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PLANNING AND LAND USE COMMITTEE MINUTES
REGULAR MEETING
<http://babcnc.org/committees/planning-and-land-use/>

Tuesday, September 13, 2016 7:00 pm to 9:00 pm

LOCATION:

Stephen S. Wise Temple
15500 Stephen S. Wise Drive
Los Angeles, CA 90077

- 1. Call to order** – Committee Member Roll Call: Robert called the meeting to order at 7:10. Robin called the roll. Maureen arrived at 7:20 pm.

Name	P	A	Name	P	A
Robin Greenberg	X		Nickie Miner	X	
Jamie Hall		X	Gary Plotkin		X
Michael Kemp	X		Stephanie Savage Co-Chair	X	
Maureen Levinson	X		Robert Schlesinger Chair	X	
Dan Love		X	Jason Spradlin, Co-Chair		X
Don Loze	X		Stephen Twining	X	

- 2. Approval of July 12, 2016 and August 9, 2016 Minutes** (both circulated with agenda.)
Motion to approve the July minutes: Moved by Robin; seconded by Stephen. The July minutes were unanimously approved as written.
Motion to approve the August minutes: Moved by Stephen; seconded by Don. The August minutes were approved, pending any comment/correction by Nickie (none given).
- 3. Approval of Agenda**, as presented or amended; consent agenda items. Moved by Mike; seconded by Maureen; and the agenda was unanimously approved as written.
- 4. Public Comments** On non-agenized Planning & Land Use items only

Pamela Pierson came forward at the end of the meeting to compliment the PLUC for addressing the PLU issues in detail, and to request guidance as to illegal activities being carried out on her property line by a neighbor. Questions were asked and answered, and Robin suggested that she consult with homeowner’s association.

- 5. Chair Report:** Robert Schlesinger (Co-chairs Savage & Spradlin)

(Please note that these minutes are not a verbatim transcription. Some comments are provided, and, unless in quotes, are paraphrased by the minutes taker.)

CASES TO BE CONSIDERED:
NOTE: ALL CASES ARE SUBJECT TO MOTIONS

6. Projects & Items Scheduled for Presentation, Discussion & Possible Action

a. 9654 Wendover ZA-2016-2639-ZAA

Public Hearing 9/30

Lot area 15,146 sf. Addition/extend family room & breakfast nook rear of ground floor 157 sf. Neighborhood contact sheet. Existing 3,921 sf to 4,078 sf, no height change Agent-Rep Ron Toval [310-433-3252](tel:310-433-3252) rontoval@verizon.net Owner Adam Foley [310-497-0602](tel:310-497-0602)

Mr. Toval presented the project. He provided a list of neighbors in support and is asking for setback of the side yard from 10 feet to 6' 2". Don Loze noted that we can't waive CC&Rs and is concerned about setting precedent. Nickie offered to check out the HOA.

Motion: To take no exception contingent upon that the setback complies with all existing CC&Rs subject to this property and tract. Moved by Mike; seconded by Robin. None opposed. One abstention by Nickie. Motion passed.

b. 50 Beverly Park Way 90210 ZA-2016-2258-ZV-ZAD-F & ENV-2016-2259-CE-ZV-ZAD -F

Lot: (33) 113,017.3, Project 26,444 sf. Over-height & multiple walls, multiple kitchens, over height building. Over-in-height Residence due to multiple light wells in basement. Over-in-height fences/walls in the required front yard. Two additional kitchens. Multiple retaining walls. To allow a building height of 58' due to multiple light wells. The building has to be measured from the bottom of the lowest light well which will add an additional 13'.0" to the residence. The building height from grade will be 45'. To allow 2 additional kitchens in a SFD in lieu of the one already by code. (Service & staff kitchens). 14' front gate, 10' wall, 6'8" pedestrian gate, (2) 3' x3' x 12 ft high pilasters w/3'6" lights on top and a rear yard wall up to 10' high in lieu of the 3'6" allowed for a front yard and the 6' allowed in the rear yard by code. Owner: 50 Beverly Park Way, LLC. **Hearing is September 23.**

Contact Jaime Massey jaimemassey@gmail.com Applicant: Armen Dolvantian (owner's rep).

Ms. Jaime Massey introduced herself and the architects, Milan Vujosevic and Alex Stolyar, from Landry Design Group. They presented this project as to variance requests including 1) over height fence/retaining wall in side yards, 2) two kitchens, 3) over height front gate & related issues, and 4) more than 2 light wells resulting in over height of 58'. She stated that they are not changing building height at 45'; but adding a few light wells for light and ventilation. Detailed questions were asked and answered, including but not limited to the height of the 500 foot wall which goes from 0 to 10 back to 6 feet in the rear; 6 feet in front with gates and maximum 15 feet at top of lights on either side of the gate. She said that they are not hauling dirt but will have construction trucks. Don Loze noted that height limit based on CC&Rs is outside the purview of the Hillside Ordinance. Jaime replied that they have to measure differently from the bottom and that it is permitted at that height. Construction will take probably a couple years, and they have 180 days for haul route. Discussion was held as to finding out if the CC&Rs are over-riding the BHO, and motion could be made conditional upon CD4's response. As to extra kitchens, Mike Kemp explained to the presenters that this NC does not like "piece-mealing."

Motion: To continue the project until next month, while we get more information including a copy of permit and check with CM Ryu's office to see if they have taken a position. Moved by Mike; seconded by Steve Twining: 7 yes; 0 no; 1 abstention from Nickie. Motion passed.

c. 1875 & 1885 N Crescent Heights Blvd AA-2016-2489 31 & Portions of Lot A of Cielo Vista Ter, (Parcel 30, Tract 30561) (Parcel 2) Present use Single Family Residence; Proposed use Single Family Residence; Number of residential units existing 2; Lot line adjustment between two adjacent properties. Applicant: Walter Schild and Dilson DeAlmeida walter@dilson.com (Rescheduled from August.)

Mr. Walter Schild, property owner, presented. He noted that there are two houses side by side, and that it was suggested to him that he adjust the lot line. They are building and intend to move into the house they are building. Questions were asked and answered.

Motion: To support the request as presented. Moved by Stephen and seconded by Robin; motion was unanimously approved.

d. 1866 Heather 90210 ZA-2016-1553-ZAD Lot Area 6,537.6, Total Project size 1,680 sf. Present use Vacant, new 3 level SFD New Dwelling on substandard street, the adjacent street is less than 20' and the CPR is less than 20' from the driveway apron of the lot to the boundary of hillside area. App: Shabi Cohen; Contact: Luke Tarr 818-346-9828. luke@apeldesign.com

Luke Tarr returned to address concerns from the last PLU meeting on August 9th, and noted that he sent an email out addressing these concerns. Printouts were provided. Discussion included but was not limited to the ability of trucks to turn around. He noted that the biggest truck would be for the drilling of the 14 caissons. Workers would be shuttled in. Construction vehicles will be parked onsite, to which Nickie noted that the site is only 22 feet wide and 13 feet deep, and there is no place to park. Nickie related that she has gone to the site, saw Heather Road turning into a smaller Heather Way; saw two homes and a little space between, 22 feet x 13 feet deep. She feels to hang the house on the ledge makes no sense; that it would be impossible to hang the house there and not disrupt the entire neighborhood, particularly hammering multiple caissons to hold it up and that it is impractical. As to sewer lines, Luke related that he has spoken with the Dept. of Public Works; they're trying to work with the neighbor for a collateral, and says that he has Public Works' approval for that. Stephanie asked and Luke replied that the MND has been issued; asking the ZA to build on a street less than 20'.

Mr. Eric Chavez lives next door to the proposed project and stated that promises were made and not kept, including but not limited to time of work. He noted that one of the three houses below has been sold and he doesn't feel that they will agree to the trucks; he does not believe the sewer can connect to his and stated that none of the neighbors support this.

Joanie Black discussed the smallness of the road to the cul-de-sac; that Heather Way is a "way" not a drive; they already had problems getting in and out with previous construction. She noted having health issues and that this is a life or death situation. She noted that the street is not made for any kind of large trucks. Garbage trucks have to back down.

Motion: To disapprove the project. Moved by Nickie; seconded by Stephen. Discussion was held on the motion; further questions asked and answered. Stephen would like to see the MND. Bob noted that cement trucks are less flexible than the other trucks. Robin called for the question. Vote was taken with 7 yes; 0 no; and 1 abstention from Maureen Levinson. The motion passed and the project was not approved.

END OF PROJECTS

7. Current Case Updates by PLUC Members on pending projects

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

Maureen gave update on Barnaby Way and Revuelta. There have been no determinations on the multiple kitchens on Tortuoso and Airole.

8. Follow-up, Discussion & Possible Action on other Projects:

a. Update & Possible Motion to write a letter on 1400 Linda Flora to be sent to the Elected Officials (Electeds) as discussed at prior meetings.

Motion: To approve a letter that Steve will draft to send to the Planning Director, B&S and Paul Koretz. Moved by Steve; seconded by Bob; motion passed.

b. Update & Possible Motion to approve Letter to Electeds on 8150 Sunset

Boulevard. (CPC-2013-2551-CUB-DB-SPR-1A VTT-72370-CN-2A ENV-2013-2552-EIR Appeals filed 08/29/2016 on this project to Demo Existing Commercial Buildings & Construct a mixed use development with 111,339 sf of commercial retail, restaurant uses, and 249 residential units located in the C4-1D zone.) Attached letter by Jamie Hall who is APPEALING Entire Decision.

Motion: To support Jamie's appeal. Moved by Robin and seconded by Bob; Vote was taken, with none opposed, 1 abstention – Mike Kemp, and the motion passed.

c. 2471 Nalin Drive – Pending in PLUM Committee (Council File #15-1497):

Robin reported that she had attended the Hillside Federation meeting with Jamie Hall where they voted to support position. She noted that Paul Koretz supported the position.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=15-1497>

9. New Packages Received

a. See Project Tracking List

10. Certified Neighborhood Council Reporting – Planning Entitlement Packages

a. Review of New projects submitted -- Bob mentioned projects from the CNC list.

11. Upcoming Hearings

a. See Project Tracking List (Pending Projects subject to discussion & action)

- 8307. 8333 W. Elusive Dr. (*Stephanie has file*) September 1, 2016 CANCELLED
- 10580 W. Selkirk Ln. ZA-2011-1424(ZAD)(ZAA) ENV-2011-1425-MND September 22, 2016
- 50 Beverly Park ZA-2016-2258-ZV-ZAD-F Friday, September 23, 2016
- 9520 Hidden Valley Rd. ZA-2016-1346-F ENV-2016-1347-CE Friday, September 23, 2016
- 9654 Wendover ZA-2016-2639-ZAA ENV-2016-2640-CE Friday, September 30, 2016

12. Determination Letters Received

10710 W Chalon Rd 90077 ZA-2015-4080-ZAA-1A Appeal Denied, Sustained ZA to APPROVE

13. Pending Haul Routes (Update by any PLU Committee members)

534 North Barnaby Road ENV-2016-1903-CE 9/06 CEQA Exempt, ZA APPROVED
Board File Number: 150055 -- Maureen Levinson gave update on this and will be following this.

760 North Lausanne Rd – ENV-2015-4554-MND

ZA APPROVED

Tennis Court & Tennis Court Building. Owner: Peter Guber, Guber Family Trust Meeting May 26

1655 N Gilcrest Dr. ZA-2016-94(ZAD) ENV-2016-95-CE ZA APPROVED w/Cond
ZA determination to allow construction of an addition to an existing sfd on a Substandard Street that does not provide a min 20 ft continuous paved roadway in a Hillside Area as required by Muny Code. 17 Conditions, Grace Clements, Esq. (A)(0), Pacific Metro (PTC) Ltd. Singapore. Rep: Tony Russo, tony@crestrealestate.com

1401 & 1415 North Oriole Dr. ZA-2015-3570(ZV)(ZAA) ZA APPROVED w/Cond
ENV-2015-468-MND 6/28/16 ZA 2015-3570(ZV)(ZAA) Zone Variance/Zoning Administrator's Adjustment ENV 2015-468-MND CD4 Hollywood Planning Area Zone RE15-1-H
Lots A and B Tract 3679 B-Permit, 2 Kitchens etc. John J. Parker jparker@PCCLA.com

862-870 Moraga Drive DIR 2014-4936-CLQ ENV 2014-4937-CE Law Suit Pending
APPEALED Approve Clarification of "Q" Condition No.1, allowing a multi-family development to exceed a 32ft height limit by 5ft totaling 37ft. Find that the project is categorically exempt to Category 1 of the CEQA Guidelines.

Public Comment was given by Bruce Kuyper via an email on 862-70 Moraga Drive which Bruce provided and Nickie read aloud as follows: "1. The Council File for the appeal is 16-0933 (<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-0933>). The appeal has not yet been scheduled for PLUM. ("Q" Classification Clarification appeals go directly to Council and do not go to APCs.) 2. The listing of the case on tonight's agenda mentions that a lawsuit is pending. That is incorrect as far as I am aware. (I believe that the appeal to the Council must be final before a lawsuit can be brought (exhaustion of administrative remedies).) 3. Lastly, item 13 is entitled "Pending Haul Routes", but this case not a haul route."

14. Proactive Tracking, Tasks & Projects (*Update, Discussion & Possible Action*)
A. Proactive Projects' Updates by Committee Members & Citywide Issues

1. **Discussion and Possible Action for a Community Impact Statement to support Paul Koretz's motion seconded by David Ryu, dated June 24, 2016 (CF 16-0757)** that Planning, Office of City Attorney, Building & Safety, Bureau of Street Services, DOT and other relevant departments report back on establishing a community and environmental impact review process for the development of **Single Family Home Construction over 20,000 square feet...** receive input from surrounding neighbors, Community Associations, and Neighborhood Councils, and that Building & Safety and the Office of the City Attorney establish additional citations for construction violations and commercial use of properties located in the single family zone above 20,000 square feet based on a percentage of the value of assessed property to deter such properties from being nuisances to the surrounding neighborhood.
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-0757>
Moved by Robin; seconded by Mike; approved unanimously.
2. **Discussion and Possible Action for a Community Impact Statement to 1) support the motion of Councilmembers David Ryu and Paul Koretz (CF 16-0198)** that the Departments of Transportation and Planning prepare and present a map of all **Substandard Limited Hillside Streets** and report back to PLUM with recommendations for **Mitigating Construction Impacts** on such streets, including a thorough review of public safety impacts, with the assistance of Bureau of Engineering in the preparation of the map. (City Council adopted this plan June 21, 2016.) **And, 2) to approve including the supplemental document providing input to this process, prepared by Michael Kemp entitled: "Overlay Zone for the Westside Hillside Area Regulating Grading &**

Construction Activity."

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-0198>

Moved by Robin; seconded by Maureen; approved unanimously.

3. **Discussion and Possible Action for a Community Impact Statement to 1) support a Ridgeline Ordinance motion of Councilmembers Paul Koretz and David Ryu (CF 11-1441-S1) that Planning Department prepare a report with updated cost information to prepare a Ridgeline Ordinance with development standards, inasmuch as the prior estimates were prepared in 2011 (CF#11-1441 File expired 2014), and that the Planning Department also report on the feasibility of a Ridgeline Ordinance as part of the current FY 2015-16 Planning Department work program.**
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1441-S1>
Moved by Robin; seconded by Steve; unanimous.
4. **Discussion and Possible Action for a follow-up CIS on Short Term Rentals to state that "we reiterate our opposition to the ordinance and note that the amendments proposed by the Planning Commission exacerbate environmental impacts of the project under CEQA." (Prior BABCNC CIS was submitted on 08/05/2016 endorsing letter by *Matt Post* of BCA.) (Council Files 14-1635-S2 & 14-1635-S3.) (Letter from Jamie was provided for review purposes.)**
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1635-S3>
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1635-S2>
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1635-S1>
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-1635>
Moved by Robin; seconded by Steve; 0 opposed; 2 abstentions by Nickie and Mike; motion approved.
5. **Discussion and Possible Action for a Community Impact Statement to endorse letter by Stephanie Savage dated June 2016, supporting motion on B-Permit Applications (Ryu, Koretz & Huizar) mandating Public Notice of B-Permit Applications for Paper Streets Improvement. (This was approved by City Council on 06/30/2016.) (Council File 16-0421)**
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-0421>
Moved by Nickie, seconded by Mike; unanimous.
6. **Update on BMO/BHO: (See Item #7 below) (Council File 14-0656)**
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-0656>
7. **Discussion and Possible Action for a Letter to Planning Department & Electeds to endorse letter by Stephanie Savage on the R1 Variation to the BMO/BHO which greatly increases square footage in the hillside areas.** R1 Variation Zones create variations of the R1 zone that are tailored to the varying character of R1 neighborhoods and will be available to replace ICOs. (Comments on this were due Monday 09/12 to be heard tentatively by CPC on October 13; CPC recommendation will be sent to PLUM; then City Council.)

Stephanie gave update on zone changes for whole neighborhoods. She noted that the presentation is poorly written and will not be easily understood.

Motion: Stephanie to write a letter to send. Moved by Robin; seconded by Bob; approved unanimously.

8. **Update on Second Dwelling Units (CF 14-0057-S8) City Council heard this on** 09/13/2016 10:00 a.m., item #12.
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-0057-S8>
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=14-0057>
Motion: To support Councilmembers (*O'Farrell & Blumenfeld*) who had a motion adopted as amended today. Moved by Robin; seconded by Bob; motion was unanimously approved.

Nickie related that Faisal gave update last night; that it will uphold the City standard and not to have SDUs in the hills. The motion will be read next Tuesday at City Hall.

9. **Update on Small Lot Sub-Division Ordinance proposed revisions** The Board approved a CIS on 03/23/2016 to City Council and Committees on **Council File #13-1478**, by Resolution, recommending amending the Small Lot Subdivision Ordinance such that “all Small Lot Subdivision projects shall comply with the land's underlying zone, including setbacks.” See Council File#13-1478
<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=13-1478>
 (We submitted two CISs on this file, one in 07/28/14 & 04/24/16)

At the conclusion of the meeting, the Board heard “Public Comment” from Pamela Pierson, as noted above.

15. **Adjournment:** Robert moved to adjourn and the meeting adjourned at 9:54 pm.

PLEASE NOTE – NEXT BABCNC PLUC MEETING
American Jewish University (not at Stephen Wise Temple)
Thursday October 13, 2016, 6:30 to 9:30 p.m.

ACRONYMS:

A – APPEAL	PM – PARCEL MAP
APC – AREA PLANNING COMMISSION	PMEX – PARCEL MAP EXEMPTION
CE – CATEGORICAL EXEMPTION	TTM – TENTATIVE TRACT MAP
DPS – DEEMED TO BE APPROVED PRIVATE STREET	ZA – ZONING ADMINISTRATOR
DRB – DESIGN REVIEW BOARD	ZAA – ZONING ADMINISTRATOR’S ADJUSTMENT
EAF – ENVIRONMENTAL ASSESSEMENT FORM	ZAD – ZONING ADMINISTRATOR’S DETERMINATION
ENV – ENVIRONMENTAL CLEARANCE	ZV – ZONING VARIANCE
MND – MITIGATED NEGATIVE DECLARATION	