

**Planning & Land Use Committee Meeting Draft Minutes**  
**Tuesday, August 14, 2018 7:00 pm to 9:00 pm**  
**American Jewish University**  
**15600 Mulholland Drive, 2<sup>nd</sup> Floor, Room 223 Bel Air 90077**

**1. Call to Order – Committee Member Roll Call : 7:08 pm.**

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage, Vice Chair	X	
Robin Greenberg	X		Nickie Miner	X	
Michael Kemp	X		Jamie Hall		X
Don Loze	X		Jason Spradlin	X	
Maureen Levinson	X		Leslie Weisberg		X
Stephen Twining	X		Yves Mieszala	X	

**2. Approval of the August 14, 2018 Agenda**

**Moved** by Steve ; **seconded** by Don: **10 yes, 0 no, 0 abstention; Passed**

**3. Approval of July 10, 2018 Minutes** (circulated with agenda)

**Moved** by Steve; **seconded** by Mike; **10 yes, 0 no, 0 abstention; Passed**

**Public Comments:**

**Steve Twining** asked if we are aware that barbed wire is on top of the fence above the golf course, 6' fence with a layer of barbed wire. Can this body send a letter objecting? It's regular barbed wire, per Maureen. **Steve Twining** related that he also attended a scoping meeting of the purple line at VA and the VA is hoping to have the subway to the VA by 2026; they have funding to Century City, but not to VA; station will be on south side of Wilshire in front of VA hospital; will remove a number of parking spaces; will remove dirt in evening hours for station, which is more than the line itself.

**4. Chair Report:** Robert Schlesinger – Prior to the beginning of the meeting, Bob Schlesinger demonstrated a way of projecting Land Use project documents, directly from the project documents provided by the architect including, elevations, floor plans, slope analysis and other key renderings.

**5. Vice-Chair Report:** Stephanie Savage – None

**Projects & Items Scheduled for Presentation, Discussion & Possible Action:**

**6. 1152 N. Sunset Vale Ave. • ZA-2018-2605-ZAA-ZAD ENV-2018-2606-EAF DSPNA 90069  
No Hearing as of 7/03/18**

**Project Description:** New 1,195.8 sq. ft. ADU on top of existing 757.5 sq. ft. garage. Project includes remodel and addition to existing rec room attached to the garage, (*dressing rm & rec room resulting in total flr area of 484.2 sf along w/263.3 sf attached trellis*). Lot area 26,264.2 sf. Present use SFD R1-1 Low II Residential). Main house 3,404 sf (*Detached garage, pool & tennis court already exist, all total finished 5,326.7 sf. No adjoining or neighboring prop owners sigs. Slope less than 10% (60), 10-15% (20), over 15% (20). 100 cy of earth moved. Parking req 5 propped 7. 20% ft print, 40 paving, 40 landscape. Class 32 Categorical Exemption. Substandard Hillside Limited Street. No protected trees on site, but 1 tree removed out of a total of 23 Ficus trees.*

**Requested Entitlements:** Pursuant to 12.28, to permit the construction of a (n) 1,195.8 sq. ft. ADU to be located 5 feet from the front property line and a rec room (*remodel & addition*) to be located 23.43 feet from the front property line in lieu of the 55' required per LAMC 12.21C5 (B). Pursuant to 12.24x28, to permit the construction of a (n) 1,195.8 sq. ft. ADU to encroach a maximum of 4,651 feet into the R1 encroachment plane from the front yard setback and to encroach a maximum of 6.36 feet past the 24-foot height limitation (for a total height of 30.36 feet) measured from the centerline elevation of the street for all structures within 20 feet of the front yard of Prop Line in lieu of LAMC 12.21C10.  
Appl: John & Cathi Bendheim (Co) Rep: Tony Russo [toney@crestrealestate.com](mailto:toney@crestrealestate.com) 408.655.0998  
Filed: 5/04/18 Assign/Staff: 5/16/18 Richard Reaser Filed: 4/18/17 Assign: 4/20/17 Jason Chan  
[Jason.chan@lacity.org](mailto:Jason.chan@lacity.org) 213.978.1320 Assign: 4/25/17 Stacy Farfan [stacy.farfan@lacity.org](mailto:stacy.farfan@lacity.org) 213.978.1369  
AA Zuriel Espinosa [zuriel.espinosa@lacity.com](mailto:zuriel.espinosa@lacity.com) 213.202.5474  
- Tony Russo gave presentation on the project, 1152 Sunset Vale – New ADU and addition to Rec Room:

In summary:

Max RFA: 11,496.15 sf

Proposed RFA: 5326.7 sf

Existing: 4,161.5 sf

Proposed:

- 169.4 sf – Rec Room addition

- 263.3 sf – Rec Room trellis (exempt)

- 1,195.8 sf – ADU

Parking: 5 required, 5 proposed (2 covered)

Setbacks:

7' SYSB (5' SYSB for ADU)

25' RYSB

5' FYSB

Building Height: 29'-8-5/8"

Cut: 45

Fill: 31

Export: 14

Sunset Vale = 26' Right of Way width, 20' paved roadway width

5' of dedication has been waived by BOE

Sierra Alta = 40' Right of Way width, 24' paved roadway width

Sewer

- Connecting to the existing sewer main

Fire

- ID 35430 located ~50' away

Steve Twining noted that the current ordinance does not allow ADUs in the hills. Tony responded that it is still in the works; that for right now we adhere to the State. Stephanie noted that there are amendments set. Per Steve, the Hillside Federation is adamantly opposed. Tony opined that currently, Planning has been allowing ADUs in the hillsides if they adhere; that the property is close to Sunset; 24' paved street, wider than most sub-standard. About setback, Tony noted that they're abiding by the 7-foot side-yard setback; says rules for ADU above garage, you are only required to have a 5' side-yard setback. They are still set back 7 feet; the reason that is why that's important for application is that the encroachment plane for R1 starts at your side and your front setback point, so by having a 5' setback for their ADU, specifically, the encroachment plane... isn't impacted from their side-yard... so that they don't have to have that request anymore; however, the front yard is the only location where they have that encroachment into the encroachment plane, and that is the request. They are asking for a ZAA and ZAD – the ZAD for the 20/24 rule and the encroachment plane. Bob asked about the height issue. Tony noted that the bigger picture includes existing house, existing tennis court, existing pool, no other good location for this on the site. As to neighbors, Cathi has signed letters from each and every abutting neighbor. She is a very well-known member of this community and street. Nickie brought up concern for setting a precedent. They are lowering the second floor into the ceiling of the garage.

They are clipping the top of the roof. Tony noted that the new R1 regulations limit height near the setbacks, and where they are trying to put this addition ... it makes sense to put it there; considering the regulations, they are asking for relief with regard to a very minor portion. Robert noted that Michael explained it is a matter of inches, not of feet, and it's a very short clipping. Michael referred to the drawing.

They are improving the yard area, which will be used for staging. Sierra Alta is front; Sunset Vale side is 7 feet; 5 feet for ADU solely; Sierra Alta 5'.

Tony related that for any structure onsite, you would need a 7-foot side-yard setback. Because of our zone. As a result, there is the encroachment plane regulation, where your encroachment plane starts up from where your setback line is and then you measure the 45 degree angle from that. The reason why he is calling up and highlighting the 5-foot setback for the ADU specifically is that that encroachment plane, where it starts, will no longer be from the 7 feet for the ADU, it will start at the 5 feet. So, it will go up 20 feet, and then start the 45-degree angle from the 5 feet. The reason why that's important is because their ADU is on top of the garage, and that's the only thing that's going to be encroaching into the encroachment plane, and if they are able to start their encroachment plane closer to the street, 5 feet from the street, as opposed to 7 feet from the street, it allows them to not encroach into that encroachment plane. Jason agrees with Michael and Yves that this is a reasonable project.

Stephen brought up our prior requests that ADUs not be rented out. Jason noted that there's no way to enforce. Steve was asking for that. Tony assured that this will not be a short-term rental.

**Motion:** To approve this with the caveat that they have no short term rentals for the ADU; specifically, as consideration for approval, applicant's Property will be burdened with a covenant running with the land prohibiting short term rentals. **Moved** by Jason; **seconded** by Mike; **7 yes, 3 no:** Robin, based on protecting the hillside; Steve, Don; **0 abstentions; Passed.**

**8. 1320 N Davies Dr. • ZA-2018-3144-ZAD ENV-2018-3145-CE BCA 90210**

**Project Description:** Remodel and addition of 906 sf to existing SFD. Kitchen, living & dining room. (N) bedroom & bath, re-roofing of related areas w/class A roof. Min roadway width CPR, seeking relief. Driveway improvements walkway and (N) gate/fence. Max RFA 4,049 sf prop (7,211 sf max). 1-story 20'-0" ht after nat grade vs. 30'0"max limit after nat grade. C&F 114 cy cut 0.03 cy fill.

**Requested Entitlements:** Pursuant to LAMC 12.24x28, a request for a ZA Determination to seek relief from LAMC 12.21c10(i)(3) to remodel and add 906 sf to existing SFD, w/ kitchen, living & dining, bedroom & bath and re-roofing of related areas w/class A roof. A roadway width of less than 20 feet. *Lot area 36,760*  
Owner: Lloyd Krieger (rm?) [rmk609@gmail.com](mailto:rmk609@gmail.com) 310.550.7443

Arch: Tanya Chan Pisani 310.482.9194 C&P Design

Agent/Rep: Mark Pisani [mark\\_pisani@cp-dc.com](mailto:mark_pisani@cp-dc.com) 917.806.1942 Stella Lee [slee@cp-dc.com](mailto:slee@cp-dc.com)

Filed: 5/31/18 Assign/Staff: Alissa Gordon ZA, Debbie Lawrence ENV

- Mark Pisani, Architect for the property owners, noted that the owner/occupiers have been there for 20 years. He was accompanied by Rose Krieger. He noted that they are seeking relief from the requirement to increase the road width for substandard road; paved 24 feet in front of property; the substandard portion is down the hill, half a mile down the hill. Just under 20 feet, on a curve; ...has an attached 2-car garage, just under 3,000 sf total; proposing single-story addition at the back, approximately 8 feet, adding a guest suite; bedroom, bathroom, closet. Proposed addition is not visible from the street; private street below. Stephanie asked how is it with the construction vehicles now, to which he noted that there's a presence, they're parking all the way down. They plan to stage; have a 10-foot side yard on the side where they're proposing the addition. Six piles. They're here for the street widening. This project is located at the corner of Davies and Angelo View Drive. The issue is 10101 Angelo View Drive, a 68,000 square foot Single Family Dwelling, just around the corner from Davies at the end of a cul-de-sac, was not required to widen the street on Davies, why is this landowner required to do it? Davies is the only access out of Angelo View.

**Motion:** To approve as presented **Moved** by Nickie; **seconded** by Jason; **10 yes, 0 no, 0 abstention; Passed**

**9. 457 N Cuesta Way • ZA-2017-1992-ZAD ENV-2017-1993-EAF**

**BAA**

Lot 1.32 ac, 57,893 sf) RE-20-1-H-HCR, Demo an exist 7,457 sf res & const a SFD w/3 levels above basement w/in 30 ft envelope. Reg by BHO & add pool/spa on a site w/exist substandard street. FAR 27,700 tot, bldg. f/p 15.2%, paving/hardscape 29.1, Land Sc 55.7% Prop:

(Protected Trees, 8 Oak, So Cal Blk Walnut, West Sycamore, CA Bay 0 removed Tree Rept Req) (Top map for slope req.) *This is a request to construct a new 27,700 square feet with an FAR of 15,650 square foot single-family residence at a height of 30 feet, comprised of three-levels over a basement, seven garage parking stalls and a vehicular bridge providing access from Bel Air Road. ENV REVIEW?*

App: Cuesta Way LLC. Maria & Lloyd Lander (New York, NY)

Tony Russo [tony@crestrealestate.com](mailto:tony@crestrealestate.com) 408.655.0998

Filed: 5/18/17 Assign: 5/23/17 Jason Chan [jason.chan@lacity.org](mailto:jason.chan@lacity.org) 213.978.1320

Staff Cont: ZA Zuriel Espinosa, [zuriel.espinosa@lacity.org](mailto:zuriel.espinosa@lacity.org) 213.473.9983

- Tony Russo presented the project of 457 Cuesta as a new SFD with basement, staff quarters, guest house, driveway bridge, and tennis court; currently existing will be demolished; requests are: They have three frontages: Bel Air Road; Cuesta Way and 3) a tiny strip on Amapola Way; 18' terminates at the edge of the property; SE edge. Asking for relief from widening of Amapola along their frontage; a very tiny strip; no access to Amapola; they're putting up a gate on Amapola. Second request: Along Cuesta Way, asking for continuous paved roadway section, from driveway apron to hillside area for the Cuesta Way portion. They are asking to not widen the tiny strip along Amapola and to not widen on Cuesta Way.

In Summary:

Max RFA: 15,984.2 sf + 20% bonus (proportional stories) = **19,181 sf**

Proposed RFA: 16,857 sf

Exempt Basement: 6,475 sf

Parking: 5 required, 5 proposed (5 covered)

Setbacks:

12' SYSB

5' FYSB (on all frontages; Cuesta, Bel Air, Amapola)

No RYSB

Building Height: 30'-0"

Cut: 3,811

Fill: 2,294

Export: 1,517 CY

HAUL ROUTE: 2800 CY

Streets and Circulation:

- Amapola Ln = 20' Right of Way width, 18' paved roadway width  
8' of dedication 4' of dedication has been waived by BOE (so 4' needs to be dedicated)

- Bel Air Road = 40' Right of Way width, 20' paved roadway width

- Cuesta Way = 90' Right of Way width, 20' paved roadway width

Sewer

- Connecting to the existing sewer main

Fire

- ID 35172 located ~75' away on Cuesta Way

- ID 35165 located ~60' away on Bel Air Road

Watercourse

- Army Co of Engineers: done with review; issued no permit required letter

- Fish & Wildlife: per meetings onsite, no issues raised; finishing up paperwork

- CA Water Board: per meetings onsite with engineer, no issues raised; will include their recommendations for drainage of water on plans when they notify us.

Nearby Properties Floor Area

- 454 Cuesta Way: 26,042 sf (4181 sf + 21861 sf per building permits 13010-30k-03729;03731)

- 457 Bel Air Road: 45,891 sf per Zimas

- 480 Bel Air Road: 19,335 sf per Zimas

- 332 St Cloud Rd: 23,227 sf per Zimas

Tony related that he met with Shawn Bayliss of BAA, had follow-up call regarding property. Shawn's concerns were in regard to the tennis court located in water course; similar to house south of it. Immediately to the south, there is a tennis court on the neighbor's property. He met with Army Corp of Engineers who are done with their review; Fish and Wildlife: California Water Board; no issues. Recommendations from Water Board will be added to the plans to allow for drainage as if nothing was there. There will be drainage in place to accommodate flow. It will follow existing watercourse. The second concern of Shawn Bayliss was the bridge. Bridge is regulated by height requirements for the lot. Max height 30 feet. He described the bridge: Cuesta way is a narrow street; they are creating a new curb cut on Bel Air Road, allows client to phase construction in a way less impactful to the area; John Saca, 10 years at the Bel Air Country Club is living in the house currently; wants to build the bridge first to allow access and then build the pool, tennis court, as much as possible before demo existing house, to have staging area.

They worked with Shawn to communicate with the neighbors; spoke to one Edward Scott who said he didn't want construction traffic on Cuesta Way. Maureen brought up concern that Bel Air Road is one way in and one way out; it's on a dangerous bend; construction on Bel Air Road is dangerous, there were three fires where people were trapped. Tony noted that they are seeing what they can do to relieve the community's issues. Maureen related that the house of Beyonce and JayZee, is similar without enough parking for their staff. Bob and Maureen noted that if the house is over 17,500, it is subject to CEQA. Tony responded that this 17,500 includes RFA and doesn't include 6,000 foot basement. There is a tree report: 8 oaks, a black walnut, and sycamore are being removed. Stephanie asked how this could be a CE. They will test house for asbestos before the demo and feel that this is the best way to build on the site. Mike thinks construction will go on for three years and is concerned about the neighbors.

**Motion:** To table this until we receive what Bel Air Association needs to do with this, and we can request that they have an EIR. **Moved** by Robert; **seconded** by Maureen; **10 yes, 0 no, 0 abstention; Passed**

#### **Follow-up, Discussion & Possible Action on other Projects:**

##### **11. Update on Ridgeline Ordinance – Don Loze** Council File #11-1441-S1

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1441-S1>

PLUM Committee Report relative to the feasibility of updating the Ridgeline Ordinance was approved at City Council on November 22, 2017 and finalized on November 27, 2017.

- Don noted that there has been some discussion between the Department and the County to clarify issues of the County's experience with Ridgeline Ordinance.

##### **12. Update on Proposed Protected Tree Code Amendment (CPC-2016-4520-CA) – Levinson**

There are presently 7 Community Impact Statements in the Council File. See:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=03-1459-S3>

#### **Current Case Updates by PLUC Members on pending projects: See Project Tracking List**

13. New Packages Received: See Project Tracking List

14. Certified Neighborhood Council (CNC) Reporting Review of New Projects Submitted

15. Upcoming Hearings: See Project Tracking List (Subject to discussion & action)

16. Determination Letters Received: See Project Tracking List

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

18. Proactive Tracking, Tasks & Projects (Update, Discussion & Possible Action)

19. Adjournment: 8:30 pm

**Next BABCNC PLU Cmte. Meeting: **Wednesday** September 12, 2018 7:00pm @ AJU**

#### **ACRONYMS:**

A – APPEAL

APC – AREA PLANNING COMMISSION

CE – CATEGORICAL EXEMPTION

DPS – DEEMED TO BE APPROVED PRIVATE STREET

DRB – DESIGN REVIEW BOARD

EAF – ENVIRONMENTAL ASSESSEMENT FORM

ENV – ENVIRONMENTAL CLEARANCE

MND – MITIGATED NEGATIVE DECLARATION

PM – PARCEL MAP

PMEX – PARCEL MAP EXEMPTION

TM – TENTATIVE TRACT MAP

ZA – ZONING ADMINISTRATOR

ZAA – ZONING ADMINISTRATOR'S ADJUSMENT

ZAD – ZONING ADMINISTRATOR'S DETERMINATION

ZV – ZONING VARIANCE