

Planning & Land Use Committee Meeting Draft Minutes V3

Tuesday, October 9, 2018 6:30 pm to 9:00 pm

American Jewish University

15600 Mulholland Drive, 2nd Floor, Room 223 Bel Air 90077

1. **Call to Order – Committee Member Roll Call** Meeting was called to order at 6:44 pm. Stephanie called the roll with 7 present initially; Jason arrived a few minutes later and Nickie at 6:54 with 9 present and 3 absent. Don left at 7:20 pm, with 8 committee members and 4 absent.

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 (had to leave early)	X	X	Jason Spradlin	X	
Maureen Levinson	X		Leslie Weisberg	X	
Stephen Twining	X		Yves Mieszala	X	

2. **Approval of the October 9, 2018 Agenda**

Moved by Steve; **seconded** by Stephanie; **7 yes; 0 no; 0 abstentions; passed.**

3. **Approval of September 12, 2018 Minutes** (circulated with agenda)

Moved by Steve; **seconded** by Stephanie; **6 yes; 0 no; 1 abstention;** Maureen; **passed.**

4. **Public Comments:**

- **Steve Twining** provided Ratepayer Advocates' sheet on rates & electricity; asked for this to be sent out.
- **Ellen Evans** related that a change in the conversation on the HCR is needed, that communities need to band together to make sure the ordinance is interpreted to apply to all projects. She will ask the City Attorney at the hearing tomorrow (public comment for a non-agendized item) to make sure.
- Ellen noted that Stella asked her to speak on the issue of no enforcement when it comes to renewing permits; permits not used are supposed to expire and they just renew them when they should make the new codes apply.
- **Stella Gray** clarified that this is not about extending permits; permits expired and the City has discretionary authority to renew; however, they should send them back to Plan Check. Code has changed, so technically they should go back the City closes their eyes. The city should be held responsible for expired permits.

5. **Chair Report: Robert Schlesinger** noted that we're doing two presentations before projects.

6. **Vice-Chair Report: Stephanie Savage** related that she will go to the ADU hearing on Thursday and if not will write something. She is extremely upset that they are ignoring the fact that the local ordinance of the BHO supersedes the state laws for these ADUs. Stephanie related the example of in her neighborhood of the worst project ever: 8401 Windham Road; an existing house built onto the street, on a substandard hairpin turn, accessed by substandard streets, where they have been allowed to add onto the house, over 500 square feet without getting a ZA case. Then they added an ADU underneath the house that was built in 1966; it was a two-story house; because they're going to have a little crawl space house, and now it's a three-story structure, but the foundation was never underpinned, added to or modified in any way to bring it up to code. So, it's not just unsafe, but also this house, like a lot of things in Laurel Canyon, was built into the street. There is no parking for any of the square footage of

the entire house; not the original house or anything; there's no revocable permit for the portion of the drive where somebody can park one or two cars. This is bad planning and now is endangering her life and all of her neighbors who actually care about the neighborhood. She thinks this is dangerous, that the BHO should have annihilated all of these projects and that this is a recipe for disaster for which the city is going to be on the hook for all the losses of property and life. She will write a letter and Bob will cosign it, and to take it to the hearing on behalf of the PLUC. Don recommends adding that there should be inspection and permit.

7. Discussion regarding tunneling options under Bel Air from the Valley to the Purple line: Bob projected available information with options. Steve related that he has spoken with the head of this project, asked for more precise alignments and was told they won't be available until next year; that the issue is the steep grade of the 405; they claim that they can't get it above the ground above the 405.

8. Discussion regarding additions to the HCR-s1 Overlay: Bob gave a presentation RE: Ordinance 18482 on the Bel Air HCR Overlay, additions from September 2018 rev9a, which includes issues of banding, grading and hauling, totals of grading and earth removal; Bob noted that we are agreeing with Shawn on 1&3). The issues continue with regard to Permits, B&S, Enforcement and Penalties, and street use permits (#6 asks that trees be incorporated); Roof top protect; Lighting on exterior and interior illumination; View-scape; Remodeling and Additions; Retaining Wall Ordinance; Faulty Road Designations on Substandard Streets and Paper Streets. Lastly note that discretionary projects must appear before the NC. Bob will be meeting with BAA. Steve noted that ACs need to be screened, and mentioned the need to include mention of ducting.

9. 865 STRADELLA RD 90077 ~~ZA-2017-4013-ZAA • ENV-2015-3738-MND-REC1~~ (sic)

Corrected: ZA-2018-4948-F ENV-2018-4949-CE

911 TIONE RD 90077 ~~ZA-2017-2587-ZV ENV-2015-3737-MND-REC1~~ (sic)

Corrected: ZA-2018-4946-F ENV-2018-4949-CE

Tony Russo related that the case for 865 Stradella is for an over-in-height fence that also includes 911 Tione: A SFD on 911 and guest house on 865 originally, now claiming 2 separate properties w/2 SFDs **On February 13, 2018, the PLUC voted to approve subject to BAA's approval.**

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjE2MzM20>

Alex Van Gaalen introduced himself as working with Jason Summers and Tony Russo. He provided drawings, noting they are now only seeking over-in-height fence on the two properties; two applications are being considered together for two single family dwellings; one on each property. Bob noted "piecemealing" and asked if they have plans for other permits. Tony denied that any further permits will be requested. **[Maureen Levinson recused herself, leaving 7 committee members at the table.]**

Questions were asked and answered, and included but were not limited to: There is no break in the slatted fence for wildlife to get through. Tony noted that they compared early fences from picture of early 2014 before project started construction, and that there is "net zero change;" height of chain link fence is 6' and will have landscaping. Leslie asked about impact on Stradella and cumulative effects on any one street. Jason Summers noted that construction is on the way to be done by Mac Construction for both. He reported that they have been coordinating with the neighbors as much as possible. Tony noted that they met with BAA on this; looked at previous fences, new and old. He & project manager spoke with Shawn and reported that "there is no issue." **Motion:** To approve based on whether there is anything negative; and if there is nothing negative, then approve. **Moved** by Robert; **Leslie** seconded; Stephanie asked if there's no privacy issue, why not have a break for animals, to which Alex noted that the area in question is not suitable for suggested break. Jason asked why not combining lots? Jason Summers responded that "It gives flexibility for selling off in the future; two separate properties for families; having facilities in both of them." **7 yes; 0 no; 0 abstentions; [1 recusal: Maureen]; passed.**

10. 457 N CUESTA WAY • ZA-2017-1992-ZAD ENV-2017-1993-EAF ZA Hearing 2 days after PLU Hrng Date 9/14/17 WLA 10a AUGUST 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, SoCal 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 408.655.0998

Filed: 5/18/17 Assign: 5/23/17 Jason Chan jason.chan@lacity.org 213.978.1320

At the August 14, 2018 PLUC Meeting, this was tabled until we receive what Bel Air Association needs to do, and we can request that they have an EIR.

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjE0MDk00>

Tony returned to speak on this which has been heard previously; described as 23,332 sq ft, abiding by new code; supports abiding by HCR even if not subject to it. This has a driveway coming off Bel Air Road. Owner has been working with Shawn Bayliss to come to an agreement; owner is in Hawaii, hard to coordinate. They are trying to see what BAA wants in regards to street improvements or other beautification projects in Bel Air.

- 2800 cy haul route for 1500 cy removal
- Request is for relief from continuous paved roadway and relief from Amapola because they front an extremely tiny strip dead end on Amapola. Leslie asked about construction impact to Amapola, to which Tony replied "none." They have access from Cuesta and are building a bridge. Asked about other projects, Jay Zee's home has additional construction, as explained by Maureen. They expect 6 months before starting; discussed whether this is a spec house.
- Per Tony, the bridge is for the area when you come off Bel Air Road; they have to build a 20-foot wide bridge over a valley, 25-30 feet from lowest point; length of bridge is about half the width of the lot. Goal of developer is to build bridge out first; build tennis court then work on the home to have construction access.
- Maureen asked if there will be any staging of trucks on Bel Air Road, noting that it is a very long road, one way in and one way out. They have had fires in the past where people at the upper end were trapped, and where LAFD had told them to shelter in place. Maureen added information that there have been eight fires in Bel Air over the past year, including but not limited to June 28, 2018 @ 1020 Bel Air Road, a brush fire on May 29, 2018 near 900 block of Beverly Glen, and October 17, 2017 @ 1005 Bel Air Road.
- Jason acknowledged that they should put a construction staging plan together. Maureen related that they could do this through the Bel Air Association.
- Their hearing is this Thursday.
- Leslie noted that we are not ready to approve this tonight; need to have a staging plan, how to keep the road open; talk with Shawn.
- Bob asked about rooftop and Maureen noted that there is a rooftop ordinance being worked on;
- Reinforced concrete supports to the bridge.
- Jason Spradlin clarified big issues are staging/parking for Bel Air Road, construction of the bridge; height considering roof deck; improvement to the roads & access to Bel Air Road; lighting, and roof-deck.
- Stephanie reminded him that asbestos abatement needs to be included.
- Nickie noted that this could be a guest house and staff quarters.
- Stephanie recalled the blue line stream water course, to which we were told that three agencies approved.
- Maureen noted that Amapola will start construction. Jason and Maureen noted issue of exterior lighting that you can see from the street or from neighbors' homes.
- **Motion:** To continue **moved** by Leslie; **seconded** by Nickie; **8/0/0; passed.**
- Bob will get a letter to the ZA that there are a lot of unresolved issues; 2 protected trees will be removed; they will replace them at a ratio of 4:1.

11. 300 N DELFERN 90077 • DIR-2018-4157-SPR ENV-2018-4158-EAF 7/30 Move to OCT T/R

Project Description: Site Plan Review for the remodel and addition to an existing SFD resulting in RFA greater than 17,500sf. Requested Entitlement: Pursuant to 16.05, Site Plan Review for the remodel and addition to an existing SFD resulting in RFA greater than 17,500sf.

Lot Area 93,892.4 sf. Major remodel and addition to an (e) SFD resulting in a 2 story SFD w/basement, pool/spa, det garage, guard shack and accessory structure. Haul route for 3,800 cy of export.

Owner: Justin Topilow Appl: Jondolin Residence, LLC, NY. jstrickland@freemangroup.net 310.453.0414 (Jennifer) Agent/Rep: Tony Russo Crest R/E tony@crestrealestate.com 408.655.0998

File: 7/17/18 Assign/Staff: 7/23/18 Alexander Truong

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjIyNjIz0>

Tony presented, noting that most of the homes in this area are above 20,000 square feet; Tony went through the checklist. They have haul route for 3800 cubic yards... well below allowable. Existing has garage, main house and pool house; they're adding a wing and a basement; majority of house will remain intact. It's a traditional style. Pool house existing will be demolished; building 2-story with basement pool house. Existing 11,706 square feet; existing pool house on front of plan. Staging on the property. Jason Spradlin noted that there are three giant construction projects. Jason noted that they were planning to use Delfern for parking and onsite; Rodney Freedman owner's rep noted that a parking plan is reasonable; they'll start after Tom Ford's house is done. Rodney is happy to comply with parking plan. Jason would like signatures from people who do live there. Leslie recommended bringing Shawn Bayliss in to this conversation to which Tony related that this isn't within BAA. Tony will reach out to Jason. Jason related that they have a home owner's association; all people are building houses. He'd like them to communicate with them for signatures. If they can solve the parking problem Jason feels that they would not have an issue. Leslie asked if they're pulling any protected trees, to which Tony said no. Stephanie asked that they show how many vehicles will fit as to parking; to avoid having other vehicles that will reduce the road to a single-lane road. Tony will be willing to come before Holmby Hills Association shortly. There was discussion of the trees; Rodney noted that the owner is interested in developing a garden. 70 unprotected trees are being removed; Tony noted that they will do 1:1 replacement.

Motion: Move to support this provided they connect with Holmby Hills HOA and agree with a parking and staging solution and provide clarification on trees to be replaced and what they're replacing them with **moved** by Jason; Leslie **seconded**; **8/0/0 passed**. Their ZA hearing is Thursday.

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

12. Update, Discussion & Possible Motion on Bel-Air Country Club Removal of 23 Protected Trees

PLUC and Board previously approved a letter to the Board of Public Works and CM Paul Koretz, and subsequently a follow-up letter to the Board of Public Works and CM Koretz. Possible motion for an updated letter following the hearing on Wednesday 10/03/2018 – **Whitford**

Linda Whitford gave an update and answered questions. The Board of Public Works (BPW) hearing took place last Wednesday, October 3. Robin and Nickie attended and spoke in Public Comment. Since the Country Club had already removed the protected trees and was not seeking a permit to remove further trees, BPW president Kevin James said the Board no longer had jurisdiction and he would withdraw the agenda item and refer the matter to the Bureau of Street Services (BSS) for penalty consideration.

In response to the permit opponents' objections, President James agreed instead to continue the item so the Board could consider requiring additional environmental mitigations of the Country Club after the BSS penalty review was concluded. The only penalty provided by the Ordinance for illegal protected tree removals is to withhold building permits, which is inapplicable in the case of the now-completed golf course renovation project. Linda is seeking mitigations beyond the planting of "replacement" trees. The matter will return to the Board of Public Works on January 9.

Linda requests a follow-up letter to CM Koretz and BPW indicating that the NC intends to continue monitoring the progress of the situation and that it supports additional meaningful environmental mitigations to compensate the community for the illegal removal of the protected trees.

Motion: To approve updated letter to bring before Board; **moved** by Steve and **seconded** by Leslie; **8/0/0;**
passed.

Steve advised that the Country Club had responded to resident complaints about the new perimeter fencing of the golf course, and had reduced the height of the attached black tarp and agreed to plant shrubbery.

13. Update on Ridgeline Ordinance – 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. There is no change in the Council File since 03/01/2018 when we submitted our 2nd CIS supporting the original motion.

- Robert reported that he is trying to set up a meeting that has not been set up yet.

14. Update on Proposed Protected Tree Code Amendment – Levinson Council File #03-1459-S3

There are presently 10 Community Impact Statements in the Council File; Koretz motion referred to the Public Works Gang Reduction Committee, and has not yet been scheduled.

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

- Steve reported that WRAC land use committee approved a motion on protected tree ordinance.

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

15. New Packages Received: See Project Tracking List
16. Certified Neighborhood Council (CNC) Reporting Review of New Projects Submitted
17. Upcoming Hearings: See Project Tracking List (Subject to discussion & action)
18. Determination Letters Received: See Project Tracking List
19. Pending Haul Routes (Update by any PLU Committee members)
20. Proactive Tracking, Tasks & Projects (Update, Discussion & Possible Action)
21. Adjournment: Robert moved; Stephanie seconded and meeting adjourned 8:47 pm.

Next BABCNC PLU Cmte. Meeting: Tuesday November 13, 2018

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
TTM – TENTATIVE TRACT MAP
ZA – ZONING ADMINSTRATOR
ZAA – ZONING ADMINISTRATOR’S ADJUSMENT
ZAD – ZONING ADMINISTRATOR’S DETERMINATION
ZV – ZONING VARIANCE