

From Stephen Resnick <saesnick@gmail.com>

CP-17-01689

Today at 8:29 AM

To Steven Sann

CC Constance Boukidis

Sandy Brown

Lisa Chapman



### Message body

Unfortunately, the city's CIS system does not have that ability. It's a fill-in form with information such as the date our motion was passed, the vote, file number, etc. I attached a copy of the minutes from our meeting where the motion was passed and provide a brief summary. In this case, I said that the WWNC supports the motion and preservation of the Twenty-Eighth Church of Christ, Scientist. If there are no errors in the CIS such that I need be contacted, the city clerk will submit it to the council. I have no idea how quickly they do that. Here's the text of our motion:

### **MOTION REGARDING THE TWENTY-EIGHTH CHURCH OF CHRIST, SCIENTIST**

**Whereas**, the Twenty-Eighth Church of Christ, Scientist, located at 1018 Hilgard Avenue in Westwood Village and completed in 1955, was designed by Master Architect Maynard Lyndon, a noted Los Angeles modernist who also designed UCLA's landmark Bunche Hall among many other notable structures; and

**Whereas**, the Twenty-Eighth Church of Christ, Scientist is recognized by the Los Angeles Department of City Planning's "Survey L.A." as a highly significant architectural and cultural resource and has been deemed eligible for the highest level of landmark status, including designation as a City of Los Angeles Historic-Cultural Monument, listing on the California Register of Historic Resources, and the National Register of Historic Places, the official listing of the nation's most important architectural treasures; and

**Whereas**, the elegant design of the Twenty-Eighth Church of Christ, Scientist is considered an outstanding example of expressive Mid-Century Modernism, one of the most significant examples of New Formalist institutional architecture in Westwood, a pristine example of modern ecclesiastical design, and a prominent local example of Christian Science architecture of the post war era; and

**Whereas**, the architecture of the Twenty-Eighth Church of Christ, Scientist features a gracefully curved exterior concrete wall punctured with tiny round openings similar to a monumental pegboard, while the remainder of the Church Building echoes the same curving motif, complemented by a gently curved colonnade along Hilgard Avenue that connects both the Church and Sunday School Buildings; and

**Whereas**, the magnificent and lush landscaping located throughout the grounds of the Twenty-Eighth Church of Christ, Scientist in Westwood beautifully and sensitively complements the Church and Sunday School Buildings, and was designed by Master Landscape Architect Garrett

Eckbo of the renowned Southern California landscape architecture firm of Eckbo, Dean, Austin & Williams; and

**Whereas**, this verdant landscaping is considered an extraordinary example of the power of a fully integrated landscape design with its surrounding structures, including gracious courtyards, sunken gardens, a variety of specimen tree species, concrete planters, strips of green grass, and a gracefully curved Colonnade along Hilgard Avenue that connects the Church and Sunday school buildings; and

**Whereas**, this monumental church property fronts on three Westwood streets – Hilgard Avenue, Weyburn Avenue, and Lindbrook Drive – at the southeast edge of Westwood Village and creates a significant and elegant gateway into the multi-family residential area of Westwood Village and the Gracious single-family Holmby-Westwood neighborhood, which is currently in the process of establishing one of the largest Historic Preservation Overlay Zones (HPOZs) in the City of Los Angeles; and

**Whereas**, the Twenty-Eighth Church of Christ, Scientist has quietly advertised its intention to sell off three lots at the southern end of its site as a speculative apartment development project, marketed by CBRE as a “32-Unit Residential Development Site 2 Blocks to UCLA,” which project would require the total demolition of the sacred Church Building and destruction of much of the landscaped gardens and Colonnade; and

**Whereas**, the church has applied to the City Zoning Administrator for a “lot untie” as a discretionary action to sever the three lots containing the Church Building from the rest of the site, which the church’s marketing brochure describes as “the lot untie is a condition of sale” in order to enable this proposed development project to move forward without conducting any environmental analysis or completing an Environmental Impact Report (EIR) required by the California Environmental Quality Act, in order to analyze the impacts that would result from the destruction of this landmark Church Building and gardens, and the loss of this highly significant architectural and cultural resource; and

**Whereas**, an appeal has been filed to challenge the Zoning Administrator’s erroneous decision to grant this discretionary “lot untie” without properly considering the totality of the “project” and without requiring the prior completion of an EIR before any discretionary project approval by the City that contemplates the demolition of, or would result in significant adverse impacts to, this historic resource:

**Now, therefore, be it resolved**, that the Westwood Neighborhood Council urges the West Los Angeles Area Planning Commission to grant the appeal filed in Case No. ZA 2014-4422(PAD)(ZAA); CEQA No.: ENV 2014-4423-CE and to rescind the erroneous granting of the requested “lot untie” by the Zoning Administrator; and

**Be it further resolved**, that the Westwood Neighborhood Council insists that the Los Angeles Department of City Planning and its Office of Historic Preservation require the completion of an Environmental Impact Report (EIR) in full compliance with the requirements of CEQA prior to

any discretionary action or approval by the City that could result in significant adverse impacts to this priceless architectural and cultural resource; and

**Be it further resolved,** that the Westwood Neighborhood Council calls upon Councilmember Paul Koretz and Mayor Eric Garcetti to support the appeal in this case, to protect this architectural and historic resource in Westwood, and to support the historic preservation of this highly significant site; and

**Be it further resolved,** that the Westwood Neighborhood Council strongly supports a Preservation Solution or adaptive reuse of this magnificent religious site in Westwood Village, similar to what was successfully achieved in 2002 with the preservation and conservation of the First Church of Christ, Scientist property located on Rexford Drive in Beverly Hills, following the sale of that property to Nessah Synagogue and Educational and Cultural Center, which transaction enabled the First Church of Christ, Scientist in Beverly Hills to construct a new and more appropriately sized church facility directly across the street from its former site; and

**Be it finally resolved,** that the Westwood Neighborhood Council calls upon the Council Office, Mayor's Office, Planning Department, Office of Historic Preservation, Los Angeles Conservancy, and other interested parties to work together with the Westwood Neighborhood Council, Westwood Community Council, local Westwood Homeowner Associations, business community, members of Westwood's faith communities, and other Westwood stakeholders, and with the leadership of the Twenty-Eighth Church of Christ, Scientist to achieve a Preservation Solution for this beautiful and sacred site that can be beneficial to all involved, and to further the goal of historic preservation in the Westwood community.

On Feb 24, 2017, at 8:08 AM, Stephen Resnick <[saresnick@gmail.com](mailto:saresnick@gmail.com)> wrote:

All,

Moments ago I submitted a CIS on this item.

A brief review seems to show that there was no council file at the time we passed the motion.

Steve

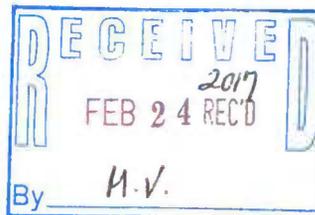
On Thu, Feb 23, 2017 at 11:45 PM, Constance Boukidis <[constanceellen@sbcglobal.net](mailto:constanceellen@sbcglobal.net)> wrote:

Motion passed on 4/13 16 see minutes at WWNC bod at [WWNC.org](http://WWNC.org)

Apparently no CIS EVERfiled

Maybe Steve can do it by hearing tomorrow

February 21, 2017



**VIA EMAIL AND HAND DELIVERY**

Los Angeles City Council  
200 N. Spring Street  
Los Angeles, CA 90012

Re: 28th Church of Christ, Scientist – Objection to Historic-Cultural Monument Designation (February 22, 2017, Item No. 32 - City Council File No. 17-0168)

Dear Honorable Members of the City Council:

This firm represents the 28<sup>th</sup> Church of Christ, Scientist (“Church”), whose building at 1018 Hilgard Avenue, Los Angeles, CA 90024 (the “Main Church Building”) is the subject of a proposed City Council motion to initiate proceedings for designation as a City of Los Angeles (“City”) Historic-Cultural Monument (“Monument”). As explained in detail below, under established California law, religiously affiliated organizations are entitled to an exemption of their noncommercial property from local historic preservation laws, provided that the religious organization objects to such designation. ***Pursuant to Government Code Section 37361, the Church hereby objects to Monument designation and respectfully requests that the City immediately cease in any efforts to designate the Church a Monument.***

Tomorrow, on February 22, 2017, the City Council will consider a motion to initiate proceedings to designate the Main Church Building as a Monument pursuant to Los Angeles Administrative Code (“LAAC”) Section 22.171.10(c)(2). Such designation would cause substantial hardship to the Church, as it is geared at thwarting the Church’s current processing of a demolition permit for the Main Church Building—a completely ministerial permit that the City is legally required to issue.

In recent years, the size of the Church’s congregation has declined significantly, and the Church can no longer use or maintain the Main Church Building. The Church also lacks the funding it needs to best ensure its long-term viability in Westwood. As such, continuing to maintain the Main Church Building imposes a significant financial burden on the Church. The Church has evaluated a number of options for how it can use or potentially reconfigure its campus to best serve its religious mission, and after much deliberation, has decided to demolish the Main Church Building and use the Church’s smaller building for both religious worship and education.

Having paid for the design and construction of the Main Church Building, the Church takes issue with the notion that this building is historic or otherwise worthy of Monument designation. The ultimate merits of a Monument designation are irrelevant, however. The California Government Code provides express statutory protections for religious organizations that preclude the City from designating the Main Church Building as a Monument. Specifically, Government Code Section 37361 provides that religiously affiliated organizations are entitled to an exemption of their noncommercial property from local historic preservation laws. This exemption under Government Code Section 37361 *must be granted* provided only that the religiously affiliated organization (i) objects to the application of local preservation regulations to its noncommercial property, and (ii) “determines in a public forum that it will suffer substantial hardship, which is likely to deprive the association or corporation of economic return on its property, the reasonable use of its property, or the appropriate use of its property in the furtherance of its religious mission, if the application is approved.” Further, the statute explicitly states “nothing in this subdivision shall be construed to ... authorize any legislative body to override the determination” of substantial hardship made by a religious institution. Government Code §37361 (d).

Courts have affirmed that the legislature’s purpose in adopting Government Code Section 37361 included ensuring that religious institutions could avoid “*significant financial burden[s]*,” or simply the *inability to demolish or alter a structure that is no longer suited to the needs of the owner,*” which “could affect the ability of many owners to carry out their religious mission.” (See *East Bay Asian Local Development Co. v. State of California* (2000) 24 Cal. 4<sup>th</sup> 693, 713). Because the Main Church Building is no longer suited for the Church’s needs, and continued ownership and maintenance of the Main Church Building will be a financial burden to the Church, the Church’s objection to designation of the Main Church Building as a Monument falls squarely within the intent of Government Code Section 37361.

The Main Church Building meets the required elements of Government Code Section 37361. First, the Main Church Building clearly and incontrovertibly qualifies as a “noncommercial” property, as it has only been used for religious purposes. It is worth noting that California courts give substantial deference to religious organizations on this issue, which is consistent with the legislative intent of avoiding the imposition of financial burdens on religious organizations. See *California-Nevada Annual Conference of United Methodist Church v. City and County of San Francisco* (2009) 173 Cal. App. 4<sup>th</sup> 1559 (upholding a vacant church’s eligibility for exemption under Government Code Section 37361 despite the fact that (i) the subject building was not currently being used for a religious purpose at the time the exemption was sought, and (ii) the church was in the process of selling the property). Second, any designation of the Main Church Building as a Monument will cause the Church to suffer substantial hardship that is likely to deprive the Church of (i) the reasonable use of the property, due to the Church’s inability to pay for the ongoing operation and maintenance of the Main Church Building, (ii) the appropriate use of the property in furtherance of its religious mission, and (iii) economic return on the property that could be used in furtherance of the Church’s religious mission.

Los Angeles City Council  
February 21, 2017  
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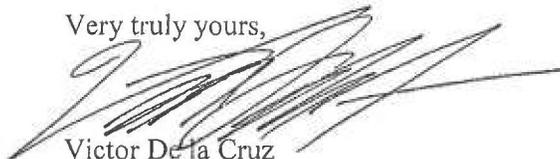
Accordingly, under Government Code Section 37361, the City has no authority to designate the Main Church Building as a Monument. Moreover, Government Code Section 37361(d) precludes the City from overriding the Church's determination of substantial hardship. The legislature has explicitly vested in religious institutions the authority to determine the effect of such a designation on their ability to further their religious missions. The Church's determination of substantial hardship functionally creates an irrebuttable presumption that such hardship exists, and the City cannot lawfully act to override that determination. As a result, the City Council cannot and must not initiate the process for designating the Main Church Building as a Monument.

The Church has spent considerable resources preparing for the demolition of the Main Church Building, including the relocation of weekly religious education and services, renting space off-site, removing asbestos and utilities, applying for a demolition permit, and even selling off the large pipe organ in the Main Church Building. As the City has no legal authority to designate the Main Church Building as a Monument, any attempted initiation at such designation will be a waste of scarce City resources and render the City liable for any financial losses resulting to the Church. Moreover, the Church will be forced to expend its scarce resources—which should rightfully be used in service of its religious mission—to needlessly defend itself against an illegal and futile action.

The freedom of religious institutions to self-determine the best courses of action to accomplish their religious missions is of paramount importance to the civic and spiritual life of this City. The Church has been central to these aims in the Westwood community for over 80 years, and is now fighting for its survival so it can continue to serve Westwood and contribute to the City as a whole. Accordingly, we respectfully object to the proposed City Council initiation of the Monument designation process.

Thank you for your immediate attention to this matter.

Very truly yours,



Victor De la Cruz  
Manatt, Phelps & Phillips, LLP

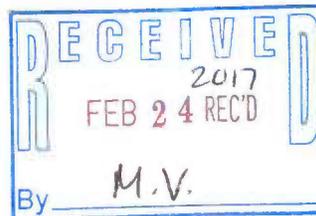
cc: Honorable Councilmember Paul Koretz, CD 5 (via e-mail)  
Faisal Alseri, Senior Planning Deputy, CD 5 (via e-mail)  
Terry Kaufmann-Macias, Office of the City Attorney (via e-mail)  
Kenneth Fong, Office of the City Attorney (via e-mail)  
Adrienne Khorasanee, Office of the City Attorney (via e-mail)  
Ken Bernstein, Office of Historic Resources (via e-mail)  
Lambert Giessinger, Office of Historic Resources (via e-mail)

# Westwood United Methodist Church

February 23, 2017

## VIA E-MAIL

Board of Trustees of the 28<sup>th</sup> Church of Christ, Scientist  
c/o Victor De la Cruz  
Manatt, Phelps, & Phillips, LLP  
11355 W. Olympic Boulevard  
Los Angeles, CA 90064

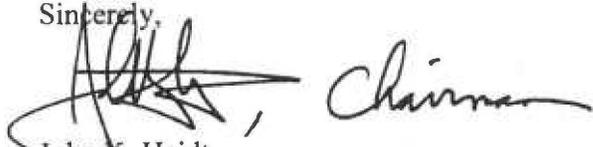


Dear Board of Trustees:

The Board of Trustees of the Westwood United Methodist Church voted unanimously last night to request the leadership of the 28<sup>th</sup> Church of Christ, Scientist to consider a preservation solution versus demolition of what we consider a historically significant sanctuary with appurtenant landscaping beloved in our neighborhood. As an aside, we are aware that your sanctuary and landscaping architecturally rises to the level of national importance. We feel that the pursuit of demolition, without regard to the significance of this iconic property in our neighborhood is tragic.

In light of our Judeo Christian roots and keen interest expressed by the Westwood Village Synagogue in your property, we would respectfully request that you seriously consider their interest before turning to a last resort demolition solution. I am confident that if the shoe was on the other foot and our church was requesting the City of Los Angeles to issue a permit to either demolish Helms Hall or the Cathedral building (our sanctuary) you would feel the same way.



Sincerely,  
  
John K. Heidt  
Chairman of the Board of Trustees  
Westwood United Methodist Church

JKH:jkh

- cc: Westwood Village Synagogue (via e-mail)
- Honorable Councilmember Paul Koretz, CD 5 (via e-mail)
- Faisal Alseri, Senior Planning Deputy, CD 5 (via e-mail)
- Kenneth Fong, Office of the City Attorney (via e-mail)
- Adrienne Khorasanee, Office of the City Attorney (via e-mail)
- Ken Bernstien, Office of Historic Resources (via e-mail)
- Lambert Giessinger, Office of Historic Resources (via e-mail)

#9

# the westwood village synagogue

אהל בית המדרש

1148 westwood boulevard / los angeles, california 90024  
310 - 824 - WWVS (9987) / www.villageshul.org

February 23, 2017



Los Angeles City Council  
200 North Spring Street  
Los Angeles, CA 90012

Dear Honorable Members of the City Council:

I am writing today in regard to the motion to designate the 28th Church of Christ Scientist building at 1018 Hilgard Avenue as a City of Los Angeles Historic-Cultural Monument. I am currently Rabbi of the Westwood Village Synagogue, former Rabbi of Beth Jacob Congregation in Beverly Hills, and a former president of the Board of Rabbis.

As a religious institution, we of course respect the unique allowances provided to organizations of our nature. However, we believe that it is possible to achieve a preservation solution for this property and at the same time meet the church's needs. We propose to not only save a magnificent sanctuary which for decades has been part of the fabric of our community, but infuse it with new life as a vibrant center of religious and spiritual life in Westwood Village. Working in partnership with the Academy for Jewish Religion and the Sephardic Educational Center, we envision the center not only as the new home of the Westwood Village Synagogue, but as an important community resource to heal divisions, bring together diverse neighbors, promote intra- and interfaith dialogue and offer community lectures, educational programs and outreach/support services to seniors, veterans and the homeless.

We fully support the motion submitted by Councilman Koretz, but at minimum respectfully request sufficient time to finalize and present a preservation proposal before a final determination on the fate of this property is made.

Sincerely,

Rabbi Dr. Abner Weiss  
Westwood Village Synagogue

## **PROJECT PARTNERS**

The following organizations are committed to moving forward with discussions to determine the viability of and time frame for moving forward with a proposal to the Church of Christ Scientist:

### **The Westwood Village Synagogue**

The WVS has been a part of the Westwood community for nearly three decades. A contemporary Orthodox community, the synagogue is known for its diverse membership, open arms and warm welcome to Jews no matter where they are on their spiritual journey. In addition to a daily minyan, Shabbat and joyful holiday services, offerings include educational programs, Bar and Bat Mitzvah training and thought-provoking speakers.

### **The Academy for Jewish Religion**

Representing the full spectrum of the Jewish community, the Academy for Jewish Religion has been at the forefront of pluralistic rabbinic and cantorial training since 1956. Graduates and students ranging from their 20s through 60s serve both movement-affiliated and non-affiliated congregations in North America and around the world. AJR students, as part of their curriculum, are involved in community outreach services to the homeless and veterans, which could be potentially directed toward those in need in Westwood Village.

### **The Sephardic Educational Center**

Under the leadership of Rabbi Danny Bouskila (formerly Rabbi of Temple Tifereth Israel) the SEC is dedicated to strengthening Jewish identity for youth and young adults and building a new generation of spiritual and community leaders. Working with the Center, Rabbi Bouskila will create programs that celebrate both the tradition and modernity of the Sephardic tradition and bring together the area's diverse cultures and communities.

CONSIDERATION OF MOTION (KORETZ - HUIZAR) relative to initiating proceedings to include the Twenty-eighth Church of Christ, Scientist building, located at 1018 South Hilgard Avenue, in the list of Historic-Cultural Monument.

Recommendations for Council action:

INSTRUCT the Department of City Planning to initiate consideration of the Twenty-eighth Church of Christ, Scientist building located at 1018 South Hilgard Avenue, Los Angeles, CA 90024, as a City Historic-Cultural Monument under the procedures of Section 22.171.10 of the Los Angeles Administrative Code, and to prepare the Historic-Cultural Monument application for review and consideration by the Cultural Heritage Commission (CHC).

REQUEST the CHC, after reviewing the application, to submit a report and recommendation to the Council regarding the inclusion of the Twenty-eighth Church of Christ, Scientist building in the City's list of Historic-Cultural Monuments.

Community Impact Statement: None submitted.

**(Planning and Land Use Management Committee waived consideration of the above matter)**

February 23, 2017

Dear Councilman Wesson,

The Westwood community is very concerned about the above item that was to be heard in council this past Wednesday but was moved to Friday, Feb. 24. The Twenty-Eighth Church of Christ, Scientist has served our community for many many years and we are concerned about its demolition. Survey LA determined that it is eligible for the National Registry and we therefore, request an analysis of the environmental impacts before such demolition could occur.

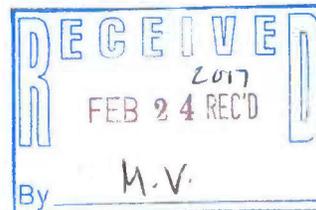
We believe there is a solution that does not permit this church to be destroyed. We strongly urge you, as our City Council President, to support the community and help us arrive at a solution that would be beneficial to everyone - the church, the community, and the city.

The Westwood Neighborhood Council was never made aware of this request and therefore, could not have submitted a Community Impact Statement. I would strongly support additional time for this to be heard at our next council meeting on March 8, 2017. Neighborhood Councils are the proper forum in the community for these vary issues to be discussed and yet, we have had no opportunity to do so. Losing a church that is eligible for the National Registry is of great concern to Westwood residents.

I sincerely hope that you will be able to address our concern.

Many thanks,

Sandy Brown  
Vice President, Westwood Neighborhood Council \*  
President, Holmby Westwood Property Owners Association \*  
Co-founder, Westwood Historical Society \*



\* For identification purpose only