

TO CITY CLERK FOR PLACEMENT ON NEXT
REGULAR COUNCIL AGENDA TO BE POSTED #53

MOTION

At its meeting on October 20, 2021 (Letter of Determination date: November 9, 2021), the West Los Angeles Area Planning Commission denied an Appeal (Case No. DIR-2020-4145-BSA-1A) and sustained the Director of Planning Determination dated April 23 2021 which granted in part, denied in part and dismissed in part, pursuant to Section 12.26 K of the Municipal Code (*Appeals from Building Department Determinations*), an appeal that the Department of Building and Safety erred or abused its discretion in the issuance of building permits for a new single-family dwelling with attached garage, pool/spa , site retaining wall and associated site grading for the property located at 10701 Bellagio Rd., Los Angeles CA 90077, located within the Bel Air-Beverly Crest Community Plan.

Significant evidence exists in the administrative record indicating the Associate Zoning Administrator and West Los Angeles Planning Commission failed to fully consider items before them, and therefore, did not act according to their authority as it relates to planning and zoning, inasmuch as the West Los Angeles Area Planning Commission may have affirmed a Director's Determination that contains substantive errors as it relates to site specific building permit information. Action is therefore needed to correct procedural and administrative oversights and address significant Municipal Code misinterpretations related to this case.

Notwithstanding the West Los Angeles Area Planning Commission determination in this matter, community members are entitled to a hearing on this issue and an opportunity for furthering vetting, thereby enabling all concerned stakeholders with the opportunity to express their views and concerns, as it relates to this land use development project in their neighborhood.

I THEREFORE MOVE that pursuant to **Section 245** of the Los Angeles City Charter, the Council assert jurisdiction over the October 20, 2021 (Letter of Determination date: November 9, 2021) West Los Angeles Area Planning Commission action to **deny an appeal** that the Department of Building and Safety erred or abused its discretion in the issuance of building permits; and sustained the Director of Planning determination dated April 23, 2021, **for the construction of a new single-family dwelling with attached garage, pool/spa, site retaining wall and associated site grading, for the property located at 10701 W. Bellagio Rd., Los Angeles CA 90077.**

I FURTHER MOVE that upon assertion of jurisdiction, this matter be referred to Committee for further review.

Paul Koretz
PRESENTED BY *Paul Koretz*
PAUL KORETZ
Councilmember 5th District

SECONDED BY: *[Signature]*
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