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PLANNING AND LAND USE COMMITTEE MINUTES REGULAR MEETING

<http://babcnc.org/committees/planning-and-land-use/>

Tuesday, October 13, 2015 7:00-9:00pm

Stephen S. Wise Temple

15500 Stephen S. Wise Drive Los Angeles, CA 90077

CASES TO BE CONSIDERED:

1. **Call to order** Mike Kemp brought the meeting to order at 7:10 pm and called the roll.

Name	P	A	Name	P	A
Michael Kemp, Chair	X		Don Loze	X	
Robin Greenberg	X		Nickie Miner	X	
Jamie Hall	X		Gary Plotkin	X	
Caroline Labiner		X	Robert Schlesinger	X	
Maureen Levinson	X		Jason Spradlin	X	
Dan Love	X				

A total of 26 people signed the guest list and/or speaker cards. Six speaker cards were in reference to agenda item 6a, one to agenda item 6b, five to agenda item 6c, and 14 agenda to item 6d.

2. **Approval of Minutes** – May 12, 2015, June 9, 2015, September 8, 2015 Meetings
Maureen Levinson notified Mike that she had abstained on one of the votes (*item 6.c. 760-808 Stradella Road in the June 9, 2015 minutes*) which Mike Kemp stated he has already incorporated. Robin moved to take a vote on the minutes as a group, and they were all approved.
3. **Approval of Agenda:** Motion was made to approve the agenda as presented or amended, with consent agenda items, and was unanimously approved.
4. **Public Comments on Non-agenized items Related to Land Use and Planning Only:** None.
5. **Chair Report** – Michael Kemp

6. Projects Scheduled for Presentation, Discussion and possible action:

a. 662 N. Sepulveda Blvd.

PLUC Lead: Michael Kemp

ZA 2010-220-CUB

“The instant request is an approval of plans to permit the continued sale and dispensing of a full line of alcoholic beverages for on-site sale, and to allow the off-site sale of beer and wine, in conjunction with a 5928 square-foot restaurant (plus 544 square-foot open deck) in the [Q]C2-1VLD Zone”.

Ms. Susan Lord presented the case for her application on behalf of Bel Air Bar and Grill which involves renewing an existing alcohol license and asked for four small changes: 1) On the 2nd story balcony, they weren't allowed to serve alcohol in the past and she hopes to serve food and alcohol. 2) She'd like to have live music, e.g., piano, trio. 3) They are currently restricted to 16% alcohol content and are asking for 20% for dessert wines, etc. 4) They want to operate the Shack in The Back on Saturdays & Sundays, beginning with Saturdays. She has obtained a petition of support with signatures from the neighbors. She brought General Manager, Mr. Douglas Wickard and Ms. Renee Schillaci.

Jamie Hall asked Ms. Lord if she has had any complaints and she denies having had any. Dan Love mentioned neighbors' concerns about providing about 25-ounce beers and concerns about parking. Maureen Levinson asked about music. Ms. Lord replied that music will be played inside. She is asking weekend hours from 8 a.m. to 5 p.m., currently Saturdays for now, for the Shack location.

Mr. Douglas Wickard was present in support of Ms. Lord's requests but did not speak.

Mr. Ron Hudson, President BAA, reported having no problem with the parking at the restaurant, and stated that he supports Susan and the restaurant 100%.

Mr. Bruce Kuyper stated that he supports the application with qualifications; stating that the 2nd floor dining area is fine because it faces away from the homes, on Sepulveda. He doesn't believe that "live music" is limited to piano or trio. He would like it stated that the live music be low amplification. He'd like to see the application correspond to what was said at tonight's meeting. He is fine with higher alcohol sold in the restaurant; however, not at the Shack. He would like it if the take out would not sell single cans of beer, as per requirements given to the 76 Station, and, as to parking, that they place signs directing customers to park in the basement.

Ms. Pat Nation passed around printouts of the original application that was denied and the Craig Lawson memo addressing the MND. She had concerns that parking underground was not provided; that there is no sign out outside directing customers to park downstairs or in the surface lot; and that cars park in alley, which is a fire lane.

Ms. Lord responded, as to parking, they leave the garages open and have a sign that they don't put up as often as they should. They have tried to stop people from parking in the alley but can't control that. Mike Kemp asked about valet parking, which they have. She is requesting live music Fridays and Saturdays. The establishment closes at 11:00 pm. She states they have never had any problems with alcohol. Ms. Lord stated that they have always had a carryout license, which means people can take closed containers into cars. Bob Schlesinger has issue with increasing alcohol content and 25-oz beers.

Motion: Nickie Miner moved to take a position to support with conditions. Gary Plotkin suggested giving a list of conditions to the restaurant to consider and bring back to the general meeting. Mike Kemp agreed to therefore continue the case for two weeks, and have a subcommittee work out details. Jason Spradlin made an alternative motion to take no position and Jamie Hall suggested completing the list now; however, Robin Greenberg seconded the first motion. A voice vote was taken which passed unanimously with the exception of Gary Plotkin who abstained as he arrived late for the presentation. Conditions may include some indicated by Bruce Kuyper, such as 1) that music be limited to low amplified piano and trio; 2) no sale of single 12, 24 or 40 ounce cans or bottles of beer at any time, plus, 3) a condition of placing signs for parking.

Gary Plotkin reported that he has asked the City Attorney to specify what discussion subcommittees can have with applicants without violating the Brown Act. He'll receive a reply in a week or so. Mike Kemp offered to give the list to Susan Lord and bring it to the full board in two weeks.

b. 2123 Groveland Drive:

PLUC Lead: Michael Kemp

ZA 2015-2821-ZAD

A new SFD on a sub-standard street. Request by applicant for a waiver of hearing & project support. Continued from September 8, 2015 PLUC Meeting.

Mike Kemp stated that he spoke to the applicant today and will continue this to November; he also spoke to Jamie Hall. The applicants are fine with going for a public meeting and will try to work it out with the community.

Ms. Stephanie Savage spoke about height issues. Mike Kemp stated that we will **continue this to November.**

c. 1177 Tower Grove Road:

PLUC Lead: Nickie Miner

AA 2015-567-PMLA Lot split

Request by Applicant for a re-consideration of the BABCNC position.

Continued from September 8, 2015 PLUC Meeting.

Mr. Ron Singer, Owner/applicant for the project introduced himself and his project which involves splitting the lot to have a lot that could be sold while he would remain a resident as he has since the '50s.

Mr. Heriberto Shoeffler spoke briefly on behalf of the project. He requested an explanation of why the project was denied previously, and Mike Kemp told him that this information will be provided to him.

Mr. Gustavo Zinkewich spoke in favor of the project. Mike Kemp related that Gustavo presented the project last month and he continued it to this month. They originally recommended to deny. There is a reconsideration of the original determination.

Mr. Aaron Green stated that he represents a neighbor concerned about the project being a Trojan horse for the Prince's proposed project on Tower Lane, so he can have secondary access to his site. He would like conditions (a covenant) that would 'run' with the land, to prohibit the subject split parcel from being allowed to provide public access to another property over its land, and, to make sure it doesn't become a vehicle for this to become an 80+ thousand square foot development.

Nickie Miner asked about frontage, and Mr. Zinkewich replied they have 85' of frontage along Tower Grove Road.

Mike Kemp mentioned the letter from BCA listing items and the concern that there be no access to other parcels. He asked if the committee is open to reconsidering their previous position based on the condition that the applicant agree to a covenant that would not allow access to other parcels. Don Loze stated he would like to have direct input of neighbors. Mr. Singer had no objection to agree to the condition. Gustavo Zinkewich stated he would like to get this in to the Planner by December.

Mike Kemp stated that this is to be continued to November; they will resolve it by 2nd week of November. BCA meets on 11/09 & the PLU Committee on 11/10.

d. 10101-10107 Angelo View Drive:

PLUC Lead: Nickie Miner

ENV 2014-4540 Project Update

Robert Schlesinger

Haul route to allow the total export of 51,050 cubic yards of dirt for the construction of a 41,206 s.f. SFD with a basement that includes 19,500 s.f. of habitable space and a 13,189 s.f. underground garage. Continued from September 8, 2015 PLUC Meeting.

Mr. Chris Parker, Governmental Agency Consultants to owner Michael Scott: He explained that this project is to build one house on three lots. He has no discretionary requests, however; they do have request for haul routes. The house is three stories with three basement areas on the same level. A lot of the basement area is for parking. They expect construction to take 41 months, just over three years.

Mr. Thomas Gaul, Fehr and Peers Transportation Consultants to Michael Scott, spoke on construction traffic mitigation to deal with the safe handling of large trucks, stating there will be no more than 22 truckloads of soil a day; trucks will travel up Benedict Canyon to Mulholland to freeway and back. They will take measures to control truck weights and driving patterns.

Gary Plotkin asked about staging areas for trucks. Mr. Gaul noted that haul routes will be from 9:00 and 3:30 pm. Gary asked if they intend to repair Mulholland Drive. Mr. Parker said that they will pay the fees that the City deems appropriate. Maureen Levinson asked about caissons. They answered that there are 51,000 cubic yards of dirt, and that includes everything including caissons.

No one was present this evening to discuss grading.

Greg Smith with Uberion discussed the two pools, the largest being 13 feet wide by 300 feet and the second 13 feet in width by 160 feet, at the lower level; pools will have “Baja shelves to reduce volume.”

Bob Schlesinger asked how many cement trucks, to which Mr. Smith replied that he followed the BHO. Mike Kemp asked how much living square footage, and was told 40,000 square feet. Jason Spradlin asked and the total square feet is 82,000.

Jamie Hall asked where the dirt will be hauled to, and Chris Parker replied, to a dump in La Puente that wants only dirt, and at another site in the San Fernando Valley.

Chris Parker stated that there will be one truck coming and one going; two on the site, and 10 cement trucks per day, most days. Don Loze asked why not use Sunset and asked them to reconsider their route.

Mike Kemp asked if we can have pdf files of the plans, to which Chris Parker indicated that, though they are public documents, due to privacy concerns, he will not produce them.

Mr. Aaron Green stated that he represents Jeff Franklin who lives below the project. He noted that the applicant did not present them with the site plan, and has been hiding this for more than a year. He stated if built on Hollywood Blvd., this would be a nightclub, a restaurant, a commercial parking operation, that would have to get an FAA permit for a helicopter landing pad. He asks why Michael Scott isn't here to ask all of us about this proposal. He stated that there are many things we don't know, including commercial use of the property which is wrapped in the guise of a single family house. He pointed out that this will use 270,000 gallons of water just to build pools; four pools not two; and asks why a 47-car parking garage in the hillside, and stated that this needs to be looked at more technically.

Mr. Jeff Franklin lives directly below the project and is concerned about environmental and quality of life impacts of an entertainment complex in their residential district; that the applicant has reneged on a promise to do an EIR as demanded by Councilman Paul Koretz; that the basement will be used for party spaces not just cars. In addition to serious environmental consequences and a prolonged detrimental haul route on narrow substandard streets, he feels the geology, including almost 50 freeway-sized piles to hold it up, plus swimming pools and grading plans all require public review. He expects hundreds of cars in and out of the neighborhood nonstop. On behalf of the entire community, he asked the committee to oppose the project, and based on the Berkeley case, to force an EIR on this house.

Mr. Jeffrey Caren stated that this project will dwarf the neighborhood. He noted that they already have two party houses. He agrees with the opinions of Mr. Franklin.

Mrs. Judy Caren noted the streets are in disrepair. Between the hauling, parking in front of houses, and big trucks going through, it is not reasonable, and that a hotel does not belong in a neighborhood.

Mrs. Judy Winick is strongly opposed to the project, described as “outrageous” to permit a hotel that doesn’t belong in the neighborhood; states trucks can’t come up and down Cielo, which is already full of construction and an obstacle course where two cars can’t pass each other as it is; concerned about party houses where traffic doesn’t allow emergency vehicles up the streets in this fire area.

Mr. Jerome Winick is against the project but chose not to speak.

Mr. Steve Twining is strongly against the project, stating the Hillside Federation voted to oppose the project and demand an EIR, as this is really a commercial-sized building. He is concerned about a possible helicopter pad. He supports neighbors who want to demand an EIR as the councilman requested and to oppose this project.

Mr. Chapin Hunt noted that Mr. Scott has paid for the property and is entitled to build a house; however, he described the proximity of this property to homes with five kids between the ages of 1 and 10 at the gateway of the potential traffic. He has watched daily construction up and down, parking on both sides, and stated that traffic enforcement fails to respond. He feels that this is truly a safety concern for all of us and our kids and asks that we think about safety issues.

Ms. Nancy Sanders lives directly below the property in her 2,500 square foot house on Sunbrook Drive. Her house abuts their property. She is concerned about pollution from the diesel and dust that the trucks and construction will create. Beyond an EIR, due to the structure of the hill, the quality of life issues, lack of concern for water usage, she urged the committee to not approve the project.

Mr. Parker responded by stating that misinformation is contributing to idea that it will be a party house. He stated that there is no helipad as the FAA won’t allow it. The subject area is set aside for art. He stated that Mr. Scott is a car collector and most of the garage is for his car collection. Construction workers will park offsite and be shuttled up.

Maureen Levinson asked if they know what the carbon footprint of this project is, and stated that an EIR needs to be done. Mike Kemp asked for clarification of the EIR. Chris Parker replied that there was an initial study and the environmental scientists recommended mitigations that they will do. As to the draft MND, they are waiting on Planning. They will go back to the team to discuss an alternate haul route. Nickie Miner stated that the Councilmember and the community have asked for an EIR, and that it behooves Mr. Scott to at least get the EIR. She asked them to work with the community. Mike Kemp stated that the reason we didn’t ask for the EIR was we thought it was going to be done. Jamie suggested that the BABCNC maintain its public record opposing the haul route and request an EIR.

MOTION: Jamie Hall moved that we request an EIR. Jason Spradlin seconded. Gary Plotkin called for the question. Vote was taken and was unanimous.

e. 8457-8461 West Grand View Drive (10 minutes) PLUC Lead: Jamie Hall
ZA 2015-718-ZAD-ZAA

1. Request to permit the construction, use of a two story SFD on a 8,660 s.f. lot fronting on a Substandard Hillside Limited Street improved to a width of less than 20’ adjacent to the subject property, in lieu of the required 20’.
2. Permit two (2) raised platforms for driveway and pedestrian access.

Continued from March 2015 meeting. Will continue to November.

f. 8815 W. Crescent Drive

(10 minutes)

PLUC Lead: Jamie Hall

ZA 2014-4541-ZAD

Construct a new 5,778 s.f. SFD, and construct an undeveloped street (Crescent Drive) leading up to the proposed project, with a Fire Department approved emergency “turn-around”.

Continued from February 2015 meeting. Will continue to November.

Items 7 through 16 were deferred due to time constraints.

7. Current Case Updates by PLUC Members on pending projects.

(10 Minutes)

a. See Project Tracking List: All Pending projects subject to discussion & action:

8. New Packages Received: (09/03/2015 to 10/07/2015):

a. See Project Tracking List:

9. CNC (Certified Neighborhood Council) Reporting – Entitlement Packages Received at Planning:

Review of Reports: 09/06/2015 to 09/19/2015; & 09/20/2015 to 10/03/2015 *(5 minutes)*

10. Upcoming Hearings:

11. Hearing Updates:

12. Determination Letters Received:

13. Appeals filed Update:

14. Upcoming Projects (No package received to date) for discussion, notification, and update purposes:

15. Proactive Tracking, Tasks & Projects *(10 minutes)*

1. Proactive Projects Update by Committee Members

A. Report by Ad hoc Committee on Mansionization: Gary Plotkin

B. Ridge Line Ordinance: Don Loze

C. Short term rental update: Robert Schlesinger

D. Laurel Canyon Property purchase: Jamie Hall

E. Pending Haul Routes; update: Robert Schlesinger

F. 8150 Sunset update: Michael Kemp

16. General Business and Items for discussion: *(10 minutes)*

A. Information memo on PLUC operations for posting on the BABCNC website.

B. Discussion on protocol for meetings with stakeholders outside the monthly PLUC meetings.

C. Nomination and Election of PLUC Vice-Chair.

17. Adjournment: The meeting adjourned at 9:10 p.m.

NEXT BABCNC PLUC MEETING:

Tuesday November 10, 2015

Stephen S. Wise Temple

15500 Stephen Wise Drive

Los Angeles, CA 90077