessment of the impact of noise from the VGR should include evaluation against regulatory requirements, and of the difference between the noise from VGR and baseline noise, the increase in noise levels comparted to existing conditions, allow for any acoustic characterises that might enhance the impact of the noise, and evaluate how congruous the noise will be with the existing soundscape.

1.22. The sources of noise included in the SEIR assessment should include all those likely to be audible beyond the boundary of the VGR.

1.23. The prediction of the propagation of noise from sources at the VGR should be based on reliable source data and include relevant factors that influence propagation of noise outdoors.

1.24. Predictions of amplified noise should be verified by a propagation test using a temporarily installed PA and simultaneous measurements at the VGR and various representative residential properties adjacent to and at multiple distances from the premises.

PROJECT NOTE DISCLAIMER:

This project note was prepared by Vanguardia Limited ("VL") for the sole benefit, use and information of Mr Antony Spencer for the purpose stated in the introduction. VL assumes no liability or responsibility for any reliance placed on this note by any third party for any actions taken by any third party in reliance of the information contained herein. VL's responsibility regarding the contents of the note shall be limited to the purpose for which the note was produced and shall be subject to the express contract terms with Mr Spencer. The note shall not be construed as investment or financial advice. The findings of this note are based on the available information as set out in this note.

The contents of this Note have been prepared for the sole benefit, use and information of Mr Spencer for the purposes set out in the Note or instructions commissioning it and shall be subject to the express contract terms with Mr Spencer. Vanguardia Limited assumes no liability or responsibility for any reliance placed on this Note by any third party. All data, concepts and proposals are Copyright © 2021 Vanguardia Ltd. All rights reserved. Issued in commercial confidence.

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office@vanguardia.co.uk
vanguardia.co.uk

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Robinson Gardens
Date: Monday, December 13, 2021 7:23:12 AM

Good morning Freddie,

VRG comments below…

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Dar Mahboubi <dar@dmanage.com>
Sent: Friday, December 10, 2021 2:17 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: Sheila <Sheila@bos.lacounty.gov>; Kathy Checchi <kathy@checchi.org>; Patricia Wittenberg <pwittenberg@owlhollow.org>
Subject: Fwd: Virginia Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

Subject: Virginia Robinson Gardens

Dear Ms. Yom:

We, the undersigned, are writing to voice our objections to LA County's suggested modifications to the schedule of operations at Robinson Gardens.
These proposed changes will essentially render the Gardens into a commercial venue, and will completely ruin the fabric of our peaceful residential neighborhood.

The hours of operation as they stand now are way too excessive. Adding more hours is totally unreasonable and unacceptable. Whenever there's an event at the Gardens my driveways get blocked. I can't get in and out of my house, not to mention the dangers posed to our health and safety as emergency vehicles cannot reach us in a timely manner.
We would very much appreciate your understanding of our complaints.

Respectfully:

dar Mahboubi
Mahie Mahboubi
Jonathan Mahboubi
Rebecca Mahboubi

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Robinsons Gardens from a neighboring resident
Date: Monday, December 13, 2021 7:23:53 AM
Attachments: Rob Gardens letter to LA County Dec 10 2022.docx

---

Freddie,

Another comment attached…

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Patricia Wittenberg <pwittenberg@owlhollow.org>
Sent: Friday, December 10, 2021 3:46 PM
To: Sheila <Sheila@bos.lacounty.gov>; Julie Yom <jyom@parks.lacounty.gov>
Cc: ttway@beverlyhills.org
Subject: RE: Robinsons Gardens from a neighboring resident

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Kuehl and Ms Yom,
Please see our attached letter regarding Robinsons Gardens. Thank you.
Cc to the City of Beverly Hills.
Regards,

Patricia & Armin Wittenberg
1065 Carolyn Way
Beverly Hills 90210
310 994-5277

Patricia & Armin Wittenberg 1065 Carolyn Way

Beverly Hills, CA 90210

Dear Sheila Kuehl and Julie Yom,

Thank you for taking the time to read/listen to us residents' issues regarding proposed changes to Robinsons Gardens.

We, just as many of our neighbors have expressed, are in opposition to the proposed changes for Robinsons Gardens for the same reasons: it would increase unwanted noise, music as well as create traffic, parking, and enforcement problems for the City of Beverly Hills etc.

We have lived here for over 20 years. We assure you, that this is an extremely quiet neighborhood—one of many reasons we chose to purchase a home here. When the annual fundraiser for Robinsons Gardens takes place, we assure you we easily hear loud music and….loud conversation/voices. We are happy to be gracious neighbors to accommodate this important fundraiser.

I might note that one proponent of the proposed changes, made a comment that Virginia Robinson held THREE party events per week. As if that justifies having increased noise and music in our neighborhood in 2021/2022?? That is an irrelevant statement…

The proposal of having up to 24 special events or weddings per year is unacceptable for a few reasons:

--The idea is a commercial enterprise. Did Virginia Robinson allow this?

--Theoretically…..IF these weddings/events were to take place, where does the profit money go to? Does Robinson Gardens have the benefit of the funds? OR…does the profit money go to a Los Angeles County general fund

--Robinsons Gardens is VERY small…only 6 acres. There is truly not enough acreage and foliage to dampen music and voices of events. Sound travels very easily through this neighborhood. The County would be forcing us to listen to wedding/function music that others

chose? The music could run the range from Italian, Greek, Scottish bagpipers, Rap, to Polka music…etc. This would be an intrusion to the "quiet enjoyment of our property" which we believe residents are legally entitled to.

--The idea of increasing the hours to sunset: we can imagine, if this is instituted, that the next idea would be to have music/concerts on the lawn in the evening. Again…this would be intrusive to the neighborhood.

I have been a member of the Huntington Gardens Art Guild in San Marino for over 10 years (as Parker Wittenberg), and have witnessed their increase in activities held over the years, in filming, music etc. that can increase noise, sound and traffic. One BIG difference they have with Robinsons Gardens—Huntington Gardens has 207 acres of trees, vegetations and buildings to mute music and other sounds on their property. Hence residents in the neighboring houses would hear nothing or next to nothing. They also have a very large parking lot.

To do the noise studies, traffic studies etc, LA County has to spend tax money to do so. We would prefer our tax dollars to be spent on keeping all LA County parks clean, maintained, with outreach as necessary, for the homeless and drug addicted who may also be visiting the park.

The ideal would be to close down the proposed changes to Robinsons Gardens….and do not spend money to do the studies.

Thank you again for your time.

Sincerely,

Patricia Wittenberg

Armin Wittenberg

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Comments on Proposed Operational Change of the Virginia Robinson Garden
Date: Monday, December 13, 2021 7:24:36 AM
Attachments: Letter to LA County re VRG_2021.12.11.pdf

Freddie,

Another comment attached…

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: robin kim <msrobinkim@gmail.com>
Sent: Saturday, December 11, 2021 9:58 PM
To: Julie Yom <jyom@parks.lacounty.gov>; Sheila <Sheila@bos.lacounty.gov>
Subject: Comments on Proposed Operational Change of the Virginia Robinson Garden

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom and Ms. Kuehl,

Please find the attached letter regarding the above referenced subject.

Sincerely,

Robin Kim

December 11, 2021

Via jyom@parks.lacounty.gov

Julie Yom
AICP Planner
County of Los Angeles
Department of Parks and Recreation
1000 S. Fremont Ave.
Unit #40 A-9 West, 3rd Fl.
Alhambra, CA 91083

Re: Comments on Proposed Operational Change of the Virginia Robinson Garden

Dear Ms. Yom,

The Virginia Robinson Garden is located at the end of cul de sac street in the completely dead-end residential area. I live next to the Garden. With the philanthropic heart the late Mrs. Robinson donated her residential home to the County with the terms that, in short, "it will be an **arboretum** garden; **no business for profit** shall ever be conducted on said property; available for public **at reasonable times**."

The County has already breached and proposed to breach more all three important conditions in the agreement.

(1) Arboretum. Currently the Garden is run as botanical garden rather than arboretum as specified in the agreement. There is a difference between arboretum which is a specialized botanical garden that features trees and other woody plants more for scientific study and the botanical garden which is a park-based garden open to public. The public for these two are very different in that one for scientists, researchers, and students for study and education, while the other is for public for strolling. Thus, it breaches the term of the agreement itself.

(2) Secondly, it seems the Friends of Robinson Garden group runs the Garden, mostly for their social activities unrelated to the purpose of arboretum for the members and their guests charging fees. I have assumed until now that the Friends group was in charge of maintaining the garden financially by their membership fees and fundraising efforts. By this County proposal, I realized that it is not true. If County government is and has been in charge of the maintenance financially, questions arise about (a) the role of the Friends group, (b) their social activities not related to the arboretum education, and (c) any philanthropic activities that are not for the purpose of maintaining the arboretum, (d) whether the donations raised in the Garden are accounted to the County, and (e) the status of the original maintenance fund bequest by the late Mrs. Robinson. This breaches the term of the agreement.

(3) Thirdly, the expansion of operation made in 2014 was made for the purpose of public to provide garden tours and for fundraising activities which mostly unrelated to the arboretum study and education. These expanded operational activities created harms and have been done at the cost of neighbors' sacrifices. Now the 2021 Proposal is proposing further expansion. Here are some examples of unreasonableness due to opening the residential property for public in the residential neighbors:

Crime. People loiter around the street either waiting for their garden appointment or walk by and driving by for a tourist site. As residents, whenever strangers wander, we must worry if they are for the Garden visit or for something else. Even though the city ambassador tells us to notify for any strangers, how do we know until things happened? My house already had intrusions twice in recent years. I notified about the intrusion to the Garden superintendent, and they installed 40 some CCTV cameras newly. With masks on in this era, CCTVs do not really help. The more unspecified public have access, it will bring more crimes in the area and we have no prevention.

Chaotic environment. Whenever there is an event at the Garden the days before and after, the catering and equipment trucks occupy the cul de sac, dead-end street. The routine trash collecting trucks, gardeners' trucks, pool man's maintenance trucks, construction trucks, and delivery vans fight for space making backing noises all the time. At night we hear loud music sound from the Garden and some other houses.

Emergency. When the dead-end street and neighboring streets are blocked by visitors and tourists, and their vehicles, the emergency cars will have difficulty to access, and our lives are at danger.

There are so many urgent issues in the L.A. County, most importantly the issues like exponentially growing number of homelessness, issues with low-income housing, unequal medical access, gun-control, unmaintained streets, etc. and where the crimes and vandalisms are soaring all over, how L.A. County propose this idea in the name of public benefits. I urge government be reasonable and put resources to make each and every neighbor within the County better and safer place, not the other way around.

I understand that the proposal was by naïve idea without knowing the fact and understanding of donor agreement and the County has operational burden. The ultimate solution that is fair to all is to turn the estate into a private residence.

Sincerely,

/ss/
Robin Kim
1005 Elden Way

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Gardens
Date: Monday, December 13, 2021 1:24:22 PM

Freddie,

Another VRG comments...

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

-----Original Message-----
From: Sally Harkham <sallyharkham@icloud.com>
Sent: Monday, December 13, 2021 1:02 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Virginia Gardens

CAUTION: External Email. Proceed Responsibly.

To whom it may concern,
I am a long term resident of 1006 n Crescent dr, I am vehemently apposed to the intentions of LA county to change the existing use of the Gardens. It will forever change the fabric of our neighborhood, and have a very negative impact on our lives .
Thank you ,sincerely yours, Sally Harkham Sent from my iPad

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Proposed Operation Changes at Virginia Robinson Gardens
Date: Monday, December 13, 2021 1:40:12 PM
Attachments: garden scoping letter vf.pdf

Freddie,

Attached is a comment letter from Mr. Chuck Alpert. His previous response dated 11/4/2021, which technically wasn't in the public comment period.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Chuck Alpert <calpert@hotmail.com>
Sent: Monday, December 13, 2021 1:20 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: sheila@bos.la.county.gov
Subject: Proposed Operation Changes at Virginia Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom,

Please find the attached correspondence relative to the "Notice of Preparation [sic] for the Proposed Operation Changes at the Virgina Robinson Gardens."

These comments are intended to be part of the record of the SEIR process.

Please send acknowledgement of the receipt of these comments. Thank you.

Charles Alpert
calpert@hotmail

Sent via mail and email (jyom@parks.laCounty.gov)

ALL ISSUES RAISED IN THIS CORRESPONDENCE ARE INTENDED TO BE PART OF THE CEQA RECORD AND PRESERVED AS POTENTIAL CONTESTED MATTERS IN THE EVENT OF LITIGATION.

December 13, 2021

Julie Yom
AICP Planner
County of Los Angeles
Department of Parks and Recreation
1000 S. Fremont Ave.
Unit #40 A-9 West, 3rd Floor
Alhambra, CA 91083

RE: ***Comment On Scope and Content of Proposed SEIR***
Proposed Operational Changes at Virginia Robinson Garden
1008 Elden Way, Beverly Hills, CA 90210

Dear Ms. Yom:

The central question that the draft Supplemental Environmental Impact Report ("SEIR") must address is whether the County Department of Parks and Recreation ("County") wants to be a responsible neighbor in Beverly Hills. This question compels a full, fair and impartial discussion and evaluation of all associated impacts to the immediate neighborhood and the city of Beverly Hills from the County's proposed operational changes at Virginia Robinson Garden.

Full, Fair, Impartial Process

With regret, we must note that the actions of the County to date demonstrate an obvious bias and pre-judgment in this matter. The initial posting of the scoping meeting indicated that the impacts for these operational changes were "minimal." (See, my previous correspondence with a link to that posting.) As further evidence for pre-judgment, I note that the Virginia Robinson Garden ("VROB Garden" or "Garden") website currently advertises for private events, including weddings, when such events are the subject of this supplemental environmental review process. Further, the website suggests attendance limits (300), not yet evaluated; street parking, not yet approved. (See: www.robinsonGarden.org/private-events)

Beyond prejudice, the CEQA process, to date, has been fundamentally flawed. At the November 15, 2021 virtual zoom meeting, the following was posted as the major substantive agenda item: "Q&A." No one representing the County mentioned the legitimate legal and proper purpose of the meeting was solely to solicit comments on the scope and content of the draft SEIR and not a general question and answer session.

Members of a non-government group, the Friends of the Robinson Garden, were treated as project proponents, given unrestricted speaking time, compared to limited time to other public participants and allowed to respond to any comment made by someone not in favor of the project. This conduct created a chilling atmosphere for discussion of the scope and content of the SEIR.

During the zoom call, members of the County staff or a representative of the Friends of the Virginia Robinson Garden offered comment, often dismissive, after every speaker who raised an issue relative to the project's impacts. These actions are inappropriate and not-conducive to soliciting public comments on the scoping of the draft SEIR.

We note additionally the affiliation of the "facilitator" of the zoom call was also never identified. The use of a facilitator suggests the meeting was intended as some sort of mediation. A scoping meeting is not a mediation.

County representatives at the meeting made no statement that the public may submit written comments on the scope and content of the draft SEIR subsequent to the zoom meeting until a member of the public mentioned the opportunity. **In sum, the County's conduct has fundamentally jeopardized the fairness of the evaluation of these proposed changes in any subsequent environmental review document.**

The entire CEQA process remains tainted and legally irregular. We reserve our right to contest this entire process at an appropriate time. The County proceeds at its legal peril. Once again, we suggest you reconsider your process and start over in a legally correct and impartial manner.

Despite these glaring irregularities, we offer the following comments on the scope and content of the draft SEIR so as not to jeopardize our rights. These comments do not, in any way, reflect a waiver of the fundamental irregularities and violations of CEQA which County Parks and Recreation Department has committed to date.

Robinson Bequest and Commercial Uses Including Private Special Events

The draft SEIR should address whether the original Virginia Robinson bequest to the County supports the use of the VROB Garden as a private catering, seminar, filming, and private family event venue. These uses represent "commercial" uses and likely constitute a legal forfeiture of the bequest requiring the County to divest control of the Garden.

The original Robinson bequest specified the Garden be for “public use.” A proposed use for private family events alone remains contrary to the bequest. Nearly all of the other listed operational changes also reflect commercial activities and are contrary to the letter and spirit of the bequest terms..

Should the County mistakenly continue to seek an operational change for these operations, each of these operations should be fully evaluated for the impacts each would individually create. For instance, a catered affair should include the impacts for the maximum possible attendees, the maximum number of servers for that number of attendees, the number of bartenders, the number of photographers, video support, musical performers, sound system, and others in attendance.

The draft SEIR should also address the cumulative impact of maximum events all at one time, namely, a full events and occupancy capacity at the Beverly Hills Hotel, a full capacity event at the nearby Women’s Club, multiple parties at private homes in the neighborhood, a city function in the business district, an event at Greystone Manor, simultaneous day and evening filming in the neighborhood, plus “a special event” at the Garden at full capacity.

The draft SEIR should include discussion, at a minimum, of the following mitigation measures: (1) wedding ceremonies only, no parties/receptions; (2) a prohibition at any event of the use of audio amplification and outdoor lighting; (3) a capacity of attendance at such events to 25 cars people (except for 4 events per year), including service and support staff; (4) compliance with all Beverly Hills ordinances and restrictions related to a similar event at a private residence; (5) a prohibition on any alcohol at any events; (6) limiting events to 4 per year, the current limit; (7) no events other than fundraising events by the Friends of the Garden; and/or (8) no private family events.

Comparable Facilities

Local public gardens of similar size and characteristics represent the best comparison to consider as an evaluator in the draft SEIR. The following listing of representative local area gardens of similar size and locations represents a fair comparison for the draft SEIR. Their operation restrictions represent a legitimate comparison which merits review in the draft SEIR. In contrast, mega-gardens with hundreds of acres and ample parking facilities reflect a distorted, unconvincing comparison for the VROB Garden draft SEIR.

Comparison #1: **The Garden of the World, Thousand Oaks, CA**

Garden of the World is a botanical garden in Thousand Oaks, California, situated directly across Thousand Oaks Boulevard from Thousand Oaks Civic Arts Plaza, within the downtown core of the city. Established in 2001, the park was given to the city by the owners of a local travel agency.

Size	4.5 acres

Hours	9-5 pm (Last Admittance: 4:30 PM)
Days Open	Tuesday – Saturday, Closed: Sunday-Monday, National Holidays, inclement weather
Parking	Limited site parking.
Surrounding Area	Commercial, “downtown area,” across the street from performance art facility.
Hosted Events	None

Comparison #2. **Japanese Garden, Sepulveda Basin, Van Nuys**

The Japanese Garden is a 6.5-acre public Japanese garden in Los Angeles, located in the Lake Balboa district in the central San Fernando Valley.

Size	6.5 acres
Hours	11- 4 pm
Days Open	Monday – Thurs. (Currently temporarily closed for construction) Closed: Fri – Sun.
Parking	Very limited Parking, No street parking, Garden website says: Avoid Parking Hassles, Come by Mass Transit.
Surrounding Area	Part of a recreational basin.
Hosted Events	Ceremonial weddings. No receptions. Event must complete prior to dusk.

Comparison 3. **UCLA Mildred E. Mathias Botanical Garden, Los Angeles, CA (Westwood)**

Public garden, research facility, outdoor classroom on campus of UCLA.

Size	7.5 acres
Hours	Monday – Friday, 8 to 5 PM Sat – Sunday, 9 to 5 PM (Note: reduced winter hours)
Days Open	Seven Days, except Holidays

Parking	Paid Parking at UCLA parking Structure Several Blocks Away
Surrounding Area	Part of campus of UCLA.
Hosted Events	None.

Comparison 4: **Moorten Botanical Garden, Palm Springs**
The Moorten Botanical Garden and Cactarium is a 1-acre family-owned botanical garden specializing in cacti and other desert plants,

Size	1 acre
Hours	10 to 4 PM (reduced summer hours)
Days Open	Six Days, Closed Wednesday
Parking	Parking can be difficult as there is no private lot available only street parking in the surrounding areas.
Surrounding Area	Near downtown.
Hosted Events	a small, intimate wedding only venue (no receptions).

The above listed examples are legitimate comparisons in size and operations. All have parking issues. All are similar or smaller in size to the VROB Garden. If any distinction exists to the gardens listed is that the VROB Garden sits immersed in a residential enclave. **This residential factor implies the need for even greater mitigation in operating conditions, not less**.

Certain obvious comparisons exist. None of the examples offer events with receptions. None offer events for “private family” events. At two locations, weddings are allowed only under very restricted terms; no reception and time limits. None of these comparable gardens stays open to sunset on a daily basis. All except one, close for one or more days per week. One closed three days a week. Parking which will be addressed later, was problematic for all – triggering appropriate adjustment in events, hours and days open. Size of the facility plus parking concerns dictate reduced operating parameters.

These examples should be included in any evaluation of the impacts of the VROB Garden. They also invite the following mitigation considerations:

- No change in hours, even a reduction from existing hours;
- A limit of operations to five days a week;

- A ban on events;
- A ban on events with receptions (parties); and
- All events must conclude by the closing.

Additionally, the draft SEIR must include consideration of operating the facility solely as an educational, research facility as an alternative to the County proposal.

What should be obvious is that any comparison to much larger public garden facilities with ample parking and acreage invites a highly distorted, misguided comparison. All other similar County operated facilities exceed the acreage of the VROB Garden by 14 to 25 times. All have substantial parking resources. None are fully embedded in a residential community. **Trying to equalize County operations from these very large facilities to VROB Garden inherently creates unmitigable significant environmental and social impacts.** Consider the following table for support:

Descanso Garden Flintridge, CA	150 Acres	9 AM to 5 PM
South Coast Botanical Garden Palos Verdes Hills, CA	87 Acres	8 AM to 5 PM
Los Angeles County Arboretum and Botanical Garden Arcadia, CA	127 Acres	9 AM to 4:30 PM

Given this information about the County's much larger gardens, one obvious mitigation measure would be limit hours of operation from 9 AM to 4:30 PM, or earlier due to its size and location differences from larger County gardens, and reducing the days of operation.

If one considers the VROB Garden as a historical resource as the County Parks and Recreation Departments so lists the Garden on its website, the proposed days and hours of operation also far exceed comparable historical resources.

Comparison 5: **Loomis House**

Lummis House, also known as El Alisal, is a Rustic American Craftsman stone house built by Charles Fletcher Lummis in the late 19th and early 20th centuries. Located on the edge of Arroyo Seco in northeast Los Angeles, California, the house's name means "alder grove" in Spanish

Size	3 acres
Hours	10 to 3 PM
Days Open	2 Days/Week, Sat.- Sun, Closed Mon - Fri
Parking	Limited onsite parking
Surrounding	Across the street from 110 Freeway.

Area	
Hosted Events	none

Comparison 6: **Heritage Sq. Museum**

Heritage Square Museum is a living history and open-air architecture museum located beside the Arroyo Seco Parkway in the Montecito Heights neighborhood of Los Angeles, California, in the southern Arroyo Seco area.

Size	unavailable
Hours	11 to 5 PM
Days Open	Sat – Sunday Only
Parking	Onsite Parking Lot
Surrounding Area	Residential at end of cul de sac
Hosted Events	None (Educational Events Only)

Comparison 7: **Hollyhock House**

The Aline Barnsdall Hollyhock House in the East Hollywood neighborhood of Los Angeles, California, was designed by Frank Lloyd Wright originally as a residence for oil heiress Aline Barnsdall.

Size	On park land
Hours	11 AM to 1:30 PM Tues/Wed 11 AM – 4 PM Thurs – Sun
Days Open	Tues – Sunday *Temp. Closed - Covid*
Parking	Parking available in adjacent Park
Surrounding Area	Located In city park (Barnsdale)
Hosted Events	None

The many comparisons presented provide ample examples that the Garden's proposal for hours and days of operation is extraordinarily excessive, well beyond norms of operation.

The Garden is surrounded by residential properties on all sides. That condition existed when the County became custodian for the Garden. Noise and traffic sensibilities are heightened as a result. No entrance exists from a main thoroughfare; the entrance is on a *cul de sac* of a residential street. Standards should be different. Impact measurements should be accordingly adjusted and reflected in the draft SEIR.

Public Service Emergencies and Emergency Response

Factually, the draft SEIR should prominently state that the VROB Garden resides in a Wildfire Designated Hazard Area. This designation alone creates a significant impact and demands inclusion of the following mitigation: Garden closure on any declared red flag day for the Beverly Hills area.

The safety issues compound due to the fact that Beverly Hills Fire Department vehicles (fire trucks, ambulances, rescue vehicles) do not have access to the Garden property. First responders can access the property only on foot. (Note, the six-acre property is undulated and some areas have limited pathways compounding an emergency response.) This limitation has the potential to delay a critical rescue as well as delay transport to hospital facilities. Again, this limitation represents another significant impact. Appropriate mitigation should include:

- Conspicuous notice on the Garden's website and onsite notice that response to any personal health emergency may be delayed due to restricted access of emergency vehicles to Garden property;
- Training of all County employees in first aid and CPR;
- Installation of defibrillator(s) on garden property and employee training on its use.
- A reduction in onsite attendance limits; and
- Elimination of special events.

The fire risk at the garden presents another unique concern. According to the BH Fire Department, no known pressurized city fire hydrant exists on the garden grounds. In the event of a fire, hoses would need to extend considerable distances, possibly even from Carolyn Way, Cove and/or Crescent. The nearest fire hydrant appears to be at 1017 Crescent Drive, a considerable distance from the entrance to the Garden. This fact will again complicate and delay any response to a fire emergency at the Garden, perhaps even threaten historic features of the property and nearby residences. Mitigation should consider:

- A ban on propane or other flammable fuels for heating, lighting, food preparation at Garden events;
- A ban on outdoor smoking on the property;
- Quarterly inspections by the City Fire Marshall; and
- County securing a city event permit to include a condition that City Fire Marshall conduct onsite inspection of any Garden events.

Linked to fire issues, the Garden should discuss how it will provide security both for special events and daily visits given the substantial proposed increase in days of operation, number of events and hours.

Earthquake Risk

The 2012 SEIR projected a less than significant risk for an earthquake to impact the Garden. New information suggests otherwise. The draft SEIR should discuss:

- The closeness of the Garden to the Hollywood fault;
- The capability of the Hollywood fault (magnitude 7);
- The possibility of the Hollywood fault joining up with nearby faults (Santa Monica and Raymond Fault) creating a larger magnitude fault;
- Any earthquake retrofit of the Robinson Mansion;
- The risk to the public, staff, volunteers onsite during a significant earthquake;
- A worst-case analysis should include a discussion of a 7.0 earthquake during a Garden event of 1000 people. (See subsequent discussion of event parking); and
- A discussion of damage to buildings from vibration, ground shaking, trees failing, fire, as the result of an earthquake, not just from liquefaction.
- Earthquake retrofitting the mansion.

Water Use

The Garden remains one of the Beverly Hill's largest water users. While some few of the plantings are drought tolerant, the original aim of the garden was to import and plant trees and vegetation from regions other than southern California. As a result, the garden is not considerably drought tolerant.

An increase in daily attendance, increased days and hours of operation, as well as a six-fold increase in special events will trigger an increased water demand that the draft SEIR must discuss.

More importantly, both the Governor of California and the Metropolitan Water Department have issued drought warnings and calls to reduce water use significantly. The Governor has requested a 15% reduction from 2020 usage levels. The draft SEIR should state how the County will meet these conservation goals for the Garden. What if these restrictions or more stringent ones become mandatory? This possibility should be discussed, as well. Note, the Garden source of water is from the City of Beverly Hills. City ordinances allow the city to fine users for excess water use and limit or allocate water to users.

Given the drought conditions in California and the western United States, the draft SEIR should discuss not only the increase demand for water by the proposed operational changes, but that discussion must be in a context of how the Garden will manage its water use in times of mandated water conservation.

Covid

Increasing operational hours and attendance limits are contrary to sound pandemic measures and a possible threat to public health given that the Covid pandemic continues and no firm end can be established. In fact, such action represents a potential significant social impact.

Given the fact that tours are given in groups and tours are allowed in the mansion, the environmental impact should discuss how the Garden will mitigate against the pandemic and protect its visitors, volunteers and employees. Such a discussion should include restrictions on staff and visitors. The Getty Center, for instance, requires all staff, volunteers and visitors to show proof of full vaccination or a negative Covid test in the past 72 hours. Such restrictions seem appropriate for discussion. Another alternative that merits discussion equates to postponing any discussion and consideration of any operational changes until Covid abates.

Noise

Noise in the foothills surrounding the Garden has a unique trajectory. Houses along the highest points in the hills like those homes on Summit often are as impacted by noise as much or more so than from homes in the lower point of the foothill. Certainly, the many properties directly adjacent to the noise from the Garden experience the noise impacts exponentially, as well. Importantly, the County sent no notice to residents on Summit Drive, Marilyn Drive, and other streets in the area about the proposed changes. A last minute notice on the Friday before the Monday hearing appeared in a local Beverly Hills paper but under a City banner.

Any baseline noise survey should be taken on multiple days and times and not just on one day. Indeed, the baseline should be on a Sunday to fully judge the impact of additional hours and events. Using highway models to assess noise impact has little relevance to the impact to neighborhood streets. Noise should be monitored from a large outdoor event in the area as a measure of the impact.

Operational noise should also be considered. Event noise, lawn mowers, leaf blowers, event setup and take-down, traffic noise, loud speakers, pool maintenance, and other garden activities for a six-acre, commercial property generate a unique and significant impact not generated by neighboring homes.

Garden ambient noise also represents a significant environmental impact. Tree trimming, event setup and removal and most significant event noise such as music and amplifying can significantly impact noise levels. No other residential property has as many trees, or as large a garden which can create a similar noise from maintenance activities.

Commercial Use

The proposed twelve-fold increase since 1980 in events, from 2 to 24 represents an obvious commercial use of the property. Weddings, seminars, private family events, and the like represent monetary generating activities complete with catering, party

rentals, valets, and other support staff. As noted, this type of regularized commercial events represents an aberration in an otherwise residential neighborhood.

As the purported mission of the Garden is to educate and expose a wide range of visitors to nature. How is turning the Garden into a filming or wedding venue for commercial gain part of the mission of the Garden? We believe that with the new changes proposed by the County, the Garden is being used for money-making ventures, not for its fundamental mission -- and all at the residents' expense.

The proposed project is not within the intent of Beverly Hills' Land Use Element plans and policies as it relates to existing neighborhood character and quality. In particular, such uses at the stated scale represents a significant deviation from the existing uses, densities, character, amenities, and quality of the City's adjacent residential neighborhood. The draft SEIR should recognize this adverse impact. Increasing the number of events will not mitigate the impact. **A commercial use of the Garden inherently irreparably degrades the character of the neighborhood and remains unmitigable**. The draft SEIR should so note.

Construction Activities

The draft SEIR should also note the significant impact from the repetitive erection of tents, seating, tables, cooking and food warming equipment, lighting, audio, video equipment. These activities produce many of the same impacts as construction activities: namely, noise, trucks, other vehicles, workers, arrival of and removal of materials from the site. In particular, the draft SEIR should document the impacts from event setup and removal. Again, short of no increase in the number of events, no mitigation is possible. One setup for multiple events does not eliminate the impacts as usually the setup is for the largest event and workers (cooks, servers, audio visual, carpenters) may arrive separately for each event.

Note, in Beverly Hills, residential construction activities are limited to Monday to Friday, from 8 Am to 6 PM. Plus such activities are prohibited on most Holidays. The same rules should apply as mitigation to the Garden.

Traffic

Any analysis of Traffic should focus on the local streets surrounding the Garden and not the I-405 or other major freeways. The following intersections are most relevant for study:

1. Benedict Canyon Drive and Lexington Road
2. Hartford Way and Lexington Road
3. Oxford Way and Lexington Road
4. Elden Way and North Crescent Drive
5. North Crescent Drive and Lexington Road

6. North Beverly Drive and Lexington Road

7. Rexford and Crescent Drive

8. Beverly Drive/Rexford Drive (Turn-off to Coldwater Canyon)

9. Cove and Hartford

10. Crescent Dr. and Sunset

11. Rexford and Sunset

12. Alpine and Sunset

13. Laurel Drive and Beverly Drive

14, The use of the long circular driveway on the Garden property.

Any traffic study should also include an analysis of for-hire transport like Uber and Lyft. Significantly, the study should include an assessment of the use of Elden Way, a residential street, as a porte-cochere (coach gate).

The analysis should also include staff, docent and delivery traffic. A return to pre-Covid traffic considerations should also be addressed.

Sustainability/Waste Generation

Does the Garden purchase electricity solely from renewable sources? If not, greenhouse gas emissions should include these related emissions. Does the garden use gasoline powered leaf blowers? If so, greenhouse gas emissions should include these related emissions. Does the garden or its contractors use gasoline powered tools like chain saws? If so, greenhouse gas emissions should include these related emissions.

The amount of waste generated from increased attendance and events should be calculated. New state rules on organic waste and food re-use will likely apply. The draft SEIR should address these important concerns.

Large events also require restroom facilities. The site was never intended to be a catering facility? How will the Garden manage bathrooms for events?

The draft SEIR should address street litter triggered by large events. Cans, bottles, food wrappings are invariably the aftermath of any large event in the neighborhood. The draft SEIR should comment on control of such waste.

Historical Resources

The VROB Garden requires full-time maintenance. How will the proposed increase in visitors and events affect the degree of maintenance at the Garden? Will additional

employees, contractors, administrative staff be necessary? The draft SEIR should include reasonable estimates of these associated impacts.

How does all this increased attendance, events, contribute to the preservation of the historical value of the property? Logically it does not. Rather it imperils the historic value of the property. The draft SEIR should address these issues.

Wildlife

How will additional visitors and additional events, impact the wildlife of the Garden and the surrounding neighborhood? Currently, a wide variety of birds, including hawks, and small animals, share the neighborhood. The draft SEIR should document this animal life. More relevant, several nocturnal animals such as cayotes and owls can be seen and heard in the Garden at night. The draft SEIR should evaluate the increased impacts of extended hours and increased events on animal life.

Light Pollution

Expanding events into evening hours inherently requires lighting. Light pollution is a particular concern in Los Angeles due to its geographical tendency to trap coastal haze and refract light more dramatically. Any further pollution should be addressed as well as a nuisance factor to the adjacent homes in the neighborhood..

Parking

Where is the parking to support the County proposal? The 2012 SEIR indicates that the Garden only has 20 parking spaces for all uses: visitors, staff, docents, visitors, event support staff (caterers, servers, musicians, etc.), At the scoping hearing, the Garden Superintendent indicated 25 spaces existed for visitors and six more for staff. Photos in the 2012 SEIR show parking in an ordinary manner equals less than 20 spots. Larger numbers (20-25) seemingly can be reached in an irregular fashion, double parking, which poses other risks in the event of an unanticipated emergency. The draft SEIR must use parking in an ordinary manner to fairly assess impacts. Any other manner exacerbates the emergency issues and the threat to public health previously raised in this correspondence.

The draft SEIR must compare available onsite parking against potential uses. Using the County's indicator of maximum attendance on its website, the private events page (since altered) of the VROB Garden notes the following capacity for a special event:

Pool Pavilion – 50 Capacity
Rose Garden – 60 Capacity
Great Lawn – 300 Capacity
Back Terrazzo Patio – 75 Capacity
Tennis Court – 300 Capacity (seated)
Poolside – 40 Capacity (per side)

(Note: capacity could be achieved by simultaneous multiple events or one large event.)

A max event, therefore, could entail 865 participants plus support staff of 86 (10 per 100 guests). Then, one needs to account for the valets, the musicians, County staff, deliveries, rental trucks, security, docents, clergy, etc. How will 25 parking spaces for cars account for vehicles for approximately 1000 visitors? The Garden parking onsite cannot come close to this demand.

If you believe the County Superintendent for the Garden, cars average 3 persons per vehicle. Even using that questionable analysis, the garden will be able to park 75 people and parking for 925 people will need to take place elsewhere? Where? The street? The neighborhood cannot accommodate 275 – 300 or more vehicles. If one accepts that the average vehicle count will be 2 people, a more likely average for a large event, then the neighborhood will be asked to accommodate as many as 500 vehicles.

The County suggested on the zoom call that event parking could use Greystone Manor. Besides creating another problem of transporting as many as 1000 people from a distant location which may not always be available 24 times a year or may not accommodate 300 to 500 vehicles, such offsite parking causes impacts to other city residents which the draft SEIR must analyze. The constant stream of shuttle vehicles creates a separate traffic impact at the entrance on Elden Way and other nearby city streets.

In fact, past practice shows remote lots are rarely employed. Street parking is the norm for Garden special events. The last special event of the Garden, the Garden Tour, tied up traffic on Beverly Drive so badly cars could not turn out of Laurel Way, backed up traffic trying to head to/from Coldwater Canyon. Lexington was unsafe at various times. The draft SEIR must address the lack of meaningful parking for visitors, for special events, 24 times a year.

Where is the parking for service employees and service vehicles? In the past, the streets have served as parking for such vehicles. This adds to the vehicle count and should be included in the analysis. Service vehicles often include large trucks. Service personnel often travel in individual cars.

Normal hours will not accommodate the visitor limits the County projects either. The Garden suggests it will use 4 shifts of 25 cars on a daily basis. Per the Superintendent's comments at the public hearing, the Garden estimates 3 people per vehicle. What if the average is 2 or less people per car on any given day? The County public notice said the limit will be 200 people/day for garden tours. But four shifts at 25 cars at 3 people per car equals 300 visitors, not 200. Clarification is needed. What if a visitor stays beyond the tour? Cars may not come and go in shifts. What if people come early? The obvious answer is that visitors will, and do now, park on nearby streets.

The draft SEIR should address the impact of the current parking restrictions on neighboring streets of a 2-hour limit upon the proposed use of the Garden. No rules say

visitors will stay two hours or less. Similarly, the draft SEIR should address a possible future street parking restriction to 1 hour parking, or even Permit Parking only, or no parking -- in lieu of the current parking restrictions.

Project Alternatives

The draft SEIR should consider viable other alternatives which will produce or significantly minimize or mitigate the impacts from this project. These alternatives should include:

- A No Change Alternative: maintaining the existing operating conditions;
- A Return to the 1980 operating conditions;
- The County turning the Garden to a non-profit organization or to the City of Beverly Hills to operate;
- The County selling the land to a developer for sub-dividing into a residential development; and
- Turning the Garden into solely an educational venue for students with hours limited to school hours.

Necessary Clarifications

Will the County accept compliance with all relevant and applicable Beverly Hills Ordinances/Permitting? That is the current understanding. The inadequate notice makes no reference to this fact.

The County justifies the proposed operational conditions on “equity.” What is meant by equity? How many days has the Garden met or exceeded the current visitor limit? Reservations are available online or by phone on a first come, first reservation basis. Where is the inequity in this reservation system? Operational changes do not address this issue, if it is even an issue.

What is the name of the consultant preparing the draft SEIR? How many other environmental documents has the consultant prepared for the County? How much will the County pay the consultant? Why not permit an independent agency supervise the preparation of the draft SEIR?

Also, the mission of the Garden is to educate and expose a wide range of visitors to nature. How is turning the Garden into a filming or wedding venue for commercial gain part of the mission of the Garden? We believe that with the new changes proposed by the County, the Garden is being used for money-making ventures, not for its true mission. This matter should be addressed in the draft SEIR.

What does the Agreement with the Friends of the Garden state? A copy should be part of the appendix to be able to fairly analyze any comments from the Friends.

On the zoom call, the County promoted the use of the Garden as an educational resource. How often do student tours occur? What percent of total tours are for students?

Does the County deem the Garden to be a park? If so, can one picnic in the Garden? Play ball? Go swimming in the pool? Are pets allowed? If the Garden is not a park, which it is not, different rules should apply because of its unique value. The draft SEIR should explain how the County can apply park rules to the Garden?

Currently, no visitors in a wheel chair or using a cane or walking stick are allowed to tour the grounds. Will the same restrictions apply to open events?

How does all this increased attendance, events, contribute to the preservation of the historical value of the property? Logically it does not – rather it imperils the value of the property.

How does the County justify such drastic operational changes given the 40+ year history of operations on the property? The following chart exemplifies the impactful nature of the proposed changes:

Indeed

	1980	***2012***	***2021 Proposal***
Days Open to Public	4 days/ week Tues-Fri Holidays: Closed	5 days/week, Tues – Sat. Open on Holidays, except Christmas and New Years	***Seven Days a Week*** ***No Holiday Closures***
Hours	9:30 AM – 3:30 PM	9:30 – 5:30 AM	**9:30 AM - Sunset**
Attendance Limits/Tours	100 visitors/day With reservations	100 visitor/day With reservations	**200 visitors/day**
Types of Events	Educational Programing	Public Programs conforming to hours and visitor limits	**Existing Events plus private family events such as weddings.**
Special Uses	2/Year Patron Party Garden Tour No Attendance Limits	4/year Garden Tour (2 consecutive days)	**24/year**
Parking	• Limited to 20 spaces onsite • No Street Parking • No Walk-ins • No Drop-offs	• Onsite parking only • No street parking • Walk-ins allowed	**No restrictions indicated**

Indeed, the draft SEIR should explain why the County should not go back to the 1980 restrictions which served as operating parameters for more than 40 years.

Final Thoughts

The residential neighborhood existed in 1980 when the County took custody of the Garden. It is not like the residents evolved after the County turned the Garden into a public venue. At the scoping hearing, someone suggested that Virginia Robinson held dinner parties three nights a week at the Garden, as if that fact, justified the increase in events, people, cars, etc. proposed by the County. No one, however, suggested that each of those parties involved 1000 people (including staff) or that Virginia Robinson "rented" her estate to others for private party events. Moreover, the homes in and around the Robinson estate were developed in the mid-1950s when Mrs. Robinson was in her eighties. She was not entertaining as lavishly then as she once did.

One of the central questions is whether the County wants to be a responsible neighbor or a neighborhood nuisance? The draft SEIR must address that fundamental issue in a fair and full evaluation. If past practice and current evidence is an indicator, the draft SEIR will dismiss the numerous valid concerns raised in this letter. Should this dismissive practice repeat, that unjustified response will let us know that the County does not intend to be a good neighbor but rather the neighborhood bully.

We make these comments based on legitimate concerns. Concerns that the County should appreciate and respond accordingly.

Sincerely,

Charles Alpert
1035 Carolyn Way
Beverly Hills, CA 90210

Kathy and Al Checchi
1007 Cove Way
Beverly Hills, CA

Lili Bosse
Beverly Hills, CA

Jonah Feit
Ben Kashanian
Esther Kashanian
1016 N Crescent Drive
Beverly Hills, CA

Dar and Mahie Mahboubi
1010 N. Crescent Drive,
Beverly Hills, CA

Patricia & Armin Wittenberg
1065 Carolyn Way
Beverly Hills, CA

Robin Kim
1005 Elden Way
Beverly Hills, CA

Bryan and Wendy Turner
Beverly Hills, CA

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Virginia Robinson Gardens Expansion Proposal
Date: Wednesday, December 15, 2021 12:59:30 PM

Freddie,

VRG Comments below.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: JODI STINE <jstine10022@gmail.com>
Sent: Tuesday, December 14, 2021 4:13 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: shelia@bos.lacounty.gov
Subject: Virginia Robinson Gardens Expansion Proposal

CAUTION: External Email. Proceed Responsibly.

Dear Julie - it was brought to my attention that I should share my concerns with you about the recent proposed 100% increase in daily visitors and the 500% increase in yearly events by the Robinson Gardens.

I have sent the same information listed below to Timmi Tway.

As a neighbor, our main concerns are:

1). #1 SAFETY - With the exponentially large increase in visitors, who is going to keep the Beverly Hills residents safe? With the recent spate of crimes in Beverly Hills/Los Angeles, safety seems like an issue that should be of the utmost priority. How is the city going to address this increase in visitors?

2). PARKING - it gets crazy with cars on Cove Way, Hartford and Lexington- Cove Way in particular is not a wide street - and parking is only allowed on one side; this makes parking at a premium. Our driveway is used as a 3-point turning point and we've had our share of semi-blocked driveways. How will the city handle this parking/traffic/safety mess?

3). NOISE POLLUTION - our neighborhood is shaped with some steep hills and the noise travels - what impact will the increased amount of visitors have on our quiet neighborhood?

4). LIGHT POLLUTION - how will the increased events affect the peaceful nightscape of our neighborhood? Will these added events harm the wildlife, specifically the owls that live in the Gardens?

We enjoy very much living near the Gardens; they have been good neighbors. In return, we have supported their fundraising efforts and mission - and have learned to live with and accommodate the current state of visitors and events.

However, now, with these proposed changes, I fear that we will be looking forward to barbed wire fencing, security guards, and parking lots - exactly what I would expect living next to a public catering hall/party house.

Please let me know if you have any questions or wish to discuss this further.

Thank you,
Jodi & Don Stine
1024 Cove Way

	1980	***2014***	***2021 Proposal***
Days Open to Public	4 days/ week Tues-Fri Holidays: Closed	5 days/week Mon-Fri; closed on Holidays	***Seven Days a Week*** ***No Holiday Closures***
Hours	9:30 AM – 3:30 PM	9 AM– 4 PM	**9:30 AM - Sunset**
Attendance Limits/Tours	100 visitors/day With reservations	100 visitor/day With reservations	**200 visitors/day with reservations**
Types of Events	Educational Programing	Public Programs conforming to hours and visitor limits	**Existing Events plus private family events such as weddings.**
Special Uses	2/Year Patron Party Garden Tour No Attendance Limits	4/year Garden Tour (2 consecutive days)	**24/year; up to 4 events per month**
Parking	• Limited to 20 spaces onsite • No Street Parking • No Walk-ins • No Drop-offs	• Onsite parking only • No street parking • Walk-ins allowed	**No restrictions indicated**

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Sent from Gmail Mobile

The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

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Sent from Gmail Mobile

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Sent from Gmail Mobile

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Submission of letter in opposition to Proposed Revision of Operations of Robinson Gardens
Date: Wednesday, December 15, 2021 1:24:47 PM
Attachments: RobinsonGardens LACouty LTr.docx

Hi Freddie,

VRG comments attached.

Thanks!

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Arnold Messer <arnoldmesser@gmail.com>
Sent: Wednesday, December 15, 2021 11:31 AM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: Sharon Messer <sharonmesser@gmail.com>
Subject: Submission of letter in opposition to Proposed Revision of Operations of Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom,

The attached letter is submitted to you regarding the scope and content of the environmental analysis to be included in the SEIR regarding the proposed expansion of operations of Robinson Gardens.

Very Truly Yours,

Arnold W. Messer

Arnold W. Messer

Ms. Julie Yom

AICP, Park Planner

County of Los Angeles

Department of Parks and Recreation

Re: County of Los Angeles Proposed Operational Changes

Virginia Robinson Gardens

Dear Ms. Yom,

This letter is submitted to you in opposition to the proposed substantial expansion of activities at Virginia Robinson Gardens. I request that it be included in the SEIR that is being prepared. This is the first time that I have written in opposition to a proposed change in the more than 25 years that I have been a resident of Beverly Hills and living on Cove Way.

As you are aware, the Robinson Gardens are requesting that they be allowed 24 evening events per year (up from 4 and now to include weddings), double the number of permitted daily visitors and greatly expanded visiting hours

I, like the rest of the residents of Cove Way, feel very strongly that this is a totally excessive request that would dramatically impact the quality of life on the street (and other streets that are near), create noise

pollution and congestion on the street as well as hazards for emergency vehicles.

My first concern is the noise involved in the evening events, especially that weddings would now be allowed. Cove Way is a very quiet street. In the 25+ years that we have lived here, I can only remember 3 or 4 times when there was very loud music coming from one of the neighbors at night.

Our house abuts the western edge of the Robinson Gardens and when there is loud music played there, we hear it. It makes it very unpleasant to sit outside. But we support the Robinson Garden's mission and were willing to live it 4 times per year. Now if weddings were allowed, the odds would be very high that they will hire a very loud band or, worse yet, have a DJ play non-stop techno music. We could expect that the noise problem will be frequent and greatly exacerbated. This would happen 20 more times per year and probably nearly every summer weekend.

Large weddings and other events require large staffs. Most of which would be parked on our street. In the past, some of the staff have partially blocked driveways and parked in red zones. This will just get worse. Especially since they plan to use the driveway coming off Cove Way for staff entry. Worse yet if they allow visitors to use this access.

These are more than minor inconveniences and it is totally out of the character of the neighborhood. Moreover, it goes far beyond the terms of the grant of the Robinson Gardens property to the County. Those of us on Cove Way hope that you will see that this plan creates an undo imposition on the quiet enjoyment of our homes and cancel or substantially revise that plan. Of course, we will use every lawful means we can to oppose the plan as it now stands in all forums available to us.

Very Truly Yours,

Arnold W. Messer
1020 Cove Way
Beverly Hills, CA 90210

CC: Ms. Timmi Tway
ttway@beverlyhills.org

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Letter attached
Date: Wednesday, December 15, 2021 2:55:45 PM
Attachments: Letter to County VRG 12.15.docx

Freddie,

VRG comments by several neighbors attached.

Thanks,

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Kathy Checchi <kathy@checchi.org>
Sent: Wednesday, December 15, 2021 2:44 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: Sheila <Sheila@bos.lacounty.gov>
Subject: Letter attached

CAUTION: External Email. Proceed Responsibly.

Dear Ms. Yom-

I am attaching a letter signed by several of us who strongly are against the expansion of the Robinson Gardens. Please confirm that you received it.

Thank you,
Kathy Checchi

Sent by email

Dear Ms. Yom,

Residents are very concerned about the significant negative impacts the intensification of the Garden's proposed uses will have upon us, and we want to let the County know that we **adamantly oppose the changes in operations.**

As neighbors, we are very supportive of the Virginia Robinson's Gardens and their mission to expose all city dwellers, especially inner-city children, to nature.

However, we believe that there will be a number of impacts from the Expansion of Hours, Events and additional people visiting the Virginia Robinson Gardens. During their current events, the burden on the neighborhood is severe, and for a few times a year, we have been willing to look the other way. But the proposed expansions will permanently alter our way of life. We believe that everyone is entitled to the quiet enjoyment of their homes, and if this expansion proceeds as the County wishes, we will be denied that right.

The Gardens are proposing 200 visitors a day (currently 100), Seven days a week, including Holidays (currently Monday-Friday), Hours of 9:30 am to Sunset (currently 9am-4pm) and 24 events a year to include filming, Weddings, family ceremonies, meetings, seminars and classes (currently up to 4 events, subject to BH event restrictions).

	1980	***2012***	***2021 Proposal***
Days Open to Public	4 days/ week Tues-Fri Holidays: Closed	5 days/week, Tues – Sat. Open on Holidays, except Christmas and New Years	***Seven Days a Week*** ***No Holiday Closures***
Hours	9:30 AM – 3:30 PM	9:30 – 5:30 AM	**9:30 AM - Sunset**
Attendance Limits/Tours	100 visitors/day With reservations	100 visitor/day With reservations	**200 visitors/day**
Types of Events	Educational Programing	Public Programs conforming to hours and visitor limits	**Existing Events plus private family events such as weddings.**
Special Uses	2/Year Patron Party Garden Tour No Attendance Limits	4/year Garden Tour (2 consecutive days)	**24/year**
Parking	• Limited to 20 spaces onsite • No Street Parking • No Walk-ins • No Drop-offs	• Onsite parking only • No street parking • Walk-ins allowed	**No restrictions indicated**

We ask that the SEIR consider and address the following issues:

FIRE

Our neighborhood has recently been designated a Fire hazard area, with signs being posted throughout the neighborhood.

Palm trees have been identified as very susceptible to fire, with the embers from palm trees being capable of blowing large distances. The VR Gardens has an extensive grove of palm trees. Additional visitors could increase the risk of fire.

And neighbors have recounted that during Garden events, roads and driveways have been blocked by guest and “Party Van” parking.

Is a fire engine too large to enter the Gardens? Is there a dedicated fire hydrant within the Garden? Sometimes people park in front of fire hydrants on the street. Since the property is owned by the County, who will respond to fires? Will a slow response time from the County or an inability of a fire truck to enter the Gardens put our neighborhood at risk for fire?

SAFETY

Currently, we do not see the Beverly Hills Police patrolling our neighborhood on a regular basis to prevent personal injury or property damage. How will we be protected from additional people entering our neighborhood to attend events at the Gardens? How will emergency vehicles get through crowded streets?

There has been an alarming increase in crime in the City of Beverly Hills lately, and the residents are seriously concerned about this.

TRANSPORTATION/ TRAFFIC

We already have a very busy neighborhood during the week, but it is not yet back to pre-pandemic levels.

Several large construction projects for private residences which will take years to complete have been permitted in the area. This brings construction trucks and workers to the area.

The city has also allowed the contractors for repaving the streets to set up along Lexington, taking up parking for their equipment along the street and moving equipment along Lexington.

We all have large homes which require regular maintenance- gardening, pool, housekeeping and construction maintenance. These trucks and vehicles park on our streets.

Hartford Way is a primary access road to Benedict Canyon and already there is a long line of cars lined up along Hartford early afternoon and evening to turn right on Benedict Canyon.

The additional 100 visitors to the VR Gardens A DAY will be a burden to an already busy neighborhood. There is no public transportation close enough to the Gardens, so they will drive, adding to the traffic.

PARKING

Add the parking of all the construction vehicles for new private homes, contractors for street paving, vehicles for maintenance of existing homes and our neighborhood parking is already crowded.

The Gardens has only 31 parking spaces- 25 for visitors accessed on Elden Way and 6 for staff accessed on Cove Way. The County is asking for a total number of visitors of 200 a day. Where will these additional cars be parked? The county has conceded that their visitors will park on the nearby resident streets. We are expected to bear the brunt of twice as many visitors per day as well as the commercial scale wedding, etc events.

On-street parking is limited. There is no parking on Elden Way for VR Gardens, Crescent and several other streets have a 2-hour limit, so many of the remaining streets are chock full of vehicles seeking to park. Especially Cove Way.

Events at VR Gardens would pose a special problem- valet parking for the guests would occupy all the side streets and event trucks for set up and delivery would also be a burden.

NOISE

The County proposes that the VR Gardens be open every day, including Sundays and Holidays. They also seek to increase the hours and the special events from 4 to 24 events a year, including turning the Gardens into a Wedding Venue.

This is a very quiet neighborhood, especially in the evening. Residents realize that noise really carries here, so they are especially respectful about parties. Evening events at the VR Gardens would pose a special hardship on the neighborhood.

On weekends (especially Sundays and Holidays) the neighborhood is very quiet. It is the one respite we all have from the busy noise of the weekdays. Sunday visitors would impact the neighborhood a lot.

AIR QUALITY GREENHOUSE GAS EMISSIONS

Additional people, events would add to poor air quality

SUPERVISION

Currently, Events (up to 4 per year) are allowed at the Garden subject to Beverly Hills event restrictions. The new proposed events (up to 24 a year)- or about one every other week! Who will supervise?

Who will respond to emergencies? Who will police, respond to fires and generally deal with any disruption from noise, parking or emergency health issues?

WATER

Since we are in a drought and conserving water, the Gardens are already a huge user of water. More visitors and more events will use up even more water at the Gardens.

LIGHTING

Currently, there is limited outdoor lighting at the Gardens. With increased events at night, there will need to be additional lighting installed for safety reasons.

WILDLIFE

Currently, we have birds and small animals, squirrels, etc., in our neighborhood who come out on the quiet weekend days and in the evenings. How will additional visitors and additional events, impact the wildlife of the Gardens and the surrounding neighborhood?

HISORICAL RESOURCES

The VR Gardens are a jewel box, already requiring a lot of maintenance. How will this increase in visitors and events affect the degree of maintenance at the Gardens.

Also, the mission of the Gardens is to educate and expose a wide range of visitors to nature. How is turning the Gardens into a filming or Wedding venue for commercial gain part of the mission of the Gardens? We believe that with the new changes proposed by the County, the Gardens are being used for money-making ventures, not for their true mission. And all at the residents expense.

This proposal not only burdens us by impacting our way of life, it poses a health and safety concern. During their current events, driveways and streets are often blocked off due to errant parking by visitors. Emergency vehicles may be blocked from accessing certain areas. Who will be legally responsible if that occurs?

We would like to respectfully request that the SEIR consider all these issues, and in addition consider

- **Requiring** the Gardens to secure offsite parking lots and shuttle buses
- **Requiring** their valets to park in the offsite parking (not the residential areas)
- **Requiring and have the Gardens** pay for the hiring of an extra code enforcement officer or overtime of current BH officers.

We believe with all the other needs in the County right now, it is not a good use of time or financial resources to expand the operations of the Robinson Gardens and we respectfully ask that the County consider maintaining the operations at the current level.

Yours Sincerely,

Following Residents of Beverly Hills

Kathy and Al Checchi 1007 Cove Way

Jodi and Don Stine 1024 Cove Way

Robert Wood 1132 Laurel Way

Nancy Clavin 1018 Chevy Chase Drive

From:	Julie Yom
To:	Freddie Olmos
Cc:	Clement Lau
Subject:	FW: Two Letters opposing the VRG expanision
Date:	Wednesday, December 15, 2021 4:24:18 PM
Attachments:	Letter to County Beroukhim.pdf Letter to County Moradi.pdf

Freddie,

More comments attached.

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Kathy Checchi <kathy@checchi.org>
Sent: Wednesday, December 15, 2021 3:04 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: sheila@bos.lacounty.com
Subject: Two Letters opposing the VRG expanision

CAUTION: External Email. Proceed Responsibly.

I am forwarding 2 letters sent by the following residents opposing the expansion of the Virginia Robinson Gardens.

Here are the people's names as they are difficult to read

Jamshid and Julia Beroukhim
1840 Loma Vista Dr.

Jacqueline and Isaac Moradi
1859 N. Hillcrest Drive

These people met with Masud Hakim and discussed the situation and then signed these letters. They are not very tech savvy, so Mr. Hakim asked me to forward them to you.

Please confirm receipt.

Thank you,
Kathy

Dear Ms. Yom,

We are vehemently opposed to the Virginia Robinson Gardens proposed changes to their operations.

While we are supportive of the Gardens mission, it should not come at our expense.

Whatever the findings of the Supplemental Environmental Report that is being prepared shows, these changes are outrageous and threaten our right to the quiet enjoyment of our homes.

The Gardens already disregards the parking laws, and the Elden Way no parking restrictions. They allow visitors and event trucks to take over Elden Way on a regular basis despite that being prohibited, and routinely block resident driveways cutting off access to our homes.

There are times when emergency vehicles would not be able to get through. We do not want to have a tragedy occur because the Gardens were not interested in following safety protocols.

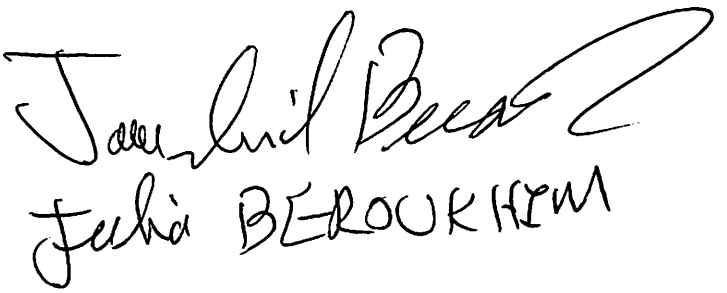
These proposed changes are alarming. They essentially change the Gardens into a commercial venue, and will completely ruin the fabric of our neighborhood.

In the face of resident opposition, the Gardens already expanded outside of their original scope in 2014. This cannot be allowed to happen again.

While the current situation is bad enough, these changes significantly threaten our safety, our security, and our way of life.

We respectfully request that the County and Gardens abandon their pursuit of this expansion.

Yours Sincerely,



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In the face of resident opposition, the Gardens already expanded outside of their original scope in 2014. This cannot be allowed to happen again.

While the current situation is bad enough, these changes significantly threaten our safety, our security, and our way of life.

We respectfully request that the County and Gardens abandon their pursuit of this expansion.

Yours Sincerely,

Jacqueline & ISAAC MORADI
1859 N. Hillcrest DR B.H Ca

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Letter opposing changes to Robinson Gardens
Date: Thursday, December 16, 2021 2:01:59 PM
Attachments: Letter from Cove Way Residents.docx

Freddie,

Please see attached comments from additional residents.

Thanks,

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Kathy Checchi <kathy@checchi.org>
Sent: Thursday, December 16, 2021 2:00 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: Sheila <Sheila@bos.lacounty.gov>
Subject: Letter opposing changes to Robinson Gardens

CAUTION: External Email. Proceed Responsibly.

Hi Julie,

Here is a letter from more residents opposing the operation changes at the Gardens.

Please confirm receipt.

Thank you,
Kathy Checchi

Sent by email

Dear Ms. Yom,

As residents of Cove Way and Summit Way, we are very concerned with the increased operations proposed for the Virginia Robinson Gardens. A parking lot for the Gardens is located at 1028 Cove Way and an increase in events, hours and number of visitors will impact our street.

We specifically ask that you examine the following issues as you prepare the SEIR

TRAFFIC
Our street is already a busy one. Drivers speed up and down the street and the entrance to the Gardens is at a blind spot in the road. Pulling in and out of that driveway will be difficult, as will the loading and unloading of event vehicles. Also, in early afternoon, there is a great deal of traffic at the intersection of Cove Way and Hartford Way, as cars line up to turn right on Benedict Canyon. There are times when the entrance to our street is blocked, and we have to wait in the line of cars.

PARKING
Our street is already restricted to parking on one side, so it is packed with vehicles parking already. Often these cars are parked all day and visitors or workers coming to our residences have to park far up the hill. Any increase in visitors or events are going to impact parking greatly.

NOISE
Our neighborhood is very quiet in the evenings and on weekends. Expanding the hours of the Gardens to every day, including weekends and all Holidays will change the character of our neighborhood. We ask that the evaluation of this effect take measurements of the noise currently on the weekends and Holidays.

FIRE
Our neighborhood has recently been designated as an extreme Fire Risk. In fact, many of us struggled to obtain home insurance due to this designation. The risk of fire will increase at the Gardens with more visitors and more events. An evaluation should be made of how fire would be extinguished, since the paths in the Garden are too narrow to have a fire truck enter, there is a grove of palm trees which once on fire send embers throughout the neighborhood and there is no dedicated fire hydrant in the Gardens.

We look forward to seeing these issues fully examined in the SEIR.

Thank you,

Kathy and Al Checchi 1007 Cove Way

Michael McAlister 1034 Cove Way, 1036 Cove Way, 1055 Carolyn Wy

Jennifer and Randy Wooster 1011 Summit Drive

From:	Julie Yom
To:	Freddie Olmos
Cc:	Clement Lau; Sean Woods
Subject:	FW: Comment on SEIR - Virginia Robinson Gardens (1008 Elden Way)
Date:	Thursday, December 16, 2021 3:29:14 PM
Attachments:	NOP SEIR Comment Letter to LA County - from City of Beverly Hills - 12-16-2021.pdf

Freddie,

Attached is the response from the City of BH including written comments from the residents, which many are duplicative of the comments we received.

Thanks,

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Chloe Chen <cchen@beverlyhills.org>
Sent: Thursday, December 16, 2021 2:18 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Cc: Timmi Tway <ttway@beverlyhills.org>; Ryan Gohlich <rgohlich@beverlyhills.org>
Subject: Comment on SEIR - Virginia Robinson Gardens (1008 Elden Way)

CAUTION: External Email. Proceed Responsibly.

Hi Julie,

Please see the attached comment letter in response to the Notice of Preparation of the Supplemental Environmental Impact Report (SEIR) for the proposed operational changes at the Virginia Robinson Gardens, located at 1008 Elden Way. Please confirm receipt, and let us know if you have any questions.

Thanks,

Chloe Chen

Associate Planner

Community Development Department

(310) 285-1194

cchen@beverlyhills.org

Please consider the environment before printing this email.

We would like to hear from those who live, work, and visit Beverly Hills regarding Accessory Dwelling Unit (ADU) regulations in the City. Please participate in our ADU survey, accessed here!

The City keeps a copy of all E-mails sent and received for a minimum of 2 years. All retained E-mails will be treated as a Public Record per the California Public Records Act, and may be subject to disclosure pursuant to the terms, and subject to the exemptions, of that Act.

December 16, 2021

Julie Yom, Park Planner
County of Los Angeles Department of Parks and Recreation
1000 S. Fremont Avenue
Unit #40 A-9 West, 3rd Floor
Alhambra, CA 91083
Via USPS and Email

RE: Notice of Preparation of a Draft Supplemental Environmental Impact Report – Virginia Robinson Gardens (1008 Elden Way, Beverly Hills, CA 90210)

Dear Ms. Yom:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Draft Supplemental Environmental Impact Report (DSEIR) for the proposed operational changes to the Virginia Robinson Gardens (the Gardens), located at 1008 Elden Way in the City of Beverly Hills (Project).

It is our understanding that the Project includes the following changes to the operations of the Gardens property:

- Hours open to the public: Monday to Sunday (7 days a week), from 9:30 AM to sunset;
- Number of patrons: with advance reservations, up to 200 visitors per day, spread throughout the day for either tours, meetings, seminars/classes, events, or commercial filming (video only, no motion picture), or a combination of any of these activities;
- Types of events: in addition to existing events, consider family ceremonies such as weddings;
- Special uses: up to 24 special use events a year/approximately 2 per month.

The City of Beverly Hills has received extensive written and oral public comment expressing serious concerns regarding the intensification of activities and uses at the Gardens and shares those concerns. The City is opposed to the significant operational changes that are under consideration. Copies of the written public comments received by the City from concerned community members are attached to this letter for your reference and consideration related to the scope of the SEIR.

The Notice of Preparation indicates that there are potentially significant impacts related to air quality/greenhouse gas emissions, noise, energy, historical resources, and transportation/traffic. The City of Beverly Hills requests that these potentially significant impacts be studied in the SEIR, including the following specific issues:

AIR QUALITY & GREENHOUSE GAS EMISSIONS

- Please ensure that the DSEIR considers the following in regards to air quality and greenhouse gas emissions:
    - The impact of increased vehicular trips to the site as a result of expanded operating hours and an increase in the frequency of events. This should also examine the addition of valet parking trips. The analysis must also consider impacts to residential areas through which the main access routes proceed to the Gardens .
    - The impact of the use of temporary mechanical equipment for events that are combustion-based (e.g. generators, gas heaters, refrigeration and catering equipment).
    - The potential exposure of sensitive receptors and large numbers of people to pollutants.
    - The impact of idling vehicles (passenger and delivery trucks) due to limited street access and widths.

NOISE

- Please ensure that the DSEIR considers the following in regards to noise impacts:
    - Collection of meaningful and complete baseline noise levels (background and ambient noise) for all times of day, including all days of the week on the project site and in the surrounding residential neighborhoods.
    - All potential sources of noise, including amplified music and speech, crowds, traffic, event types, and miscellaneous equipment, including generators, that may be temporarily located on site.

- Noise predictions and analysis shall examine factors that influence the propagation of the noise, such as the effect of distance, absorption and reflection, humidity and temperature, meteorological conditions, and topography.
- Evaluation of noise impacts relative to the City's noise regulations.
- Analyze and adopt mitigation measures to address potential noise impacts including, but not limited to:
  - Prohibiting use of amplified sound, including music.
  - Limiting hours for outside events to prevent any noise impacts on surrounding residential neighborhoods during evening and nighttime hours.
  - Limiting the number of attendees permitted at events.
  - Minimizing traffic noise by requiring all parking that cannot be accommodated on site to be provided in commercial areas (and not in residential areas in the vicinity of the Gardens) with shuttle bus services between the Gardens and the parking.
  - Prohibiting any noise-generating devices such as fireworks and other pyrotechnic or similar devices.

LIGHT

- Please ensure that the SEIR considers the following in regards to light impacts:
  - The impact of both daytime and nighttime events, and increases in vehicular traffic to the site, adding to light pollution (including passenger vehicles and deliveries).
  - The use of lighting during existing and for the proposed extended operating hours.
  - Analyze and adopt mitigation measures to address potential light impacts including, but not limited to:
    - Prohibiting the use of any fireworks, pyrotechnic devices, and any similar light generating devices on the site.

TRANSPORTATION/TRAFFIC

- Please ensure that the DSEIR considers the following in regards to transportation and traffic impacts:
  - Traffic analysis for the following intersections located in the City of Beverly Hills near the project site. This list should be considered the minimum amount of analysis to conduct

to estimate traffic impacts from the project and propose appropriate mitigation measures.

- Benedict Canyon Drive and Cove Way;
- Elden Way and North Crescent Drive; and,
- Lexington Road and Benedict Canyon Drive.

  - An analysis of the increase in vehicular trips to and from the site that result from an expansion of operating hours and the number of events.
  - An estimate of cumulative traffic generated from all projects (approved/pending) within a one mile radius of the project site. The City of Beverly Hills Transportation Division maintains up to date lists of all major projects occurring and pending in the City of Beverly Hills. The Transportation Division can be reached at (310) 285-2556.
  - Please use City of Beverly Hills thresholds of significance and local transportation assessment guidelines. Please contact the City's Transportation Division at (310) 285-2556 for the methodology and thresholds of significant impact criteria.

- The City of Beverly Hills has a policy of studying transportation impacts both based on vehicle miles traveled (VMT) and level of service / street segment basis (LOS) to ensure decisions take into account any local transportation impacts when considering the merits of the project. It is critical that the County conduct similar transportation analyses even if the County take the position that CEQA no longer requires the LOS analysis in order to adequately address potential land use and planning impacts related to the City's and County's respective general plan land use, circulation, and noise policies.
- Analyze and adopt mitigation measures to address potential transportation impacts including, but not limited to:
  - Minimizing traffic and parking impacts by prohibiting employees, contractors, vendors, and all patrons and guests at the Gardens from parking in nearby residential areas, and requiring all parking that cannot be accommodated on site to be provided in commercial areas (and not in residential areas in the vicinity of the Gardens) with shuttle bus services between the Gardens and the parking. The shuttle buses should be zero emission to minimize any greenhouse gas emissions.

HAZARDS

- Please note that the Virginia Robinson Gardens and the surrounding areas are located in a Very High Fire Hazard Severity Zone (VHFHSZ). The analysis of the Project must fully analyze the

potential impacts associated with the intensification of use, including the increased potential that operations at the Gardens could cause fires, as well as on emergency response plans due to the intensification and higher concentration of people that could be on the site and need to be evacuated in the event of fire.

- Analyze and adopt mitigation measures to address potential wildfire impacts including, but not limited to:
    - Prohibitions on any outdoor use of open flames.
    - Prohibitions on any type of fireworks, pyrotechnics, and any other similar type of device that could cause a fire.

ALTERNATIVES

- As part of a range of reasonable alternatives, the City requests that the SEIR include a specific alternative consisting of deeding the Virginia Robinson Gardens property back to the City of Beverly Hills for management and operational oversight.

PUBLIC SERVICES

- Please ensure that the DSEIR considers the following in regards to public services:
    - The potential increase in demand for fire protection, and police protection services.

CULTURAL RESOURCES

- Please note that the Virginia Robinson Gardens property is a local historic landmark (Landmark No. 2), and is also listed on the National Register of Historic Places.
- The City's historic preservation staff is happy to work with your team on how to best address these important cultural resources in Beverly Hills. Please contact Mark Odell Urban Designer, at (310) 285-1116 or modell@beverlyhills.org regarding historic and cultural resource issues related to the project.
- Please note that any modifications to the designated historic resource may require City approval of a certificate of appropriateness pursuant to the City's Historic Preservation Ordinance (Article 32 of Chapter 3 of Title 10 of the Beverly Hills Municipal Code).

PUBLIC NOTICE

The City hereby requests that the County provide the City with all notices pursuant to CEQA and Planning and Zoning Law, and any County ordinances and regulations including, but not limited to Public Resources Code Sections 21092 and 21092.5, and State CEQA Guidelines Sections 15087 and

15088(b). Further, pursuant to Public Resources Code Section 21167(f), the City hereby requests that the County provide a copy of any notice of determination related to the Project as may be filed.

The City further request that when the Draft SEIR is available for review, that copies be provided to the City and to the City of Beverly Hills Library pursuant to CEQA Guidelines Section 15087(g).

Thank you again for this opportunity to provide input on the environmental review of this project. Please list Timothea Tway, City Planner, as primary contact for the City of Beverly Hills, and place her name on the list of interested parties to receive copies of all notices issued regarding the Project. She can be reached at ttway@beverlyhills.org or (310) 285-1122.

If you have any questions regarding this letter, please feel free to contact me at (310) 285-1118 or by email at rgohlich@beverlyhills.org.

Sincerely,

RYAN GOHLICH, AICP
Director, Community Development

cc: George Chavez, City Manager
Nancy Hunt-Coffey, Assistant City Manager
Laurence Wiener, City Attorney
Robert Wunderlich, Mayor of the City of Beverly Hills
Lili Bosse, Vice Mayor of the City of Beverly Hills
Lester Friedman, Councilmember of the City of Beverly Hills
Julian A. Gold, M.D., Councilmember of the City of Beverly Hills
John A. Mirisch, Councilmember of the City of Beverly Hills
Chief Mark D. Stainbrook, Beverly Hills Police Department
Chief Gregory Barton, Beverly Hills Fire Department
Supervisor Sheila Kuehl, County of Los Angeles Board of Supervisors

Sent Via Email to ttway@beverlyhills.org

November 29, 2021

Ms. Timmi Tway
City Planner
Building and Planning Department
City of Beverly Hills
455 N, Rexford
Beverly Hills, CA 90210

Re: ***County of Los Angeles Proposed Operational Changes***
Virginia Robinson Gardens
1008 Elden Way
Beverly Hills, CA 90210

Dear Ms. Tway:

Please accept this communication as an expression of my personal concern on the above-referenced subject. I ask that you include my comments as an attachment to your staff report to City Council on the subject.

I live on Carolyn Way in Beverly Hills. My property shares a common boundary with the Virginia Robinson Gardens. What happens at the Gardens affects not only my property, but the entire neighborhood including Laurel Way, Summit Drive, Cove, Carolyn Way, and Marilyn Way.

Please understand that the Gardens poses a unique fire and emergency response risk, that is not well understood. The proposed County operational changes for the Gardens only exacerbates the risk dramatically.

To explain, from the City Fire Department, I have learned the following:

- **City emergency vehicles have no access to the Gardens.**
- **No pressurized fire hydrant exists on the property** (that the Fire Department is aware of).
- If the County does not seek a city event permit, the city Fire Marshall does not review the plans.
- No city Fire Safety Officer inspects Garden events unless a city permit condition exists to do so.

The significance of this information means that in a health emergency event, city fire responders can only access the property only on foot. While I fully appreciate that city's first responders will exert their utmost efforts to rescue any injured party, those efforts will be hampered due to undisputed circumstances. The six-acre Garden property is

undulating and some areas have limited pathways or stairs compounding an emergency response. These limitations have the potential to delay a critical rescue as well as delay transport to hospital facilities for injured parties.
.
The fire risk at the garden presents another unique concern. As stated, no known fire hydrant exists on the garden grounds. In the event of a fire, hoses would need to extend considerable distances, possibly even from Carolyn Way, Cove and/or Crescent Drive. The nearest fire hydrant appears to be at 1017 Crescent Drive, a considerable distance from the entrance to the Gardens.

One cannot ignore either that the Gardens sits in a Wildfire Designated Hazard Area. The Garden property includes numerous highly flammable trees including palms and eucalyptus. Again, the Garden has no pressurized fire hydrant. The county is “literally playing with fire” to the detriment of the immediate neighborhood and the city.

Increasing the days of operations, increasing daily attendance, increasing days of operation, increasing hours of operation, increasing the number of events six-fold from 2012 levels and 12-fold from 1980 levels, endangers not only the visitors, Garden workers, the immediate neighborhood, and the city first responders, but may also trigger city liabilities.

I urge the City Council to advise the LA County Parks and Recreations Department that its proposed operational changes imperil not only visitors to the Gardens but represent a significant environmental impact that cannot be mitigated.

Please include this correspondence as part of the staff report to City Council. Thank you.

Sincerely,

Charles Alpert
[redacted]

Southern California Orthopedic Surgical & Medical Associates

BEHROOZ (BRUCE) BROUKHIM, M.D., INC.

BOARD CERTIFIED ORTHOPEDIC SURGEON

Member:
American Academy of Orthopedic Surgeons
Arthroscopy Association of North America
International Society of Arthroscopy, Knee Surgery
And Orthopedic Sports Medicine

Orthopedic Surgery
Arthroscopy
Sports Injuries
Joint Replacement
Fractures
Spinal Injuries

November 29, 2021

Dear Mayor Wunderlich and the Members of the City Council,

We have become aware that LA County intends to change the operations of the Virginia Robinsons Gardens.

Increase the visitors to 200 visitors a day
Increase the days to every day, including all Holidays
Increase the hours until sunset
Increase the special events to 24 events a year, up to 4 a month

We are especially concerned that the special events will include Weddings and celebrations.

All of this will substantially impact the noise in our neighborhood and the parking on our neighborhood streets. We have a very quiet neighborhood and all value our peaceful surroundings.

Please help us protect our neighborhood.

Thank you,

Behrooz and Angel Broukhim
[redacted]

10640 Riverside Drive • North Hollywood, CA 91602 • (818) 755-6500
9763 W. Pico Boulevard • Suite 200 • Los Angeles, CA 90035 • (310) 552-1488
Fax (818) 980-7144

Reply all | Delete Junk | •••

Fw: Opposition to Changes to Robinson's Gardens Operations



Timmi Tway
Today, 5:21 PM
City Clerk; Chloe Chen; Ryan Gohlich

Reply all |

Inbox

Label: E2K10 731 Day Retention Tag (2 years and 1 day) Expires: 12/7/2023 5:21 PM

From: Daniel Farasat <[redacted]
Sent: Monday, December 6, 2021 5:11 PM
To: Timmi Tway
Cc: [redacted] Masud Hakim
Subject: Opposition to Changes to Robinson's Gardens Operations

CAUTION: External Sender
Use caution when clicking links or opening attachments

Dear Ms. Tway:

I am writing to convey my opposition to the county's proposed changes to the Gardens' operations.

I strongly support the Gardens' role in education for those throughout the county but these proposed changes are not in conformance with that goal.

I practically grew up on Elden Way, and I am planning to build a home on Carolyn Way - adjacent to the Gardens.

With only 4 events a year, the Gardens cause substantial traffic, noise and air quality issues -- before, during and after event days. With the proposed 24 events per year and large events like weddings without limits on parking, the environmental impacts would be insufferable. Additionally, the proposed extension of hours of operations (including Sundays) for visitors, would make the imposition on the neighborhood limitless.

The goals of Virginia Robinson's bequest can be met without turning the Gardens into a commercial enterprise/event space for hire. The proposed changes are anathema to her bequest and would impose an undue burden to the neighborhood and the City of Beverly Hills.

I would also appreciate a link to tomorrow's hearing.

Sincerely,

Reply all | Delete Junk | •••

FW: Urgent - Opposition to Virginia Robinson Garden Operation



Timmi Tway
Tue 12/7/2021 8:07 AM
To: **City Clerk**
Cc: Ryan Gohlich; Chloe Chen

Reply all |

Inbox

Label: E2K10 731 Day Retention Tag (2 years and 1 day) Expires: 12/8/2023 8:07 AM

From: Jonah Feit [mailto [redacted]
Sent: Monday, December 6, 2021 7:59 PM
To: Timmi Tway <ttway@beverlyhills.org>
Subject: Urgent - Opposition to Virginia Robinson Garden Operation

CAUTION: External Sender
Use caution when clicking links or opening attachments

Dear Mayor Wunderlich and the City Council,

My Grandparents, Ben and Esther Kashanian, and I are **strongly opposed** to the Virginia Robinson Gardens proposed changes to their operations.

While we are supportive of the Gardens mission, the changes proposed will adversely affect our neighborhood and threaten our right to the quiet enjoyment of our homes.

The Gardens already disregards the parking laws, and increasing the number of events from 4 to 24 will have a major negative impact on the traffic and parking situation in our neighborhood.

There are times when emergency vehicles would not be able to get through. We do not want to have a tragedy occur because the Gardens were not interested in following safety protocols.

These proposed changes are alarming. Increasing from 100 to 200 visitors a day, when there are only 20 parking spaces at the Gardens will clog our neighborhood.

Also adding Weddings, family celebrations, meetings, and commercial filming will essentially change the Gardens into a commercial venue, and will completely ruin the fabric of our neighborhood. The noise from these events alone will disrupt the peaceful nature of our neighborhood.

In the face of resident opposition, the Gardens already expanded outside of their original scope in 2014. This cannot be allowed to happen again, and in fact, perhaps they should be forced to return to the prior original conditions.

Reply all | Delete Junk | •••

We respectfully request that the City Council stand by your residents and take a resolute position against the expansion in its totality.

Respectfully,

Jonah Feit

Ben Kashanian

Esther Kashanian

[redacted]Crescent Drive

Reply all | Delete Junk | •••

Fw: Virginia Gardens proposed increased activity



Timmi Tway
Today, 5:21 PM
City Clerk; Ryan Gohlich; Chloe Chen

Reply all |

Inbox

Label: E2K10 731 Day Retention Tag (2 years and 1 day) Expires: 12/7/2023 5:21 PM

From: [redacted]
Sent: Monday, December 6, 2021 4:14 PM
To: jyom@parks.lacounty.gov
Cc: Timmi Tway
Subject: Virginia Gardens proposed increased activity

CAUTION: External Sender
Use caution when clicking links or opening attachments

Dear Julie,

My husband and I want to register our strong opposition to the newly proposed increase in activity slated for Virginia Gardens which sits atop our cul-de-sac. We are proud to have this lovely jewel in our midst but we object to tripling access to it seven days a week, especially on weekends. This was not the contract that had been negotiated when we bought our home at [redacted] North Crescent Drive. The congestion and traffic will not only destroy the ambience of our neighborhood, but will decrease the value of our homes as well. I'm sure the County would not be pleased to have all of our neighborhood come to them to recapture compensation for their losses imposed on them without a vote!

Paul and I strongly support our City, County and neighborhood. We would like to be reassured that our City and County support their constituents as well. Please reconsider these excessive changes and let us work together for a peaceful resolution.

Thank you for your time and attention.

Sincerely,

Vera and Paul Guerin

Reply all | Delete Junk | •••

Fw: Virginia Robinson Gardens



Timmi Tway
Today, 12:40 PM
City Clerk; Ryan Gohlich; Chloe Chen; 6-Laurence Wiener; RWG DavidSnow

Reply all

Inbox

Label: E2K10 731 Day Retention Tag (2 years and 1 day) Expires: 12/7/2023 12:40 PM

From: Dar Mahboubi <[redacted]>
Sent: Monday, December 6, 2021 12:14:58 PM
To: Timmi Tway
Cc: [redacted] Masoud Hakim
Subject: Virginia Robinson Gardens

CAUTION: External Sender
Use caution when clicking links or opening attachments

_____

Dear Mayor Wunderlich:
Dear members of the City Council:
We, the undersigned, are writing to voice our objections to LA County's suggested modifications to the schedule of operations at Robinson Gardens.
These proposed changes will essentially render the Gardens into a commercial venue, and will completely ruin the fabric of our peaceful residential neighborhood.
We request that the City of Beverly Hills voice it's objections to the County in the strongest form possible.
Respectfully:

dar Mahboubi
Mahie Mahboubi
Jonathan Mahboubi
Rebecca Mahboubi

Mayor Wunderlich and Members of the City Council,

As an attorney, who formerly practiced Estate Planning law in Washington, DC, I have looked at the Original Grant Deed and the Agreement. * I maintain that many of the new changes proposed by the County- Weddings, family ceremonies, meetings or commercial filming- go beyond the original Donor Intent of Virginia Robinson, as contained in the Original Grant Deed and the Agreement.

In the original Grant Deed, page 2, line 17-20 states

"1. The said property, excluding the buildings thereon, shall be held and used by said Grantee perpetually for the purpose of an arboretum or botanic garden and for no other purpose inconsistent with said use."

On page 2, line 27-30, the Grant Deed further states,

"4. No business for profit shall ever be conducted on said property but the same shall at all reasonable times be open and available for the benefit and enjoyment of the general public as an arboretum garden."

An arboretum is defined as

"A botanical garden devoted to trees."

A botanic garden is defined as

"An establishment where plants are grown for display to the public and often for scientific study."

In the Agreement, several other uses of the residence were specified. On page 4 and 5,

"to use said residence building, or make it available as follows: (1) to the extent feasible and practicable, use in the nature of a museum for the benefit and enjoyment of the general public, or (2) as a guest house for official visitors to the County of Los Angeles, city of Beverly Hills or other incorporated cities located in the county of Los Angeles, (3) for library or educational purposes, or for any other

charitable purpose deemed appropriate by Second Party, including a combination of (1) and (2) above……"

"No use of the said residence or contents shall be made or permitted for any purpose contrary to the provisions of Section 501 (c) (3) of the Internal Revenue Code……"

I believe the County should have to follow the intent of Virginia Robinson, as spelled out in the relevant documents and a legal argument could be made that the new proposed purposes of Weddings, family ceremonies, meetings or commercial filming go beyond those purposes.

If the County breaches or violates the conditions, pursuant to the original Grant Deed and the Agreement, the title to the Virginia Robinson Gardens vests in the City of Beverly Hills. The City would then have to follow the conditions set forth in both documents.

Thank you,

Kathryn Checchi, JD
Georgetown University Law School '78
Member of the DC Bar and Texas State Bar

*Agreement made in 1976 by and between Alfredo De La Vega and Security Pacific National Bank as Co-conservators of the Estate of Virginia D. Robinson, and the County of Los Angeles. The City of Beverly Hills, as a contingent remainderman beneficiary, agreed to be bound by the terms of this agreement by Resolution No. 77-R

Dear Mayor Wunderlich and the City Council,

We are vehemently opposed to the Virginia Robinson Gardens proposed changes to their operations.

While we are supportive of the Gardens mission, it should not come at our expense.

These changes are outrageous and threaten our right to the quiet enjoyment of our homes.

The Gardens already disregards the parking laws, and the Elden Way no parking restrictions. They allow visitors and event trucks to take over Elden Way on a regular basis despite that being prohibited, and routinely block resident driveways cutting off access to our homes.

There are times when emergency vehicles would not be able to get through. We do not want to have a tragedy occur because the Gardens were not interested in following safety protocols.

These proposed changes are alarming. They essentially change the Gardens into a commercial venue, and will completely ruin the fabric of our neighborhood.

In the face of resident opposition, the Gardens already expanded outside of their original scope in 2014. This cannot be allowed to happen again, and in fact, perhaps they should be forced to return to the prior original conditions.

While the current situation is bad enough, these changes significantly threaten our safety, our security, and our way of life.

We respectfully request that the City Council stand by your residents and take a resolute position against the expansion in its totality.

Yours Sincerely,

Bjorn & Todd
Bronia Todt

B. Todd
[redacted] Summit Dr
B.H. CA 90210

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While the current situation is bad enough, these changes significantly threaten our safety, our security, and our way of life.

We respectfully request that the City Council stand by your residents and take a resolute position against the expansion in its totality.

Yours Sincerely,

JACQUELINE & ISAAC MORADI

[redacted] N HILLCREST DR. B.H CA 90210

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We are vehemently opposed to the Virginia Robinson Gardens proposed changes to their operations.

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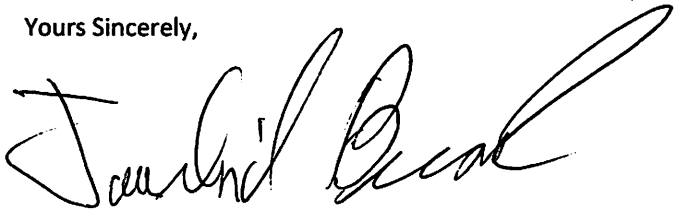
We respectfully request that the City Council stand by your residents and take a resolute position against the expansion in its totality.

Yours Sincerely,



Julia BEROUKHIM

Dear Mayor Wunderlich and the City Council,

We are vehemently opposed to the Virginia Robinson Gardens proposed changes to their operations.

While we are supportive of the Gardens mission, it should not come at our expense.

These changes are outrageous and threaten our right to the quiet enjoyment of our homes.

The Gardens already disregards the parking laws, and the Elden Way no parking restrictions. They allow visitors and event trucks to take over Elden Way on a regular basis despite that being prohibited, and routinely block resident driveways cutting off access to our homes.

There are times when emergency vehicles would not be able to get through. We do not want to have a tragedy occur because the Gardens were not interested in following safety protocols.

These proposed changes are alarming. They essentially change the Gardens into a commercial venue, and will completely ruin the fabric of our neighborhood.

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While the current situation is bad enough, these changes significantly threaten our safety, our security, and our way of life.

We respectfully request that the City Council stand by your residents and take a resolute position against the expansion in its totality.

Yours Sincerely,

[redacted] LAUREL WAY

MESA BOULOU

Dec. 6, 2024

Dear Mayor and Citi Council members,

I live in right next to Virginia Robinson Garden. The Garden is located at the cul de sac street in the complete residential area. With the philanthropic heart the donor Mrs. Robinson donated her residential home to the County and then to City, if the condition is broken, so that it can be preserved and still viewed by the public as was cherished and cared after her life. Thus the gifting her home to be a garden after her life was made based on the mutual understanding and agreement by all parties concerned, which must include the donor Mrs. Robinson, her neighbors in addition to L.A. County government officers, that her home would be open to public without causing harms to the neighbors to the extent her home and furnishings are preserved.

Since my moving in in 2015, here is what I observed:

1. Crime. People loitering around the street either while waiting their appointment or to look at the Garden location for searching. As resident, whenever strangers wander, we have to worry if they are for the Garden visits or for something else. My house had intruders twice already. I notified the Garden superintendent about it, and upon my notice he added multiple cameras for the garden for its safety.

   In order to prevent crime and protect the residents, Beverly Hills City Ambassador hot line tells us to report any suspicious people who don't seem to belong to the neighbor. How will it be possible to tell who is who. We will be open to more crimes and targets.

2. Chaotic environment. Whenever there is an event, the days before and after, the catering and equipment trucks occupy the street and create the chaos. At night we often hear loud music from the Garden or some neighbors. The Beverly Hills City and this neighbor are no more an areas for quiet enjoyment. Unless the County and the City wants to blend the L.A. County intend to blend whole downward.

3. Emergency Safety. During the events, the guests and visitors occupy the streets, and we have hard time just to get in and out of our house. When there is emergency situation, it will cause a life threatening situation due to the traffic whether it is just parked or whether it is slow moving traffic to find parking when and where there is no thorough way.

There are so many urgent issues the Los Angeles County and the City and all other governments are expected for its constituents like providing low income housing, homeless issues, etc. Instead of working on those urgent matters, how come they create this matter during this pandemic, where crimes and vandalisms are soaring, and in the name of giving the public more benefits?

I sincerely request the Beverly Hills take active action to dismiss the proposal. Otherwise, the County is in violation of the gift agreement by the donor Mrs. Robinson.

Sincerely yours,

Robin Kim

Reply all | Delete Junk | •••

Re: Virginia Robinson Gardens



Timmi Tway
Today, 8:14 AM
JODI STINE [redacted] Chloe Chen

Reply all |

Inbox

Label: E2K10 731 Day Retention Tag (2 years and 1 day) Expires: 12/1/2023 8:14 AM

Hello Jodi,

I have received your email and it will be provided to the City Council,

Thank you,

Timmi

From: JODI STINE [redacted]
Sent: Tuesday, November 30, 2021 8:00:00 AM
To: Timmi Tway
Subject: Virginia Robinson Gardens

CAUTION: External Sender
Use caution when clicking links or opening attachments

Dear Timmi,

My name is Jodi Stine and I'm writing to share my concerns about the recent proposed 100% increase in daily visitors and the 500% increase in yearly events by the Robinson Gardens.

As a neighbor, our main concerns are:

1). #1 SAFETY - With the exponentially large increase in visitors, who is going to keep the Beverly Hills residents safe? With the recent spate of crimes in Beverly Hills, safety seems like an issue that should be of the utmost priority. How is the city of Beverly Hills going to address this increase in visitors?

2). PARKING - it gets crazy with cars on Cove Way, Hartford and Lexington- Cove Way in particular is not a wide street - and parking is only allowed on one side; this makes parking at a premium. Our driveway is used as a 3-point turning point and we've had our share of semi-blocked driveways. How will the city handle this parking/traffic/safety mess?

3). NOISE POLLUTION - our neighborhood is shaped with some steep hills and the noise travels - what impact will the increased amount of visitors have on our quiet neighborhood?

Reply all | Delete Junk | •••

I am asking the City Council's assistance to help us address this proposal, as I believe, it will have a negative impact on our neighborhood.

We enjoy very much living near the Gardens; they have been good neighbors! In return, we have supported their fundraising efforts and mission - and have learned to live with and accommodate the current state of visitors and events.

However, now, with these proposed changes, I fear that we will be looking forward to barbed wire fencing, security guards, and parking lots - exactly what I would expect living next to a public catering hall.

Please consider helping us find a compromise!

Thank you,
Jodi & Don Stine
[redacted]

**Could you please confirm that you received this email.*

	1980	*2014*	*2021 Proposal*
Days Open to Public	4 days/ week Tues-Fri Holidays: Closed	5 days/week Mon-Fri; closed on Holidays	***Seven Days a Week*** ***No Holiday Closures***
Hours	9:30 AM – 3:30 PM	9 AM– 4 PM	**9:30 AM - Sunset**
Attendance Limits/Tours	100 visitors/day With reservations	100 visitor/day With reservations	**200 visitors/day with reservations**
Types of Events	Educational Programing	Public Programs conforming to hours and visitor limits	**Existing Events plus private family events such as weddings.**
Special Uses	2/Year Patron Party Garden Tour No Attendance Limits	4/year Garden Tour (2 consecutive days)	**24/year; up to 4 events per month**
Parking	• Limited to 20 spaces onsite • No Street Parking • No Walk-ins • No Drop-offs	• Onsite parking only • No street parking • Walk-ins allowed	**No restrictions indicated**

--
Sent from Gmail Mobile

Reply all | Delete Junk | •••

Fw: Robinsons Gardens from a neighboring resident



Timmi Tway
Today, 6:18 AM
Chloe Chen

Reply all |

Inbox

Label: E2K10 731 Day Retention Tag (2 years and 1 day) Expires: 12/14/2023 6:18 AM

From: Morales, Fernando [redacted]
Sent: Friday, December 10, 2021 5:17:46 PM
To: Patricia Wittenberg; jyom@parks.lacounty.gov
Cc: Timmi Tway; Powell, Marley
Subject: RE: Robinsons Gardens from a neighboring resident

CAUTION: External Sender
Use caution when clicking links or opening attachments

Hi Patricia and Armin,

Thank you for your e-mail to Supervisor Kuehl regarding the proposed operational changes at Virginia Robinson Gardens. I have made sure that it reached her. Your input is important to Supervisor Sheila Kuehl. For that reason, she asked me to respond to your inquiry.

The Los Angeles County Department of Parks and Recreation (DPR) has just initiated the process of considering and analyzing the potential environmental impacts of the proposed operational changes. Specifically, a Supplemental Environmental Impact Report (SEIR) will be prepared and is anticipated to be completed by April 2022 at which time the public will have the opportunity to review the document and provide comments. DPR will also hold a community meeting in April 2022 to present the SEIR and receive public input.

I'm glad that you're connected to DPR as well. Thank you for reaching out to our office and sharing your input.

Sincerely,

Fernando

Fernando R. Morales *(He/Him/His)*
District Director, West/Metro LA
O: [redacted]
C:
Web/Facebook/Twitter

Reply all | Delete Junk | •••

Supervisor Sheila Kuehl

Sign Up for Kuehl Happenings
Commendation Requests
COVID-19 Resources
LA County's Response to COVID-19

From: Patricia Wittenberg [redacted]
Sent: Friday, December 10, 2021 3:46 PM
To: Sheila <Sheila@bos.lacounty.gov>; jyom@parks.lacounty.gov
Cc: ttway@beverlyhills.org
Subject: RE: Robinsons Gardens from a neighboring resident

Dear Ms. Kuehl and Ms Yom,
Please see our attached letter regarding Robinsons Gardens. Thank you.
Cc to the City of Beverly Hills.
Regards,

Patricia & Armin Wittenberg
[redacted]Carolyn Way
Beverly Hills 90210
[redacted]

Patricia & Armin Wittenberg [redacted] Carolyn Way

Beverly Hills, CA 90210

Dear Sheila Kuehl and Julie Yom,

Thank you for taking the time to read/listen to us residents' issues regarding proposed changes to Robinsons Gardens.

We, just as many of our neighbors have expressed, are in opposition to the proposed changes for Robinsons Gardens for the same reasons: it would increase unwanted noise, music as well as create traffic, parking, and enforcement problems for the City of Beverly Hills etc.

We have lived here for over 20 years. We assure you, that this is an extremely quiet neighborhood—one of many reasons we chose to purchase a home here. When the annual fundraiser for Robinsons Gardens takes place, we assure you we easily hear loud music and….loud conversation/voices. We are happy to be gracious neighbors to accommodate this important fundraiser.

I might note that one proponent of the proposed changes, made a comment that Virginia Robinson held THREE party events per week. As if that justifies having increased noise and music in our neighborhood in 2021/2022?? That is an irrelevant statement…

The proposal of having up to 24 special events or weddings per year is unacceptable for a few reasons:

--The idea is a commercial enterprise. Did Virginia Robinson allow this?

--Theoretically…..IF these weddings/events were to take place, where does the profit money go to? Does Robinson Gardens have the benefit of the funds? OR…does the profit money go to a Los Angeles County general fund

--Robinsons Gardens is VERY small…only 6 acres. There is truly not enough acreage and foliage to dampen music and voices of events. Sound travels very easily through this neighborhood. The County would be forcing us to listen to wedding/function music that others

chose? The music could run the range from Italian, Greek, Scottish bagpipers, Rap, to Polka music…etc. This would be an intrusion to the "quiet enjoyment of our property" which we believe residents are legally entitled to.

--The idea of increasing the hours to sunset: we can imagine, if this is instituted, that the next idea would be to have music/concerts on the lawn in the evening. Again…this would be intrusive to the neighborhood.

I have been a member of the Huntington Gardens Art Guild in San Marino for over 10 years (as Parker Wittenberg), and have witnessed their increase in activities held over the years, in filming, music etc. that can increase noise, sound and traffic. One BIG difference they have with Robinsons Gardens—Huntington Gardens has 207 acres of trees, vegetations and buildings to mute music and other sounds on their property. Hence residents in the neighboring houses would hear nothing or next to nothing. They also have a very large parking lot.

To do the noise studies, traffic studies etc, LA County has to spend tax money to do so. We would prefer our tax dollars to be spent on keeping all LA County parks clean, maintained, with outreach as necessary, for the homeless and drug addicted who may also be visiting the park.

The ideal would be to close down the proposed changes to Robinsons Gardens….and do not spend money to do the studies.

Thank you again for your time.

Sincerely,

Patricia Wittenberg

Armin Wittenberg

Michael & Michele Wiener
[redacted]
Beverly Hills, CA 90210
[redacted]

November 29, 2021

Honorable Mayor Wunderlich &Councilmembers
City of Beverly Hills
455 North Rexford Drive
Beverly Hills, CA 90210

Re: Virginia Robinson Gardens

Dear Mayor and Councilmembers,

I am informed that Los Angeles County is proposing to change the operations of the Virginia Robinson Gardens in the following manner:

- Increase the visitors to two hundred (200) visitors a day
- Increase the days to every day, including all Holidays
- Increase the hours until sunset
- Increase the special events to twenty-four (24) events a year, up to 4 times in one month

Such changes will necessarily impact traffic and noise in our neighborhood and make our streets even more dangerous. In addition, the proposed special events (e.g., weddings and celebrations) will disturb the quiet of our neighborhood.

The value of property and the desirability of living in Beverly Hills, and especially the hills of Beverly Hills, is linked to safety, traffic, minimal transient visitors in residential neighborhoods, and quiet streets. We think that the proposed changes will adversely impact the very attributes which make Beverly Hills a desirable place to live.

Please work with Los Angeles County and other involved parties to limit, if not stop, the proposed changes from being implemented.

Michael Wiener

Patricia & Armin Wittenberg [redacted]
Beverly Hills, CA 90210
[redacted]

Dear Mayor Wunderlich and the Members of the City Council,

LA County is proposing a change the operations of the Virginia Robinsons Gardens.

Increase the visitors to 200 visitors a day
Increase the days to every day, including all Holidays
Increase the hours until sunset
Increase the special events to 24 events a year, up to 4 a month

These changes will adversely impact the noise in our neighborhood. Please understand noise, music, and human voices waft loudly throughout these low canyons. We are kitty corner to Robinsons Gardens. We are fine being gracious and accommodating to the annual fundraiser for Robinsons Gardens. However, the proposed special events, which will include Weddings and celebrations, will disturb the daily quiet of our neighborhood and increase parking on our neighborhood streets. Presently, we have a very quiet neighborhood and all value our peaceful surroundings.

Please understand too, that there are other events that go on in the neighborhood that are allowed and we need to accommodate, i.e. filming at Grayhall on Carolyn Way. We are just about midway between Robinsons Gardens and Grayhall. Hence, we hear all the noise and commotion from both locations as parties and filming goes on.

Please help us protect our neighborhood. After being on a Zoom call with LA County Parks & Recreation, and various concerned neighbors, it appears to us that LA County has not really thought out the repercussions to the neighborhood prior to putting out their idea of commercializing Robinsons Gardens.

Thank you,
Regards,
Patricia & Armin Wittenberg

Dec 7th, 2021

Dear Mayor Wunderlich and City Council Members,

I represent the Checchis who live on Cove Way very near the Gardens.

The nearby residents desperately need your help.

My client and I have spoken with a number of residents who live in the immediate area, and they recount story after story of the Gardens being disrespectful neighbors who routinely break the rules.

They refuse to cut back foliage that hangs into one neighbor's yards, and threatened them when they attempted to cut back the trees themselves which is my understanding they have a right to do.

They disregard the no parking rule on Elden Way. Event trucks and cars block driveways and streets to such a degree that residents are routinely denied access to their homes, and have to cancel their own family events.

Residents, many of whom are elderly, are concerned for their safety as regularly the street is so blocked that emergency vehicles simply cannot access their homes.

They tell of past Elden Way neighbors who have moved because of the negative impacts the Garden had on their lives.

The Gardens have no interest in creating parking on their property, yet they are quite happy to impose the impacts of their guests and events onto my clients and their neighbors.

There is not only a need to address these expansion requests of the Gardens, there is a need to address the current situation.

You are hearing from a number of residents in the immediate area- Elden Way, Cove Way, Carolyn Way, etc. Look at how many properties the Gardens shares property lines with!

The county told us they intend to follow all of the Beverly Hills residential rules. The Gardens is **not** a residence, and it should not be treated as such.

This image taken from their website shows available capacity of 865 people.





Some ideas:

1- Assign a code enforcement officer dedicated solely to this area which is paid for by the Gardens
2- Ensure that the Gardens have to apply for Special Event Permits
3- Ensure that with their current events, they have secured designated off- residential area parking that visitors are shuttled to
4- The Gardens should not be treated like a residential property in any way, shape or form. They do not behave like a residential property, and they are not a residential property. They are functioning at a commercial property in terms of function, use and impacts despite their non-profit status.
5- How are the liquor licenses to be handled if they are allowed weddings?

The resident's way of life is being severely threatened. They have a right as Council Member Gold said recently to the "quiet enjoyment of their homes" which they are currently being denied, and which is under serious attack by these new requests.

We feel the SEIR process will be a farce with the outcome already predetermined. Even if the impacts do not reach EIR and CEQA concern levels, they will far exceed what should be permissible for the neighborhood.

We looked at the Grant Deed and I think the argument could be made that the Gardens are actually currently in violation of the terms of that Deed. Our position is that the new intensification certainly is in violation.

This intensification is bad for your residents, bad for Beverly Hills, and bad for the health and safety of those in the area.

We respectfully ask that you do all that you can in your power to protect them.

Yours Sincerely,

Debbie Weiss

Dear Mayor Wunderlich and City Council Members,

Residents are very concerned about the significant negative impacts the intensification of the Garden's proposed uses will have upon us, and we ask that you take a position either in opposition to this expansion, or with a view to scaling it back significantly and imposing mitigation measures.

Given the Council's recent positions and votes to take action on Air BNBs, and Fractional Ownership due to the impacts created by transient residential use, we ask that the Council vote similarly here as these impacts are of a similar nature, but far more impactful, being on a commercial scale.

As neighbors, we are very supportive of the Virginia Robinson's Gardens and their mission to expose all city dwellers, especially inner-city children, to nature.

However, we believe that there will be a number of impacts from the Expansion of Hours, Events and additional people visiting the Virginia Robinson Gardens. During their current events, the burden on the neighborhood is severe, and for a few times a year, we have been willing to look the other way. But the proposed expansions will permanently alter our way of life. As Councilmember Gold put it recently "everybody is entitled to the quiet enjoyment of their homes," and if this expansion proceeds as the County wishes, we will be denied that right.

The Gardens are proposing 200 visitors a day (currently 100), Seven days a week, including Holidays (currently Monday-Friday), Hours of 9:30 am to Sunset (currently 9am-4pm) and 24 events a year to include filming, Weddings, family ceremonies, meetings, seminars and classes (currently up to 4 events, subject to BH event restrictions).

	1980	***2012***	***2021 Proposal***
Days Open to Public	4 days/ week Tues-Fri Holidays: Closed	5 days/week, Tues – Sat. Open on Holidays, except Christmas and New Years	***Seven Days a Week*** ***No Holiday Closures***
Hours	9:30 AM – 3:30 PM	9:30 – 5:30 AM	**9:30 AM - Sunset**
Attendance Limits/Tours	100 visitors/day With reservations	100 visitor/day With reservations	**200 visitors/day**
Types of Events	Educational Programing	Public Programs conforming to hours and visitor limits	**Existing Events plus private family events such as weddings.**
Special Uses	2/Year Patron Party Garden Tour No Attendance Limits	4/year Garden Tour (2 consecutive days)	**24/year**
Parking	• Limited to 20 spaces onsite • No Street Parking • No Walk-ins	• Onsite parking only • No street parking • Walk-ins allowed	**No restrictions indicated**

	• No Drop-offs		

FIRE

Our neighborhood has recently been designated a Fire hazard area, with signs being posted throughout the neighborhood.

Palm trees have been identified as very susceptible to fire, with the embers from palm trees being capable of blowing large distances. The VR Gardens has an extensive grove of palm trees. Additional visitors could increase the risk of fire.

And neighbors have recounted that during Garden events, roads and driveways have been blocked by guest and "Party Van" parking.

I believe a fire engine is too large to enter the Gardens. Is there a dedicated fire hydrant within the Garden? Sometimes people park in front of fire hydrants on the street. Since the property is owned by the County, who will respond to fires? Will a slow response time from the County or an inability of a fire truck to enter the Gardens put our neighborhood at risk for fire?

SAFETY

Currently, we do not see the Beverly Hills Police patrolling our neighborhood on a regular basis to prevent personal injury or property damage. How will be protected from additional people entering our neighborhood to attend events at the Gardens? How will emergency vehicles get through crowded streets?

TRANSPORTATION/ TRAFFIC

We already have a very busy neighborhood during the week.

Several large construction projects for private residences which will take years to complete have been permitted in the area. This brings construction trucks and workers to the area.

The city has also allowed the contractors for repaving the streets to set up along Lexington, taking up parking for their equipment along the street and moving equipment along Lexington.

We all have large homes which require regular maintenance- gardening, pool, housekeeping and construction maintenance. These trucks and vehicles park on our streets.

Hartford Way is a primary access road to Benedict Canyon and already there is a long line of cars lined up along Hartford early afternoon and evening to turn right on Benedict Canyon.

The County wants to add an additional 100 visitors to the VR Gardens A DAY, which will be a burden to an already busy neighborhood. There is no public transportation close enough to the Gardens, so they will drive, adding to the traffic.

PARKING

Add the parking of all the construction vehicles for new private homes, contractors for street paving, vehicles for maintenance of existing homes and our neighborhood parking is already crowded.

The Gardens has only 31 parking spaces- 25 for visitors accessed on Elden Way and 6 for staff accessed on Cove Way. The County is asking for a total number of visitors of 200 a day. The county has conceded that their visitors will park on the nearby resident streets. We are expected to bear the brunt of twice as many visitors per day as well as the commercial scale wedding, etc events.

On-street parking is limited. There is no parking on Elden Way for VR Gardens, Crescent and several other streets have a 2-hour limit, so many of the remaining streets are chock full of vehicles seeking to park.

Events at VR Gardens would pose a special problem- valet parking for the guests would occupy all the side streets and event trucks for set up and delivery would also be a burden.

NOISE

The County proposes that the VR Gardens be open every day, including Sundays and Holidays. They also seek to increase the hours and the special events from 4 to 24 events a year, including turning the Gardens into a Wedding Venue.

This is a very quiet neighborhood, especially in the evening. Residents realize that noise really carries here, so they are especially respectful about parties. Evening events at the VR Gardens would pose a special hardship on the neighborhood.

On weekends (especially Sundays and Holidays) the neighborhood is very quiet. It is the one respite we all have from the busy noise of the weekdays. Sunday visitors would impact the neighborhood a lot.

AIR QUALITY GREENHOUSE GAS EMISSIONS

Additional people, events would add to poor air quality

SUPERVISION

Currently, Events (up to 4 per year) are allowed at the Garden subject to Beverly Hills event restrictions. The new proposed events (up to 24 a year)- or about one every other week! Who will supervise?

Who will respond to emergencies? Who will police, respond to fires and generally deal with any disruption from noise, parking or emergency health issues?

WATER

Since we are in a drought and conserving water, the Gardens are already a huge user of water. More visitors and more events will use up even more water at the Gardens.

LIGHTING

Currently, there is limited outdoor lighting at the Gardens. With increased events at night, there will need to be additional lighting installed for safety reasons.

WILDLIFE

Currently, we have birds and small animals, squirrels, etc., in our neighborhood who come out on the quiet weekend days and in the evenings. How will additional visitors and additional events, impact the wildlife of the Gardens and the surrounding neighborhood?

HISORICAL RESOURCES

The VR Gardens are a jewel box, already requiring a lot of maintenance. How will this increase in visitors and events affect the degree of maintenance at the Gardens.

Also, the mission of the Gardens is to educate and expose a wide range of visitors to nature. How is turning the Gardens into a filming or Wedding venue for

commercial gain part of the mission of the Gardens? We believe that with the new changes proposed by the County, the Gardens are being used for money-making ventures, not for their true mission. And all at the residents expense.

We ask that the Council take a position either in opposition to this expansion, or requiring a significant scale down. Your residents need serious mitigation measures put in place. While this expansion will benefit the County, we fail to see the benefits to the residents who live there. Or the City for that matter. This puts a financial burden on the City with code enforcement, perhaps emergency services, etc but with the financial benefits going to the County.

This proposal not only burdens us by impacting our way of life, it poses a health and safety concern. During their current events, driveways and streets are often blocked off due to errant parking by visitors. Emergency vehicles may be blocked from accessing certain areas. Who will be legally responsible if that occurs?

We would like to respectfully request the following:

- The Council take a position either in opposition to this expansion, or with a view to scaling it back significantly and imposing mitigation measures
- An ad hoc committee of 2 City Council members as occurred with the Basement Ordinance (where one City Council member had to recuse)
- Suggestions of **requiring** the Gardens to secure offsite parking lots and shuttle buses
- **Requiring** their valets to park in the offsite parking (not the residential areas)
- **Requiring and have the Gardens** pay for the hiring of an extra code enforcement officer
    - Or overtime of current officers

As the County does not appear receptive to our concerns, we need the Council to stand up for your residents.

Yours Sincerely,

Kathy Checchi 1007 Cove Way
Alfred Checchi 1007 Cove Way

Arnold Messer 1020 Cove Way

Sharon Messer	1020 Cove Way
Patricia Wittenberg	1065 Carolyn Way
Armin Wittenberg	1065 Carolyn Way
Robin Hwajin Yoon Kim	1005 Elden Way
Elizabeth Seri Kim	1005 Elden Way
Andrew Young Kim	1005 Elden Way
Madeline Kim	1005 Elden Way
Chuck Alpert	1035 Carolyn Way
Jodi Stine	1024 Cove Way
Don Stine	1024 Cove Way
Antony Spencer	1075 Carolyn Way
Laurie Spencer	1075 Carolyn Way
Robert Wood	1132 Laurel Way
Michael Weiner	1050 Carolyn Way
Michelle Weiner	1050 Carolyn Way

[redacted]Carolyn Way
Beverly Hills
California 90210

Timmi Tway
City of Beverly Hills
455 N Rexford Dr
Beverly Hills
California 90210

7th December 2021

Dear City Council Members,

RE: Proposed Supplemental Environmental Impact Report
Increased usage of Virginia Robinson Gardens, Beverley Hills

I am completely opposed to any expansion of the current scope of operations, which is absolutely inappropriate in a quiet residential area.

I have lived for approximately 8 years with my wife close to Virginia Robinson Gardens, at [redacted]Carolyn Way. I am therefore very well aware that this is a quiet residential neighbourhood, rich in nature, and with a road network that has only a limited capacity to carry traffic and to support parking. Virginia Robinson Gardens is a pleasant oasis, set deep within the residential area.

What is proposed is a considerable increase in activity, which will be to the total detriment of the residents who live in the area. Residents are already severely impacted under the current conditions, and I am completely opposed to any further increases in use.

The proposal seeks that there should be a doubling of daily visitors, a 6-fold increase in events, and an extension of activities from 4pm to sunset (which is 8.10pm in mid-summer). This is totally unreasonable.

Your current concern is the scope of the SEIR. I advocate that this should focus upon:

- Noise; primarily the noise arising from events, especially amplified music and speech, and especially outside the main working day, when residents are entitled to expect quiet enjoyment of their homes. The assessment should include ambient noise readings taken in the evening in a variety of conditions, and predictions spanning the wide range of event types that are envisaged.

- Transportation/traffic; particularly how parking of vehicles is to be accommodated without causing environmental damage. It is particularly important that the assessment considers staff and contractors' vehicles as well as the vehicles of those attending events.
- There should be an assessment by speaking to the nearby neighbors that seeks to understand just how impactful the current situation is. Multiple neighbors report cars routinely blocking access to their homes, event cars and truck parking on Elden Way in violation of the rules, etc. This is a health and safety issue that must be explored to the fullest. And that means speaking to those who live nearby.
- Air quality/greenhouse gas emissions; since all users of the site are likely to arrive and depart by motor vehicle, it is clear that this is not a sustainable location for commercial activity of the type proposed. The assessment should take into account drivers having to cruise around the area in search of parking, and performing manoeuvres in order to park in constricted spaces.
- Urban character; noting that what is proposed is a high degree of commercial activity in the midst of a quiet residential area with a very distinct character.
- The other issues you identify (namely energy and historical resources are important too.

I shall be grateful if you will keep me informed of your progress, and also ensure that I am notified of further opportunities to comment upon what is proposed.

Yours sincerely,

Antony Spencer & Laurie Spencer

PROJECT NOTE

DOCUMENT CONTROL			
DOCUMENT TITLE	VIRGINIA ROBERTS GARDEN (VRG)	**REVISION**	R00
DOCUMENT NUMBER	0051346-0820-0	**ISSUE DATE**	7TH DECEMBER 2021
PROJECT NAME	INCREASED USAGE OF VRG - NOISE	**AUTHOR**	DANI FIUMICELLI
STATUS	ISSUE	**CHECKED**	JS
ISSUED TO	ANTONY SPENCER	**PASSED**	DB

INTRODUCTION

1.1. This Project Note provides comments regarding the noise issues associated with the proposed Supplemental Environmental Impact Report (SEIR) for the increased usage of Virginia Robinson Gardens, 1075 Carolyn Way, Beverley Hills, CA (VRG).

UNDERSTANDING OF THE PROPOSAL

1.2. It is understood that the proposed changes to the use of the VRG will mean a considerable increase in activity with a doubling of daily visitors, a 6-fold increase in events, including use of amplified sound, and an extension of activities from 4pm to sunset (which is understood to be in the mid-evening around 8.00 pm in mid-summer), with associated increases in vehicular traffic to and from the VRG.

BASELINE BACKGROUND NOISE LEVELS AND AMBIENT SOUNDSCAPE

1.3. The effect of noise on people and the use of their homes not only depends on how loud the noise is in terms of noise level, and any relevant regulatory controls; but also, how the noise in question relates to existing background noise levels and the ambient soundscape.

1.4. For example, this would include considering the following:

- What might be the difference between representative background noise levels at outdoor amenity spaces at residential properties and the predicted noise from VRG? and,

- What might be the increase in noise level at outdoor amenity spaces at residential properties due to the predicted noise from VRG? and,
- Does the noise from VRG contain characteristics that increase its impact? For example, the low frequency bass thump of modern amplified music and the information content of amplified speech mean that the noise has a greater impact compared to the relatively anonymous sound such as steady traffic noise from busy but distant highways.
- How might the noise from VRG contrast or blend with the existing soundscape at outdoor amenity spaces at residential properties? i.e. how congruous will the noise from VRG be in the context of the existing sounds making up soundscape in the area.

1.5. Consequently, any noise assessment for the SEIR should include a comprehensive baseline noise survey and observations of the soundscape at locations representative of residential properties around the VRG.

1.6. Background noise levels and the ambient soundscape typically vary depending on the time of the day, evening or night, between weekdays and weekends day of the week, and with the weather conditions.

1.7. Therefore, any baseline survey should be sufficiently long enough to capture sufficient data so that outliers and anomalous values can be rejected and there remain enough values to be able to understand the variability of the baseline noise levels through day, evening and night periods and use statistical analysis to establish representative background noise levels and observations of the ambient soundscape.

1.8. Typically, this requires continual monitoring for 15 minute periods over a minimum of a 7 day period to be able to capture sufficient data to understand and manage the associated uncertainties so that any derived background noise levels and ambient soundscape observations can be confidently relied upon.

SPATIAL EXTENT OF THE NOISE ASSESSMENT FOR THE SEIR

1.9. The district around VRG is almost exclusively residential in character with correspondingly relatively quiet background noise levels and a tranquil ambient soundscape. Noise will

therefore not decay to below background noise levels or stop being incongruous in the context of the ambient soundscape until it has travelled some distance from the VRG.

1.10. Consequently, intensification of existing and introduction of more noise generating activities at the VRG has potential to cause disturbance and disruption to not only residents of properties adjacent to the VRG but also those some distance from the premises.

1.11. It is therefore suggested that the spatial extent of the noise assessment should be carefully considered and a distance of 750 feet from the boundary of the VRG is considered a likely minimum.

SOURCES OF NOISE

1.12. The main sources of noise associated with the proposed changes to the use of VRG that should be included in the SEIR include the following:

- Amplified music and speech
- Crowds
- Traffic
- Miscellaneous e.g. temporary plant installations such a generators or refrigeration equipment for catering, and fireworks.

NOISE PREDICTIONS

1.13. Assessment of the noise from the proposed increased use of the VRG will be dependent on theoretical prediction of noise propagation.

1.14. There are several methods of predicting the propagation of noise e.g. ISO 9613 is a common method.

1.15. Whatever method is used to predict noise levels from the VRG it should include the following parameters that influence the propagation of noise

- Robust source levels i.e. the sound power and frequency spectrum of the source should be realistic and verifiable.
- The effect of distance (geometric spreading).

- Source directivity characteristics.
- Source emission characteristics e.g. some Public Address system (PAs) propagate as a line source at a lower rate of decay before the decay increases to that of a point source at a faster rate.
- The effects of topography and buildings acting as barriers to the propagation of noise
- Ground absorption.
- Air absorption.
- Relative humidity and temperature.
- Meteorological conditions e.g. wind direction.
- Acoustic reflections other than from the ground.

NOISE PREDICTION VERIFICATION

1.16. Whilst the prediction of the noise from VRG will be a starting point in the noise assessment for the SEIR, there will be the opportunity to verify the predictions from amplified sound by installing a temporary PA at the VGR and carrying out noise propagation tests.

1.17. Such a test would involve temporary installation of a PA configured in a way typical of likely an event at VGR and playing test examples of sound at various levels, whilst simultaneously measuring at a reference point at the VRG e.g. the sound mixing/control point at VRG, and at representative residential locations at various distances around the VRG.

1.18. The propagation test would provide real world empirical data directly relevant to the VRG and surrounding locations that could be used to verify the noise predictions and reduce the inevitable uncertainties associated with theoretical prediction of noise propagation so that, they could be more confidently relied upon in the noise assessment in the SEIR.

SUMMARY

1.19. Noise from the proposed changes and intensification of use of the VGR has the potential to cause significant adverse effects to people living at and using residential properties adjacent to and some distance from the VGR.

1.20. As well as considering regulatory requirements, the assessment of the noise in the SEIR from the proposed changes at VGR should include a comprehensive bassline noise survey to establish representative background noise levels and ambient sound conditions in outdoor amenity spaces at residential properties adjacent too, and to at least 750 feet from, the perimeter of the VGR.

1.21. The assessment of the impact of noise from the VGR should include evaluation against regulatory requirements, and of the difference between the noise from VGR and baseline noise, the increase in noise levels comparted to existing conditions, allow for any acoustic characterises that might enhance the impact of the noise, and evaluate how congruous the noise will be with the existing soundscape.

1.22. The sources of noise included in the SEIR assessment should include all those likely to be audible beyond the boundary of the VGR.

1.23. The prediction of the propagation of noise from sources at the VGR should be based on reliable source data and include relevant factors that influence propagation of noise outdoors.

1.24. Predictions of amplified noise should be verified by a propagation test using a temporarily installed PA and simultaneous measurements at the VGR and various representative residential properties adjacent to and at multiple distances from the premises.

PROJECT NOTE DISCLAIMER:

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From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Another resident called me and wanted his name added to the letter
Date: Thursday, December 16, 2021 3:55:34 PM
Attachments: Letter from Cove Way Residents.docx

Freddie,

Another VRG comment attached.

Thanks,

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Kathy Checchi <kathy@checchi.org>
Sent: Thursday, December 16, 2021 3:53 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Another resident called me and wanted his name added to the letter

CAUTION: External Email. Proceed Responsibly.

Hi Julie,

Joseph Akhtarzad at 1036 Summit Drive called me and asked me to add his name to the letter.

I've attached a new letter including him,

Please confirm receipt.

Thanks,
Kathy

Sent by email

Dear Ms. Yom,

As residents of Cove Way and Summit Way, we are very concerned with the increased operations proposed for the Virginia Robinson Gardens. A parking lot for the Gardens is located at 1028 Cove Way and an increase in events, hours and number of visitors will impact our street.

We specifically ask that you examine the following issues as you prepare the SEIR

TRAFFIC
Our street is already a busy one. Drivers speed up and down the street and the entrance to the Gardens is at a blind spot in the road. Pulling in and out of that driveway will be difficult, as will the loading and unloading of event vehicles. Also, in early afternoon, there is a great deal of traffic at the intersection of Cove Way and Hartford Way, as cars line up to turn right on Benedict Canyon. There are times when the entrance to our street is blocked, and we have to wait in the line of cars.

PARKING
Our street is already restricted to parking on one side, so it is packed with vehicles parking already. Often these cars are parked all day and visitors or workers coming to our residences have to park far up the hill. Any increase in visitors or events are going to impact parking greatly.

NOISE
Our neighborhood is very quiet in the evenings and on weekends. Expanding the hours of the Gardens to every day, including weekends and all Holidays will change the character of our neighborhood. We ask that the evaluation of this effect take measurements of the noise currently on the weekends and Holidays.

FIRE
Our neighborhood has recently been designated as an extreme Fire Risk. In fact, many of us struggled to obtain home insurance due to this designation. The risk of fire will increase at the Gardens with more visitors and more events. An evaluation should be made of how fire would be extinguished, since the paths in the Garden are too narrow to have a fire truck enter, there is a grove of palm trees which once on fire send embers throughout the neighborhood and there is no dedicated fire hydrant in the Gardens.

We look forward to seeing these issues fully examined in the SEIR.

Thank you,

Kathy and Al Checchi 1007 Cove Way

Michael McAlister 1034 Cove Way, 1036 Cove Way, 1055 Carolyn Wy

Jennifer and Randy Wooster 1011 Summit Drive

Joseph Akhtarzad 1036 Summit Drive

From: Julie Yom
To: Freddie Olmos
Cc: Clement Lau
Subject: FW: Please add two more addresses opposing the increased Operation at the Gardens
Date: Monday, December 20, 2021 7:22:21 AM
Attachments: Letter from Cove Way Residents.docx

Good morning Freddie,

Please see attached VRG comments.

Thanks!

JULIE YOM, AICP
County of Los Angeles
Department of Parks and Recreation | Planning Division
1000 S. Fremont Avenue Unit #40
A-9 West, Third Floor
Alhambra, CA 91803
Tel. (626) 588-5311 |
jyom@parks.lacounty.gov
Please note that our offices are closed on Fridays.

From: Kathy Checchi <kathy@checchi.org>
Sent: Thursday, December 16, 2021 6:41 PM
To: Julie Yom <jyom@parks.lacounty.gov>
Subject: Please add two more addresses opposing the increased Operation at the Gardens

CAUTION: External Email. Proceed Responsibly.

Hi Julie,

I just heard from another neighbor who owns two homes on Cove Way.

Please add Bobby Kotick to the list.
He owns 1011 Cove Way and 1010 Cove Way.

I'm attaching a letter which shows the addition of his name.

Thank you,
Kathy

Sent by email

Dear Ms. Yom,

As residents of Cove Way and Summit Way, we are very concerned with the increased operations proposed for the Virginia Robinson Gardens. A parking lot for the Gardens is located at 1028 Cove Way and an increase in events, hours and number of visitors will impact our street.

We specifically ask that you examine the following issues as you prepare the SEIR

TRAFFIC
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We look forward to seeing these issues fully examined in the SEIR.

Thank you,

Kathy and Al Checchi	1007 Cove Way
Michael McAlister	1034 Cove Way, 1036 Cove Way, 1055 Carolyn Wy
Jennifer and Randy Wooster	1011 Summit Drive
Joseph Akhtarzad	1036 Summit Drive
Bobby Kotick	1011 Cove Way, 1010 Cove Way

NATIVE AMERICAN HERITAGE COMMISSION

Governor's Office of Planning & Research

Nov 12 2021

STATE CLEARING HOUSE

November 12, 2021

Julie Yom, AICP, Park Planner
Los Angeles County Department of Parks and Recreation
1000 S. Fremont Avenue Unit #40 A-9 West, Third Floor
Alhambra, CA 91803

Re: 2012091034, Proposed Operational Changes to the Virginia Robinson Gardens Project, Los Angeles County

Dear Ms. Yom:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

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AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse