

## Communication from Public

**Name:** Victoria frankel

**Date Submitted:** 05/17/2022 10:12 AM

**Council File No:** 22-0505

**Comments for Public Posting:** I support the YULA signage variance. Thank you!

## **Communication from Public**

**Name:** David Levine  
**Date Submitted:** 05/17/2022 10:15 AM  
**Council File No:** 22-0505  
**Comments for Public Posting:** I support the YULA signage variance

## **Communication from Public**

**Name:** James Frankel  
**Date Submitted:** 05/17/2022 09:42 AM  
**Council File No:** 22-0505  
**Comments for Public Posting:** I support the YULA sign variance.

## Communication from Public

**Name:** Michael

**Date Submitted:** 05/17/2022 08:42 AM

**Council File No:** 22-0505

**Comments for Public Posting:** I support Yula and it's proposed sign variance

## Communication from Public

**Name:** Rena  
**Date Submitted:** 05/17/2022 09:01 AM  
**Council File No:** 22-0505  
**Comments for Public Posting:** I support the YULA signage variance.

## **Communication from Public**

**Name:** Cheryl Ibgui  
**Date Submitted:** 05/16/2022 09:28 PM  
**Council File No:** 22-0505  
**Comments for Public Posting:** I support the Yula signage variance

## **Communication from Public**

**Name:**

**Date Submitted:** 05/16/2022 09:48 PM

**Council File No:** 22-0505

**Comments for Public Posting:** This is #2 of 9 postings.

# **FAQ's**

## **RE: YULA'S APPLICATION FOR A ZONE VARIANCE**

### **Case No. ZA-2019-5552-ZV (Remand)**

#### **1. WHY DOES THIS MATTER / WHY SHOULD ANYONE CARE ABOUT 9 SIGNS?**

Zoning laws are the primary means on which homeowners rely to protect and preserve the quality of life in their neighborhoods, as well as the value of their property. Zoning laws prevent commercial and other dense development that is incompatible with single-family homes, as well as the noise, pollution, traffic, visual blight (e.g., resulting from construction of overly large buildings, the installation of commercial/institutional type signage, etc.), and other nuisances which usually follow from allowing non-residential uses among or adjacent to single-family homes.

**A zone variance, as requested by YULA in this case, provides an exception to the zoning laws, and should not be easy to obtain - - if they were, the zoning laws would be meaningless.** L.A. Charter §562 (see: [https://codelibrary.amlegal.com/codes/los\\_angeles/latest/laac/0-0-0-2563#JD\\_Ch562](https://codelibrary.amlegal.com/codes/los_angeles/latest/laac/0-0-0-2563#JD_Ch562).) and L.A. Municipal Code ("LAMC") §12.27 (see: [https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lapz/0-0-0-9165](https://codelibrary.amlegal.com/codes/los_angeles/latest/lapz/0-0-0-9165) ) list the **FIVE** findings of fact that the Zoning Administrator must make in order to grant a variance, and expressly provide that **ALL** five findings must be made, and all five findings must be supported by evidence.

The City also has sign regulations which provide very specific limitations regarding the size and other features of all signs that are allowed on land zoned R1 (*i.e.*, for residential use), which protect residential neighborhoods from the blight of inappropriate and/or unnecessary signs (see: LAMC §12.21.A.7 at [https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lapz/0-0-0-5183](https://codelibrary.amlegal.com/codes/los_angeles/latest/lapz/0-0-0-5183) and LAMC Art. 4.4. at [https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lapz/0-0-0-23603](https://codelibrary.amlegal.com/codes/los_angeles/latest/lapz/0-0-0-23603) ). Without the zone variance, the proposed YULA signage would violate several of these important regulations.

It is totally **IRRELEVANT** that some people (most of whom are affiliated with YULA, such as parents of current or former YULA students and/or members of the YULA synagogue), and even a few neighborhood residents, may think the signs are tasteful, attractive and/or helpful to visitors and emergency personnel, or that YULA is a good school and provides an important benefit to the local Orthodox Jewish community. **These people are not informed about zoning laws** or the requirements for the grant of a zone variance, and they have not spoken to the experts within the LAPD and LAFD (as we have done) about whether there's a real need for the signs. **The only RELEVANT concern in this case is whether YULA has provided evidence to substantiate all five findings that the Zoning Administrator is required to make in order to grant a variance.**

In this case, Associate Zoning Administrator Theodore L. Irving (the "**Zoning Administrator**") concluded, after conducting a lengthy public hearing, and after his very thorough review of the substantial amount of information and documents submitted to him for the record, that **NONE** of the five required findings are supported by evidence. Accordingly, the Zoning Administrator **correctly** denied the zone variance and did not err or abuse his discretion in any way.

Further (and "hypothetically-speaking"), if the West Los Angeles Area Planning Commission ("**West LA APC**") were to decide that the Zoning Administrator erred and that YULA does somehow meet all five requirements for the grant of a variance, then YULA could rely on this case as establishing a precedent that it meets such requirements. YULA could then - - each time it seeks to do something on its campus that is prohibited in an R1 zone - - apply for (and probably be able to obtain) a zone variance, thereby chipping away piecemeal many or all of the protections afforded the immediately adjacent residential community by the City's zoning (and other) laws and regulations,



until the YULA property is basically functioning as though its entire property were zoned C4. YULA should **not** have the same privileges on the R1 zoned portion of its property (which fronts Castello Ave., a 36 foot wide residential street) that it has on the C4 zoned portion (which fronts Pico Blvd., a 100 foot wide major roadway).

**The outcome of this case MATTERS - - not only to homeowners in the adjacent neighborhood but also to ALL residents of Los Angeles - - because *denial* of the zone variance will preserve the integrity of both the City's sign regulations AND the City's zoning laws, regulations and processes, which are essential for the protection of quality of life in the City's residential neighborhoods. On the other hand, the *grant* of the variance would make a mockery of these laws, regulations and processes and would create a dangerous precedent, clearing the way for the proliferation of signage (and other special privileges or inconsistent uses) on land zoned for single-family homes.**

## **2. WHAT ARE YULA'S ARGUMENTS AS TO WHY THE VARIANCE SHOULD BE GRANTED, AND WHY ARE THESE ARGUMENTS FALSE?**

To sum up the nature of YULA's arguments to justify its appeal of the Zoning Administrator's denial of the zone variance (the "**Variance Denial**"), they are based on a combination of circular and/or convoluted logic and totally unsubstantiated, self-serving statements.

These are some of YULA's main arguments, followed by our response:

- A. **YULA**: The Zoning Administrator abused his discretion and erred when issuing the Variance Denial.

**RESPONSE**: The Zoning Administrator is a highly experienced employee of the City Planning Department, who has no reason to be biased in favor of or against either side. He did an excellent job conducting the hearing with complete objectivity and in accordance with department policy and all applicable rules and regulations, and in reviewing the large volume of information and documents submitted for the record, as well as in researching the zoning and land use restrictions of other properties in the vicinity. He provided a detailed and well-reasoned explanation (in the Determination Letter) for each of his findings. It is an insult to the Zoning Administrator's integrity, knowledge, professionalism, experience and hard work to allege that he abused his discretion and/or erred in his decision. Accordingly, in the absence of any evidence of an abuse of discretion or error in issuing the Variance Denial, the Zoning Administrator's decision must be upheld and YULA's appeal must be denied.

Further, the fact that the Zoning Administrator did **not** err or abuse his discretion is supported by the clear language of both LAMC §12.27.D and L.A. Charter §562, which gives the Zoning Administrator **the right** to deny a variance in precisely the current situation, *i.e.*, where the conditions creating YULA's need for the variance were self-imposed.

YULA's officers and directors **knew** (or certainly should have known), when they *elected* to expand the campus in the R1 zone, that construction in such zone would come with certain limitations and restrictions that wouldn't apply to the C4 zoned portion. At the time they elected to expand the school, they had other options available, such as limiting the scope of the expansion, or acquiring or leasing other property more suitable for the proposed expansion, or seeking a zone change for the R1 portion. However, they rejected all other options and *elected* to expand in the same location and apply for a Conditional Use Permit

instead of a zone change, probably because they knew it would be too difficult to try to change the zoning.

In addition to electing to expand its campus in the R-1 zone - - *knowingly* trying to force “a square peg into a round hole” - - the conditions creating the need for the variance are also “self-imposed” because **YULA entered into agreements** with six major donors (*i.e.*, the Samson, Gelman, Robin, Sassoon, Nagel, Kestenbaum and Arnall families / foundations), to install large donor-recognition signs on the outside of the campus buildings (and/or other areas) which would be named after them, in exchange for / recognition of their donations. Whether YULA did so in ignorance of the city’s sign regulations and the need for a zone variance, or just assumed that they could get a variance, is completely irrelevant. Ignorance of the law is not a defense. **The City of Los Angeles has no obligation to - - and should not - - bail YULA out of its potential “default” under agreements that YULA should not have made.** Further, assuming that these agreements are in writing - - or even if they are oral agreements - - the terms and conditions of *all* contracts are subject to and governed by all applicable laws and regulations. Two parties can’t enter into a contract which provides for doing something that is prohibited by law; such a contract would be unenforceable.

In short, **it is abundantly clear that the conditions creating YULA’s need for the variance it is seeking were self-imposed** - - and both LAMC §12.27.D. and L.A. Charter §562 provide that: **“The Zoning Administrator may deny a variance if the conditions creating the need for the variance were self-imposed.”** Since the laws governing zone variances expressly grant the Zoning Administrator the right to deny a variance in the instant situation, the West LA APC cannot possibly conclude that the Zoning Administrator erred or abused his discretion.”

- B. **YULA:** The 9 signs at issue are necessary to identify the various buildings on YULA’s campus, avoid unnecessary confusion among students, employees and visitors, and avoid the “hardship” of delaying emergency personnel in locating the specific building where emergency services are needed.

**RESPONSE:** These claims are absurd on their face, and unsubstantiated by any facts, as evidenced by the following *actual* facts:

(1) The physical layout of the YULA campus is such that there is one main entrance (which is on Castello Avenue), with a security guard who is stationed in a booth at the entrance during all hours of operation, and usually at least one other security guard on duty. Either of these guards can give verbal directions (and/or a campus map hand-out) to both the rare first-time visitor and any emergency personnel in need of directional assistance. Both the pedestrian entrance and the entrance from the underground parking open into only ONE central open area / courtyard (although there may arguably be “west” and “east” sections of the courtyard, it is a single open area without any barriers), with the main entrance to each campus building accessible from such courtyard. The location of this courtyard / plaza is obvious, so there is no need to identify it with the sign that says “ROBIN FAMILY PLAZA” (labeled ST-11b in YULA’s application). The sole reason for such sign is to recognize the Robin family, who undoubtedly made a major donation to YULA. **The promises YULA may have made (and even the contractual obligations it may have), to install signs to recognize the financial contributions made by YULA’s major donors, do not justify or warrant the grant of the zone variance YULA needs in order to be able to fulfill such promises and/or obligations.** While the analogy may be extreme, if Party A is dumb enough to enter into a written murder-for-hire agreement with Party B, and promises that Party B will receive a substantial benefit after he successfully

completes the deed, such agreement doesn't give Party B any *right* to commit murder, because murder is against the law.

Private agreements can't circumvent or change the law (or, in this case, the LAMC and L.A. Charter), and presumably, if YULA has written agreements with its donors (pursuant to which YULA commits to name a building after the donor and to install signage which includes the donor's name, in recognition of a substantial donation), these contracts include the standard / "boilerplate" clause that all of YULA's obligations thereunder are subject to all applicable laws and regulations, and the agreement itself is governed by California law. Further, YULA's promises and obligations to its major donors can be satisfied by other means, as explained below.

(2) The campus is very small, with the area that is zoned R1V2-O occupying slightly less than one acre (the total campus is 1.36 acres). New students, faculty and employees will easily learn the location and names of all of the buildings (there are only 3 distinct buildings on the entire campus) within their first day on campus, so no one will be confused unless he is hit on the head and has amnesia. With respect to the few other first-time visitors to campus, there are several very viable options available to help them (if necessary - - which it probably isn't) to identify the various buildings and locate their entrances, which don't require a zone variance, including: (a) providing a paper map/handout to visitors (these can be provided by the security guard who checks in all visitors at the guard gate and/or available in several waterproof boxes located in the courtyard; (b) posting a single campus map (enclosed in glass or plastic, similar to the maps one sees at every large shopping mall) in a central location; or (c) reducing the total number of signs by eliminating some or all of the signs that are redundant (YULA proposes two "YULA Boys High School/Nagel Family Campus" signs (in addition to the enormous existing monument sign with identical text (located in front of the campus on Pico Blvd.), and two nearly-identical signs for the Roland Arnall Pavilion" and keeping the remaining signs (which would be located at the *entrance* to the applicable building, since that is the *only* place where identification may be helpful) at a size and style that complies with the sign regulations in effect for the R1V2-O zone. Given the small size of the campus, the signs can likewise be small (and in compliance with the City's sign regulations) but still be sufficiently visible. A sign which is affixed to the outside of a building and visible from the street, but is not located near the entrance to that building, serves no useful purpose - - its sole purpose being a grand gesture to acknowledge and reward a substantial charitable donation made by the person after whom the building is named, an act which is actually anathema to the foundational Jewish values of modesty ("*tziniut*"), humility ("*anavah*"), and charity ("*tzedakah*") (see FAQ No. 4 below).

Moreover, YULA students, faculty and other are just as likely to refer to at least two of the three buildings by their generic names as they are to refer to them by the donor name attributed to the building - - *i.e.*, the "Samson Center" will likely be called simply "the gym", and "Gelman Hall" will likely be called the "science center" or the "STEM Center". There is no reason or need to put a donor's name on a building other than as an acknowledgment of that person's substantial donation. The names "Gelman Hall" and "Samson Center" certainly don't identify the purpose or use of the buildings, and may not even be the names typically used to refer to the buildings - - which might actually *result* in confusion!

(3) The fact is that **the LAPD and LAFD DO NOT NEED SIGNS** to help them locate the specific building in which their services are needed. YULA has not provided ANY evidence or facts to support their assertion that the proposed signs will aid police officers, firemen or paramedics. If there is an emergency on campus, it's extremely likely that there will be one or more YULA security guards (and/or whoever witnessed the emergency) on-site to tell emergency personnel where to go. In any event, we interviewed Senior Lead

Officer Christopher Baker of the West L.A. office of the LAPD, who oversees all LAPD operations in the area, is very familiar with the YULA campus, and personally knows several members of YULA's security force. Officer Baker said: "*We do not need lettering above any door to tell us where to go . . . **[signage] doesn't help us in any way***", and added that: "*There are plenty of schools in L.A. that do not have lettering and we have to go in there . . . **[Campus security]** will meet us at the door and they tell us where to go. And if there is no one there [to tell us where we need to go], we'll figure it out - - we're police officers!*"

Officer Baker also explained that in any situation where the police are called to a school, they "will take control and lock down the school" and that they have a map of all school campuses in the region they cover, including a map of YULA's campus. If there is an incident on a campus, Officer Baker explained, "ultimately we'd have to sweep the entire campus anyway."

In short, the **fact** is that **THE POLICE DEPARTMENT DOES NOT NEED THE PROPOSED SIGNS.**

If YULA is *truly* concerned about the safety and security of its campus, it should spend its money on creating an unbreachable, landscaped barrier or wall around the campus (making it less accessible), like most (if not all) other private high schools in L.A. have done (see examples in the photo binder previously submitted to the West L.A. Area Planning Commission, on September 4, 2020) - - instead of wasting money on totally unnecessary signs and the substantial legal fees it is incurring in pursuit of a zone variance.

Likewise, **THE FIRE DEPARTMENT DOES NOT NEED THE PROPOSED SIGNS.** We spoke to LAFD Captain Samuel Galvan, who oversees the Schools, Churches and Institutions division of the Fire Prevention Bureau. Captain Galvan said: "***No, we don't need signs. All we care about is [having] an address [on the] front of the building***" and "there is a standard for that" (referring to the city's requirements for address information on school buildings).

Captain Galvan further explained that if an alarm goes off "after hours" (when no one is on a campus), the firemen "will go to the alarm panel, which will tell them exactly where the alarm went off" (*i.e.*, where the fire or medical emergency is and where they need to go). If LAFD is called during school hours, Captain Galvan explained, "the security guards will meet us out front and they'll give us directions," adding that "there's always someone there who will walk you through it, usually a building engineer or head maintenance guy" and "we get an escort [to the location]." And like the LAPD, the LAFD (in this case, Fire Station 58 on Robertson Blvd.) also will have a map of each school in its area, including YULA.

**In summary, the proposed signs are NOT needed by YULA's students, employees or visitors and are NOT needed by emergency personnel. Rather, the signs are "vanity" signs intended to recognize YULA's major donors (after whom the buildings, prayer halls [Beit Midrash] and plaza/courtyard are named) and serve NO public safety or necessary informational/directional purpose, and the lack of such signage does NOT pose any hardship for YULA or others. If YULA has promised some form of name recognition to its donors, it can instead install beautiful and substantial dedication plaques inside the school buildings, where they will not be subject to the City's sign regulations or require a zone variance.**

However, **if** more and larger signage **is** in fact necessary to improve emergency response time on school campuses, than the *appropriate*, logical and sensible course of action for YULA (instead of trying to get a zone variance) is to lobby for the necessary amendments to the City's sign regulations, in order to provide greater latitude with respect to the size, design and installation of signage on school buildings which are located on land zoned R1. If the LAFD and LAPD could be convinced that having more signs and/or larger signs to identify individual buildings would be helpful to them in emergencies, then the City Council should approve such changes, and Councilmember Koretz could initiate the process for amending the sign regulations.

- C. **YULA:** YULA claims that the sign that reads "YULA BOYS HIGH SCHOOL NAGEL FAMILY CAMPUS" (labeled ST-02a in YULA's application), and which is visible from the adjacent residential uses, is necessary to identify the main entrance, because it's confusing to visitors and emergency personnel that the street address of the campus is 9760 West Pico Boulevard, while the actual entrance is on Castello Avenue.

**RESPONSE:** This is totally ridiculous, for several reasons:

- (1) There is already an enormous monument sign with *identical* text, in front of the YULA building at the southwest corner of Pico and Castello, and anyone standing at or driving by that sign would easily see the main entrance from that vantage point;
- (2) If this is a legitimate concern, the logical and easy thing for YULA to do is to apply to the Los Angeles Bureau of Engineering for an address modification, to change the school address to Castello Avenue (the address would fall somewhere in the range of 1415 – 1433 S. Castello Avenue). (Although such address change would necessitate ordering new stationery and business cards for YULA employees, that cost would be much less than what YULA is paying in legal and other fees and expenses to pursue this appeal and fabricate the sign, and the community would have no objection to such address change);
- (3) We have interviewed authorized representatives of both the L.A. Police Dept. and L.A. Fire Dept., who assured us that ALL emergency personnel who provide services to YULA are very familiar with the location of the entrance and do not need more signs to direct them;
- (4) We note that there is a second (or third, if you include the monument sign on the corner) large sign (labeled ST-02b in YULA's application) which also has the identical text and thus is totally superfluous and unnecessary, especially given its location in the internal courtyard - - since anyone who has gone through security to enter the YULA campus and to access its courtyard would know where he is; and
- (5) There is already a sign on the only door on the Pico Blvd. side of the YULA campus, which reads: "Deliveries to School Entrance on Castello St." - - and this appears to be working quite well to direct the uninformed to the main entrance.

- D. **YULA:** YULA claims that the LAMC sign regulations "were not meant to strictly apply to projects which are subject to the review of a conditional use permit through which a use not specifically and uniquely residential may be allowed."

**RESPONSE:** Besides being almost incomprehensible, this is simply a self-serving statement, as YULA provides no evidence as to the drafters' intentions or any history or background relating to the sign regulations to support YULA's opinion regarding what these regulations were *intended* to do. Accordingly, the sign regulations must be applied as written, *verbatim*, without reading any "hidden meaning" or intentions into them, and

(absent the grant of a zone variance) the proposed signage is prohibited by such regulations.

- E. **YULA**: “The YULA campus is unique as compared to development on nearby properties” and its design is complex; “special circumstances exist that do not apply generally to other properties in the same zone or vicinity.”

**RESPONSE**: As the Zoning Administrator points out in his Determination Letter, YULA’s next-door neighbor, the Museum of Tolerance (likewise an educational institution, although regarded primarily as a museum) also occupies dual-zoned property (also zoned C4-1VL-O and R1V2-O), so YULA’s circumstances are not unique in that regard. The Zoning Administrator also found other dual-zoned properties in the vicinity, as described in the Determination Letter. Further, the campus design is no more complex - - and arguably far *less* complex - - than the design of many other private high schools in Los Angeles. For example, the the K – 5 school building of The Brentwood School, located at the corner of Sunset Blvd. and Bundy and directly adjacent to a residential neighborhood, has NO visible signs of any kind to identify the property as The Brentwood School.

Accordingly, as the Zoning Administrator found, there are NO special circumstances applicable to the YULA property that do not apply generally to other property in the same zone or vicinity.

- F. **YULA**: YULA asserts that “schools require signage to properly operate”.

**RESPONSE**: This assertion is total nonsense, as explained in Paragraph 2.B. above, and as evidenced by the fact that at least 20 other (and several very exclusive and prestigious) private high schools function just fine without comparable (or even any) signage.

- G. **YULA**: YULA refers to Condition No. 42 of the Conditional Use Permit (Case No. CPC-2009-1049-VCU) (the “**2009 CUP**”), which governs campus design and operational matters, as support for its claim that the 2009 CUP anticipated and/or somehow provided a foundation for its proposed signage program.

**RESPONSE**: Condition No. 42 states in full:

“42. **Signage**. Signage on the subject property shall be of a conservative identification or directional type, the design and location of which shall be submitted for approval to the Planning Department, after consultation with the Council Office.”

Although YULA is of the opinion - - which is totally subjective - - that the signage is “conservative” (despite the facts that it gave as an example of its proposed signage a photograph of a sign for a dental office located in a shopping center, and that the signs don’t comply with the City’s sign regulations in several material respects), Condition No. 42 does nothing more than acknowledge that YULA must obtain the approval of the Planning Department. YULA is attempting to do so, but its signage program cannot be implemented without a Zone Variance - - and it has failed to satisfy the requirements for *any* (let alone all five) of the findings that the Zoning Administrator must make in order to be granted the Zone Variance.

The foregoing Paragraphs 2.A – 3.G. are by no means a comprehensive analysis and response to all of YULA’s arguments and assertions, but since YULA must provide evidence to support *all five* of the findings that the Zoning Administrator is required to make in order to grant a zone variance, **the foregoing analysis is more than adequate to make it abundantly clear that the requirements for authorizing a zone variance pursuant to LAMC §12.27 and L.A. Charter §562 have NOT been**

established, the Zoning Administrator's decision must be upheld, and YULA's appeal must be denied.

### 3. WHY CAN'T WE COMPROMISE BY ALLOWING YULA TO INSTALL THE EIGHT SIGNS IN THE COURTYARD, WHICH WON'T BE VISIBLE FROM THE RESIDENTIAL STREET?

It would appear to be a "Solomonic" decision (sometimes referred to as a "split the baby" compromise) to allow YULA to install the 8 signs in the inner courtyard, because they won't be visible from the adjacent residential neighborhood, but prohibit the 4 exterior signs which *would* be visible. Indeed, we acknowledge that some neighborhood residents would be fine with such a compromise.

However, the insurmountable *problem* with this approach is that the LAMC and L.A. Charter do not allow for such "bifurcation". If the surface area of any one sign in the R1 zone exceeds 20 square feet, or the aggregate surface area of all 8 remaining signs exceeds 30 square feet, or if the proposed signs fail to comply in any other way with the restrictions applicable in the R1 zone, then a zone variance is still required - - and all five requirements for such variance must still be satisfied. YULA either satisfies all such requirements or it doesn't - - and the Zoning Administrator has determined that it doesn't. The LAMC doesn't provide for a determination that YULA satisfies the five requirements for a variance with respect to eight of the signs but not for the remaining four. Unfortunately, it's "all or nothing".

Moreover, we are concerned that if YULA's appeal is successful (and it is determined that YULA satisfies all of the requirements for the grant of a zone variance, at least in connection with the eight "interior" signs), YULA could use that determination as the basis for applying for more zone variances in the future, until the YULA campus enjoys all of the privileges and uses allowed on land zoned C4, even though it remains "technically" designated R1.

### 4. WHY ARE THESE SIGNS OFFENSIVE?

In addition to the reasons set forth in FAQ No. 1 above, there is something inherently anathema and offensive about the fact that the signage program at issue is proposed for a school which serves the Orthodox Jewish community and is located in a neighborhood where the residents (many of whom would see the four exterior signs on a daily basis) are predominantly Jewish. We don't purport to be Jewish scholars, but most Jews who received a basic religious education preparing for a bar mitzvah or bat mitzvah would know by the time they are 13 years old that three fundamental tenets of Judaism, whether one is Reform, Conservative or Orthodox, are: modesty, humility and charity (or in Hebrew: *tziniut*, *anavah* and *tzedakah*, respectively).

"The value of *anavah*, or humility, often is described as one of the most important values within Jewish tradition . . . . One who is humble understands the importance of placing other's needs before his or her own. Our own contributions, talents and gifts are essential to our roles within the community, but ***one who truly possesses the quality of anavah needs no recognition, aims for any attention to be drawn away from him or herself***, and lives without concern of what others think of them." <https://www.jewishlearningmatters.com/Lesson2-Humility-and-its-importance-within-Judaism-and-the-Community-1731.aspx> (*emphasis added*). "In the Jewish tradition, humility is among the greatest of the virtues, as its opposite, pride, is among the worst of the vices." <https://www.myjewishlearning.com/article/humility-in-judaism> .

"In Torah, 'modesty', inwardness, is a prime spiritual value in contrast to prevailing norms of contemporary culture, where self-advertisement and public recognition are emphasized." "As Rabbi Simon Jacobson so eloquently writes: 'A true leader . . . inspires by love, not by coercion. ***When it comes time to take credit, he makes himself invisible . . .*** In other words, he is humble and modest.'" <https://www.ecronicon.com/ecpp/pdf/ECPP-04->

There is **nothing** humble or modest about having your name (and especially *demanding* that your name be) prominently featured in a sign on a building that you helped to pay for. Rather, such donor-name recognition is likely to be viewed as indicative of the *opposite* traits - - pride, arrogance, ostentatiousness, and self-advertisement / self-aggrandizement - - which are disdained and seen as vices in Judaism.

Regarding the principle of charity (or in Hebrew, *tzedakah*), according to the Jewish Virtual Library, "Maimonides defines eight levels in giving charity (*tzedakah*), each one higher than the preceding one", with the third highest level being "donations where the donor is aware to whom the charity is being given, but the recipient is unaware of the source." (<https://jewishvirtuallibrary.org/eight-levels-of-charitable-giving> )

Just think of what a wonderful example the Kestenbaum, Samson, Arnall, Gelman, Robin, Sassoon and Nagel families would set if they were to agree *not* to have their names on signs, or at least to lower their expectations enough to allow for a single, far more modest sign to be placed at the entrance to the applicable building, and designed and installed in compliance with L.A.'s sign regulations\*\* - - or to the substitution of a dedication plaque inside the building in lieu of large exterior signs. It would be an example of *tziniut* and *anavah*, and a lesson to all current and future YULA students and their families as to the *true* meaning of *tzedakah* in Judaism.

[\*\* In this regard, note that "the law of the land is also G-d's law" [Dina de-Malkhuta Dina - Jewish Virtual Librarywww.jewishvirtuallibrary.org > dina-de-malkhuta-dina](http://www.jewishvirtuallibrary.org/dina-de-malkhuta-dina) ]

Further, while we appreciate that one of the great freedoms we enjoy in this country is the right of free speech (which includes the right to put a person's name on a building to recognize and honor such person), there is something particularly offensive about installing large signs containing the name "Ambassador Roland E. Arnall" in two locations on the YULA campus. Although we can't do anything to prevent the installation of the 46.70 square foot wall sign that is prominently visible from Pico Blvd. (since it is allowed in the C4-1VL-0 zone), we would like to explain why many people would be upset by seeing Ambassador Arnall recognized in this manner.

Arnall was one of the top 10 donors to the Republican Party in 2003-2005, raised more than \$12 million for George W. Bush, and contributed nearly \$1 million to help pay for President Bush's second inauguration celebration; in return, President Bush nominated Arnall to the largely honorary position of U.S. Ambassador to The Netherlands. However, the way in which Arnall became a billionaire, enabling him to donate large sums to many conservative / pro-Israel politicians and to Jewish organizations, is far *less than honorable*.

Anyone who recalls (or suffered major financial losses in) the 2008 recession will know that Arnall made his fortune as the owner of AOC Capitol Holdings Corp., the parent company of Ameriquest, which was once the largest sub-prime mortgage lender in the United States, funding almost \$75 *billion* in subprime loans and thus playing an enormous role in one of the biggest financial crises of this century. Indeed, Arnall has been called one of the "**Godfathers of subprime**" (see: "*How subprime lending all started in O.C.*" by John Gittelsohn, <https://www.ocregister.com/2007/12/30/how-subprime-lending-all-started-in-oc/> ). In 2006, AOC Capitol Holdings Corp. / Ameriquest agreed to a \$325 million settlement with state attorneys general, law enforcement agencies and financial regulators in 49 states and the District of Columbia, who "had accused Ameriquest of misrepresenting and failing to disclose loan terms, charging excessive loan origination fees and inflating appraisals to qualify borrowers for loans." ([https://en.wikipedia.org/wiki/Roland\\_Arnall](https://en.wikipedia.org/wiki/Roland_Arnall) ; see also "*Roland Arnall, Mortgage Innovator, Dies at 68*", by Dennis Hevesi, [New York Times](https://www.nytimes.com/2008/03/19/us/19arnall.html), March 19, 2008).



In addition, Arnall's biography in Wikipedia states that: "In order *to circumvent campaign finance laws*, Arnall mandated that Ameriquest staffers, on company time, solicit campaign contributions from vendors and directed to selected candidates, including Antonio Villaraigosa . . . .". Since then, many campaign finance laws have been tightened to make such conduct illegal.

We realize that there is certainly precedent for the families of people who became very wealthy from doing "bad things", which may even have caused grievous harm to a lot of people, to attempt to create a positive legacy by donating money to good causes (such as schools) - - although this practice may strike many as hypocrisy. We also realize that it's not easy to raise money to build a school, but this doesn't make YULA's decision to install two large signs bearing Roland Arnall's name a *wise* decision. Many people suffered enormous financial losses as a result of the market crash and massive foreclosures precipitated by the lending practices on which Roland Arnall's fortune was built. To have two large signs bearing this name on a Jewish high school campus (where boys presumably learn about morality and ethics, and how to be good, kind and honorable) is arguably in very bad taste, and the association of Roland Arnall's name with YULA is embarrassing and offensive to many - - including many of the residents of the adjacent neighborhood who will see the larger of these two signs (the one facing Pico Blvd.) every time they walk or drive by the school on Pico Blvd."

**5. WHAT IS COUNCILMAN KORETZ'S POSITION ON THIS CASE - - AND SHOULD IT AFFECT THE OUTCOME?**

Under normal circumstances, City Planning Department officers, administrators and commission members will usually defer to the opinion of the Councilmember who represents the applicable Council District. In this case, however, the Zoning Administrator has already conducted a comprehensive hearing and reviewed many documents, and he has reached the very well-reasoned conclusion that YULA has not met, and cannot meet, the requirements for the grant of a zone variance. That decision should prevail over the opinion of Councilman Koretz and his staff.

Moreover, in this era of intense public scrutiny of the actions and motivations of City Council members and other City employees (as evidenced by the indictments of former L.A. Councilmember José Huizar and others on charges of bribery and corruption in connection with zoning and planning decisions), we feel it's important to note that persons affiliated with YULA (including members of the Nagel family [who are major donors to YULA, and whose name would be prominently featured on two of the proposed signs], the Kestenbaum family [of the "Kestenbaum Commons" sign], Lee and Daniel Samson [of the "Samson Center" sign], Sunny Sassoon [of the "Sassoon Beit Midrash" sign], past and present members of YULA's Board of Directors, etc.) have donated a total of *at least* \$22,750 to Councilmember Koretz's past campaigns for the City Council and current campaign for City Controller. The acceptance of these campaign contributions gives Councilmember Koretz's support for the variance at least the appearance of impropriety - - and possibly worse. Accordingly, under these circumstances, in the event that Councilmember Koretz elects to support YULA's appeal of the Zoning Administrator's decision, such opinion and support for YULA should not be given any deference and should not affect the outcome of this case.

# # #

## Communication from Public

**Name:**

**Date Submitted:** 05/17/2022 02:10 AM

**Council File No:** 22-0505

**Comments for Public Posting:** May 17, 2022 Los Angeles City Council/o Office of the City Clerk City Hall, Room 395 Los Angeles, Ca. 90012 Attention: PLUM Committee Re: City Council File # 22-0505/Motion by Councilman Paul Koretz pursuant to Charter Section 245 to assert jurisdiction over April 13, 2022 Letter of Determination (dated April 28, 2022) of the West Los Angeles Area Planning Commission (WLA APC) with respect to the Planning Dept. Case ZA-2019-5552-ZA-1A. Applicant: Yeshiva University Boys High School (YULA) Dear Honorable Members, I write to you to request that you not succumb to Councilman Paul Koretz's motion under City Charter Section 245 to assert jurisdiction over the action of the West Los Angeles Area Planning Commission decision to deny a request for a zone variance for Yeshiva University of LA Boys High School (YULA). The City Charter section 562 and LAMC section 12.27 provide 5 conditions which must be met in order to qualify for a variance such as YULA has requested. Apparently YULA has met none of the afore-mentioned conditions. YULA has built this school in/on mostly R-1 zoned land, thanks to the support of Councilman Koretz. Yula and Councilman Koretz want to impose unreasonable and precedent-setting variances (regarding signs) to the existing R-1 zoning and multi-zoned properties. Accomplishing those goals for YULA will be a precedent-setting boon for other institutions and businesses. Do we want to open the zoning variance flood gates to political manipulation and costly lawsuits? While YULA could have met the requirements of the City by modifying the size, design, and style of the signs, it chose to claim "hardship" because it didn't get its unreasonable variance requests granted. I think the term to use is "self-imposed hardship". YULA has an unused 30 foot space for signs. Please note that many of the donors who support/supported YULA are to be named on a tribute sign on an outside wall of the school. Councilman Koretz is running for the position of LA City Controller. I believe that the APC and the Planning Department have been diligent in their review and their rulings regarding the YULA variance requests. They have not abused their discretionary authority; in fact, the laws they must follow do not allow them to grant zoning changes for vanity projects. However, this is election time. I have heard that elected office holders

start to solicit funds for their reelection the moment they take office. YULA knows that Councilman Koretz needs more campaign contributions. YULA needs these variances to satisfy some very wealthy donors. If the Councilman intervenes on their behalf, the political donations keep flowing in. This is an example of quid pro quo. If the City Council members, whose names are on Councilman Koretz' list of endorsements (in his campaign literature) vote with Councilman Koretz to grant these unsupported requests for variances, is this an example of political cronyism? As a member of the Bel Air Beverly Crest Neighborhood Council, I am required to pass an Ethics test, a test which is to be passed by elected and appointed officials in City government departments, as well as the City Council.. (Neighborhood Councils are quasi-governmental.) The code basically states that one may not demonstrate the "appearance of impropriety", much less commit an impropriety. Doing so undermines the public's faith in government. Councilman Paul Koretz is providing the appearance of impropriety. He is accepting donations for his campaign to become City Controller from those who support YULA. And he knows that YULA wants something that he has the power to provide. He is pandering to a very small part of the observant community. In his very own campaign mailers, he states that he "has developed a reputation as a fiscal watchdog". Please ask yourselves, "Just whose money is he watching by imposing this "245"? Remember, it's the "appearance of impropriety" that undermines our faith in government. The Los Angeles City Charter, its municipal code and other regulations are intended to benefit the entire LA City population. It would be a presumptuous and absurd action against the rights of all of us for any City Council person or Department to endorse the YULA-requested variance. Respectfully, Irene Sandler, Resident/homeowner, CD 5

## Communication from Public

**Name:** Eliana Marcus

**Date Submitted:** 05/17/2022 07:50 AM

**Council File No:** 22-0505

**Comments for Public Posting:** I support the YULA signage variance and the scopolamine right to place proper signage on their building.

## **Communication from Public**

**Name:** Jeffrey Marcus  
**Date Submitted:** 05/17/2022 07:52 AM  
**Council File No:** 22-0505  
**Comments for Public Posting:** I support the YULA signage variance.

## Communication from Public

**Name:** Barbara Broide

**Date Submitted:** 05/17/2022 08:09 AM

**Council File No:** 22-0505

**Comments for Public Posting:** I write as a member of the Board of Coalition for a Scenic Los Angeles. We have worked for many years to support the City's efforts to regulate signage and our efforts include both onsite and offsite signage. It is bad policy to allow for exceptions to sign regulations when the findings for doing so cannot be met. Unfortunately, such is the case with the YULA appeal as the findings to allow for the added signage cannot be met. Councilmember Koretz's action to challenge the WLA APC decision to support the Zoning Administrator's decision to deny YULA's appeal to allow for signage beyond that which is permitted by law should be opposed. In addition to all of the reasons for denial stated by Zoning Administrator Irving and by those who testified at the recent WLA APC hearing, I would like to add one more reason to support why the City should not move to approve the 245 motion and, indirectly, the requested signage. The signage being sought is for placement at a school, a place where students learn lessons to carry with them throughout their lives. Does the City Council wish to teach YULA's students that with a bit of money and the right political connections that they can break the rules and get what they seek? Instead, we should all work to show our youth that rules are adopted to be followed by everyone. Without a level playing field we are all subject to sliding down a very slippery and dangerous slope.

## Communication from Public

**Name:** Meir J Brunelle

**Date Submitted:** 05/17/2022 10:43 AM

**Council File No:** 22-0505

**Comments for Public Posting:** I absolutely support the YULA signage variance. As a resident on Roxbury Drive for close to 30 years, I applaud YULA for building an architectural gem and aesthetically pleasing campus which enhances our community.

## **Communication from Public**

**Name:**

**Date Submitted:** 05/17/2022 01:37 PM

**Council File No:** 22-0505

**Comments for Public Posting:** I support the YULA signage variance