

Planning & Land Use Committee Meeting MINUTES

Tuesday, June 11, 2019 6:30 pm to 9:00 pm

American Jewish University

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

[Accessible from the west side of Casiano Road. Park at lower parking (Lot 1)]

1. **Call to Order – Committee Member Roll Call:** Robert called the meeting to order at 6:35pm.

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

2. **Approve June 11, 2019 Agenda:** **Moved** by Jason; **seconded** by Maureen; **8/0/0 passed**
3. **Approve May 14, 2019 Minutes** **Moved** by Robert; **seconded** by Jason; **7/0/1** Maureen; **passed**
4. **Public Comments:** Stacy Slichta with “UproarLA” gave public comment and provided flyers to “Stop the Valley Super-Skyway” from “360 low-flying jets per day (20 per hour 6am to midnight, 365 days/year)” to say NO to jet noise pollution, air pollution & property depreciation resulting from the FAA approving the super skyway, which they also approved over Phoenix AZ. This group has hired an attorney, Matt Adams, to try to get the flight paths changed and is working with the FAA. She says that there are only 17 days to give public comment; whatever happens in Van Nuys will affect Burbank airports. She reports that the FAA hasn’t agreed to come to any table, at Federal, State or City level. Her group filed freedom of information requests and prepared a letter to the FAA. www.uproarla.org
5. **Chair Report:** Robert Schlesinger
6. **Vice-Chair Report:** Stephanie Savage

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

7. **10690 Somma Way ZA-2019-1383-ZAD ENV-2019-1384-EAF BAA 12/20/16 Exp 3,500 cy DENIED Requested Entitlement:** PURSUANT TO LAMC SECTION 16.50 AND 11.5.7, DESIGN REVIEW BOARD AND MULHOLLAND SCENIC PARKWAY SPECIFIC PLAN COMPLIANCE IS REQUESTED FOR THE DEMOLITION OF AN (E) SINGLE-FAMILY DWELLING AND ACCESSORY BUILDINGS AND THE CONSTRUCTION OF A (N) SINGLE-FAMILY DWELLING AND ACCESSORY STRUCTURES FOR A COMBINED TOTAL OF 29,811 SF. PROJECT SITE IS ZONED RE40 AND IS LOCATED IN THE BEL - AIR BEVERLY CREST COMMUNITY PLAN AREA.

Appl: Stephen Ives Dolcedo LLC, Oklahoma City 405.936.6240

Agent: Tony Russo tony@crestrealestate.com 408.655.0998

Filed 3/07/19 Assign/Staff: 3/22/19 David Solaiman Tehrani

Tony Russo presented, accompanied by William with Landry Architects. Tony noted that the request is for a ZAD for the roadway width. He noted that this is complicated, unique, and that there have been different interpretations of private streets. He explained that they require a ZAD if less than 20 feet along the property’s

frontage. There are three houses that access it. The private streets that connect to the main lot is 20 feet; along the tail it becomes less than 20 feet in some locations. Requiring the widening of that to two feet would be complicated. Each of those owners own the private street. It is an improved street. It is 18 feet, relatively wide to service three homes. They'll provide a turnaround on the site for emergency vehicles. They are not asking for relief on the public street portions.

The maximum RFA is 40,113. See tabulated breakdown on the plans. Parking provided: 8 covered; and plenty of parking in motor court. Height 36' for slopes, 30 feet for flat and different portions that are flat and sloped. Grading: No haul route. There is a fire hydrant approximately 300 feet away; they have been signed off in concept but not on the plans. They are using above-grade cisterns. Trees will be planted around the edge of the property: north and south have a lot of cantilevered activity; at most about 24 feet, from finished surface of grade; and have a substantial amount of landscaping. Planning on planting Shoestring Acacia around the cantilevered portion which matures to 25-30; some Mountain Laurel which mature to 8-24 feet interspersed on east side, and there is Brisbane Box Tree which matures to 30-40 feet for privacy.

The CC&Rs have to do with the roof portion: A portion of the roof has to be sloped. Setback requirements are a little bit different. They are working with BAA; meeting with Shawn on Friday to review the comments. Bob believes all that's left is the CC&Rs, which has nothing to do with the PLUC. Maureen noted that BAA has a lot of questions for the ARB. Tony noted that Shawn asked if they're in compliance with HCR. Stella asked about excavating, to which he noted that it is all site rebalanced. No haul route. They have 800 exporting. Stephanie asked if 14 feet of uncertified fill. The architect responded that there is currently a tennis court that's being dug up.

Don asked about privacy plantings, size when planting to which Tony noted that they will use 15-gallons; probably 7-8 feet when planted; he will get info from landscaper, Don noted that the screening process has become an issue for other projects. Maureen would like Oak trees planted. There is one protected tree on site that will be protected. Stephanie asked, and Tony responded that of the 49 non-protected significant trees, they are all 8." Bob mentioned the "Heritage Trees Ordinance" brewing. Don asked about the nearby properties sizes to which Tony responded, maybe 5,000 up and along Somma Way, with lot sizes being a fraction of this lot size. They have spoken with Mr. Hirsch across the way and are addressing his issues. They've conducted some neighborhood outreach. Tony is asking Shawn to reach people that are difficult to get in touch with. Bob suggests that we do not vote tonight. Tony meets Shawn this weekend. We can take a vote at the NC.

Motion: Continue this to some later date to be discussed. **Moved** by Don. Bob added until hearing from BAA. Maureen asked and Tony responded that he will provide info on lighting. **Seconded** by Jason;
8 Yes; 0 no; 0 abstentions; passed. CONTINUED

8. 1501 N Marlay Dr • ZA-2017-2328-ZAD ENV-2017-2329-CE DSPNA 90069

Entitlements: PURSUANT TO LAMC SECTION 12.24.X.26, A ZONING ADMINISTRATOR'S DETERMINATION TO ALLOW FOR 3 RETAINING WALLS, INCLUDING RETAINING WALLS OVER REGULAR MAXIMUM HEIGHT. SFD 2 stry w/attached gar, in BHO Area. ZA to allow 3 ret walls ranging fr 3 ft to 23'6" in lieu of one ret wall w/max ht of 12' or 2 ret walls w/max of 10' each and min horiz dist of 3'. Actions, Approvals, Plans.

Owner: Sara Schusterow, NY Appl: Paul Coleman paul@lucol.com 213.700.2297

Filed: 6/12/17 Assign: 7/28/17 Nuri Cho nuri.cho@lacity.org 213.978.1177

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjE0NDc00>

Paul Condon returned to address outstanding issues. He was accompanied by Robert Stetcher. He came to discuss two main parts to this project, the house being of three levels, two exposed, above grade, the retaining wall and public improvement, redoing the street. He noted that they have preliminary sign off from BOE, and sign off from LAFD Hydrants & Access, as a minimum alternate for turning, and they are dedicating a significant portion of the site to allow the LAFD template to work, so any vehicle can pull in and go out. Currently, it is not graded appropriately.

They spoke last time about how to minimize the visual impact of the wall, and they have discussed a few options including more planter areas and putting in a metal and cable structure to get more ivy... and proposed there may be a color admixture or a sacking that would change the color. It is a large wall that is more earth tone and it wraps around; there is a planter that is earth tone. He noted that the house that sits there is of the lighter color. He noted that a significant portion of the curved wall near the bottom is coming out of the right of way – his neighbor’s property, similar to theirs – that is flowing into the street. He noted that that’s essentially there until their neighbor decides to do improvements; and that piece of wall could go away. He noted that he will have to improve their entire frontage; “it’s almost a stop gap.” On the site plan, he identified the retaining walls.

- *[Don arrived at 6:48 pm and a quorum was met.]*

Yves asked what has changed, to which he noted not a lot has changed materially but the wall color has changed. As to the other two walls, only tall enough to go up and transition to the back wall and the next wall slopes. The tallest retaining wall is 57 feet off the roadway. Further discussion about the walls took place.

- *[Stella arrived at 6:50pm.]*

Stephanie asked about the entitlement request for retaining wall height, looking at various measurements. Paul noted that the 23’6” height, as stated on the agenda project info, needs to be updated, because it is higher.

Stephanie questioned Paul in detail about the 15-foot space for total of slope, a flat space, to which he noted that this meets what the spirit of Soils and Grading Department is trying to do, to go to the top of that, go out 15 feet, to create that much horizontal distance at the top of the wall. Stephanie clarified that that wall is designed in the event that the uphill dirt will slope down. He noted that a significant part of it is freeboard wall, there is a big chunk just reaching up, to which Stephanie noted that that is the hard part for everybody else to look at, because if you could do something to step it back, you wouldn’t have such high walls, and you could create a 15-foot flat space, the more conventional thing that people do when they have an up-sloped lot... He noted that whether the wall has 15 feet in front of it or not, the further the wall goes to the south the lower it is. Even if there was a 15-foot swath here in the back of the house, that wall still has to be that high. If it went north, it would get higher because the top of the slope is over 100%; part of this was to push the house as far south as you can to mitigate the impact. Further detailed discussion was held on this.

Bob asked about the amount of freeboard at the top of the wall, to which he was told that on the east end it was probably 9 feet of freeboard, at high points, 18 feet, and on the far west end of the site, 15. He noted that the freeboard is included in the overall height of the wall.

Stephanie asked what the Soils Report says about the temporary shoring or how high you can shore that, because it is pretty high... Stephanie noted if you could step those walls up the hill, then you can have your flat area, have a shorter wall, and not have the issues with the additional grading that factors in. He thinks the grading caught every bit of it, “because I don’t think they’re going to be doing any layback.” Stephanie reminded him that he is only allowed to shore a certain height of rock (pointing) and then you have to trim slope back here 1:1 uphill, which adds to grading. She believes that needs to be discussed and added into the grading calculation. He imagines that it will happen when they drill the piles, and get that support in, so it’s almost a permanent temporary shoring, and then cut out... Stephanie noted that they’ll put Styrofoam in, but there are still limits on that height. Because it is such a steep site and tall wall, it adds the impact. Further discussion was held on this.

Stella asked about the Stahl House above which does not have piles, noting it is unsupported from the bottom, and asked if they gave consideration to ensure that this national treasure will remain the way it is, to which he responded that, according to the geo-tech, when the house is in, the hill will be more stable than it is now. She asked about “during” rather than “after”, to which he noted that he is the architect and would let the builders figure this out. Yves expressed the same concern about impacts during construction. Robert would like them to return with an engineer or contractor or both; he will talk structural engineer, Dino Muller. Robert opened the floor to public comment.

Public Comment:

Mikel Gordon was called up to speak, their question was as to construction. She noted that they live in the lot next to the Stahl house, and that when they did the big wall on either side, during construction, they lost a lot of hill, driving nails in, it is granite. She noted that they are on caissons so had cracks and damage.

Scott Sterling expressed the same concern, asking what the construction process is; are they doing any hillside pinning, to which the presenter confirmed they are. Scott asked how deep the pins will go into the hill to which Paul noted that he has to look, and doesn't know. Paul noted that they are not retaining pins but pins to hold a steel mesh to stop pieces of granite from sloughing off the hill; so it is not involved with the retaining wall; it lays on the hill.

Motion: To continue until we can talk to a builder/contractor **Moved** by Robert; **seconded** by Jason. Maureen related that she understands what the people are talking about, because in Bel Air there is a construction site where the homes above it have cracks. One house can't even close its interior doors, there was such a shift. She understands what they are saying about the process. Don noted that the presenter has done a lot of work and a lot of questions have come up. The motion should be we would like to have clarification of future questions that we don't have answers to now, because there may be some. **Amendment:** We are continuing until we are satisfied with the future questions that may arise in connection with the application. **Moved** by Don & **seconded** by Yves. **8 Yes; 0 no; 0 abstentions; passed.**

9. 8414 W Edwin DIR-2018-5371-DRB-SPP-MSP VN ENV-2018-5372-CE

South Valley APC Hrng Appeal, 5/27 4:30P 90046

Project Description: PROJECT PERMIT COMPLIANCE WITH THE MULHOLLAND SPECIFIC PLAN TO ALLOW FOR A NEW RETAINING WALL AND ASSOCIATED GRADING AND BACKFILL.

Requested Entitlement: PROJECT PERMIT COMPLIANCE WITH THE MULHOLLAND SPECIFIC PLAN TO ALLOW FOR A NEW RETAINING WALL AND ASSOCIATED GRADING AND BACKFILL. REWORK EXISTING ENTRY WITH NEW STAIRS AND ENTRY GATE DOOR. NEW 6'0 HIGH 50'-3' • LINER FEET, MASONRY SIDE YARD FENCE (NON-RETAINING). THE PROJECT INCLUDES DESIGN REVIEW BOARD FOR RETAINING WALL.

Appl: ▲ Raphael Berry

Qwner: P. Caspar Martin

Rep: David Rivera (TWG Architects, Inc)

Attorney: Stephen Weaver stephen@weaverlandlaw.com 310.806.9212 (Weaver Land Law)

Filed: 9/14/18 Assign/Staff: 10/01/18 Domonick Ortiz

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjIzOTE10>

Caspar Martin lives at 8430 Edwin Drive, and he is here concerning 8414 Edwin Drive. He related that the neighbor at 8414 Edwin Drive graded and built unpermitted retaining walls, one of which was on his property but the main one is on his property. He showed an image to the committee and discussed the details of the story, which includes but is not limited to: "He came over to my house the day I closed escrow, and said I'm going to be doing a beautiful landscaping project, you're going to love it. I'm going to put in these big walls." He told him that the yellow line (pointing) was Caspar's property line. He had just picked up keys to the house. He noted that he subsequently found out the red line was his property line. The green lines are the hillside as it existed. So when he closed escrow on the house two weeks before the picture was taken, that was a hillside of forest, Redwoods, California Sycamores, Monterey Pines; there's still one Monterey Pine there. A few days later, he took out the trees that were on his property. At that point he had not yet had a survey done, and didn't know where the property line was.

Mr. Martin continued that the reason he is here is that the City sited him for building these illegal retaining walls. The man told the initial inspector the wrong information about the property, and the B&S inspector was under no obligation to do any research; so he believed the man. "They filed a complaint against him."

Once Mr. Martin filed his survey, the City had to rectify the situation and their way of doing so was not citing him for the wall he built on Mr. Martin's property but only for the one he built on his. They are still prosecuting him for this. They have allowed him to put forward a plan, with the City Attorney's agreement, to leave the wall on Mr. Martin's property and treat it as existing even though they know it's illegal and it's going to have to be removed. He noted that he has an attorney here to help him on this, to appeal the Director's decision. Mr. Martin continued that the MDRB completely rejected his plan, in part because of what he did. The Planning Director overruled them. He noted that "we are appealing that, and the hearing is on June 27th." They came today to make this committee and board know what is happening. Questions were asked and answered.

Attorney, Steven Weaver, added that on the sixth page you can see a massive gap in the wall, which is another problem in that there is drainage rules in the Specific Plan... and there are massive amounts of irrigation that goes onto Mr. Martin's land, which is causing problems in the immediate future and can undermine the integrity of the structure there and the soil, possibly cause slippage; and this is on the super steep hillside.

Don asked, 1) What are you asking of us, and 2) What does your title insurance have to do with this? Mr. Martin responded that they have the same title insurance; they are working on it. The complexity and remedy for it is so extreme, it will take a quarter of a million dollars to take care of the wall on his property. Morally and legally he needs to remove both retaining walls. The City is prosecuting him only for the one on his property. ... They are allowing him to go forward with the remedy that only fixes his property. Mr. Martin related that he is suing him to get the walls off his property. His concern now is that the proposal that the Planning Director overruled the MDRB on will allow him at his next hearing, in July, to come before the judge and say, "I have an approved plan that will fix this situation" but will leave him (Mr. Martin) with this wall on his property. The other issue is that the plan he has put forward is landscaping around this wall. So, once he fixes the wall, he will landscape it. The base of that wall is on his (Mr. Martin's) property. Mr. Martin says that he cannot landscape it, because any landscaping has to be planted on his property. "So, even if the judge approves this ridiculous plan, he cannot follow through with it."

Don asked what is it that they are asking of us, to which Mr. Weaver related that they would like a resolution to support their appeal. He noted also that when the owner did the project, he removed trees, didn't replace or account for them; and noted that it shouldn't have been approved on that score. Also, the Specific Plan requires these walls... a block away from a scenic resource, the Mulholland Parkway; he also has a condition of approval that says, with his wall, which is 91 feet of pure encroachment by about 3 or 4 feet on, that he is supposed to maintain vegetation, landscaping... it is simply impossible. It should never have been approved. We are appealing that decision. The MDRB said 7 to 1 against doing it, and the Director of Planning overruled their decision. So they are now appealing that to the Area Planning Commission. He noted that this is simply them failing to apply the Specific Plan. ... They missed the mark by a lot. He totally ignored their major problem, that you can't even maintain the wall and because the wall could get removed, you don't have a structural plan, a composite plan, that this is a stable wall; so, on those scores, you can put a condition of approval... he just said, "Oh, don't worry about; just put vegetation on their, ignoring the trespassing..."

Bob Schlesinger asked if there was anyone present this evening in opposition to what the presenters are seeking or that represents the owner of the other property; there were none.

Don related that our charge is to give advice to the Councilmen with regard to applications before us. He doesn't know if we can adjudicate this. Robert related that this is to the Area Planning Commission (The South Valley APC is hearing the appeal on June 27) which Bob noted is a nonelected City entity. Board discussion was held as to the normal process of responding to an actual application that we have reviewed. Jason asked if we could just do a letter of support for the decision to be reviewed; that we think that the decision made by Mulholland and the APC. Bob related that he asked if anybody was here in the audience, noting that they would have been notified; we have posted the bulletin's, we have posted the agenda, and in the emails he sent out he included them, so they were very much aware and they chose not to show up.

Attorney Steven Weaver will email the appeal which outlines all of the legal basis. Robin asked for a synopsis, to which he related: 1) He can't comply with the specific plan because 91 feet of the wall is on Caspar's land; he can't irrigate; he can't maintain the vegetation on it; it doesn't comply with the Specific Plan. 2) He didn't do the tree analysis required before knocking down the trees which included protected trees; two mature Redwoods, two large Sycamores; he submitted an application where he didn't account for this. He didn't comply with the rules; the MDRB was onto it, and somehow he just squeaked through.

Motion: We support the appeal of Mr. Martin, appealing the determination of the Director of Planning, who overruled the position of the Mulholland Design Review Board, based on the information that has been presented tonight. **Moved** by Don; **seconded** by Jason; **8 yes; 0 no; 0 abstentions. Passed.**

10.a. 2545 Bowmont Dr. • DIR-2018-328-DRB-SPP-MSP ENV-2018-329-CE

(2380, 2358, 2360 Gloaming) (Parcel-1) CWC Construction on a vacant lot of a 30-foot high, 14,490-square-foot, 2-story SFD. Location of Lot 2 to be created from a proposed lot line adjustment. Design Review and project permit compliance, pursuant to the Mulholland Scenic Parkway Specific Plan, to allow the construction on a vacant lot of a 30-foot high, 8,592.6-square-foot, 2-story SFD and attached 6-car garage and basement. (location is lot 2 to be created from a proposed lot line adjustment).

Appl: Nick Keros (2545 Bowmont, LLC) 310.612.5300 T/C CB?

Architect: Liz liz@ir-arch.com 818/488.9435 Jorge (Ignacio) Rodriguez Ignacio@ir-arch.com 818.488.9435 Rep: Jaime Massey jaimemassey@gmail.com 818.517.1842

Filed: 1/19/18 Assign/Staff: 2/28/18 Courtney Schoenwald courtney.schoenwald@lacity.org 818.374.9904

MDRB Staff: Alycia Witzling alycia.witzling@lacity.org 818-374-5044. Permanent Link:

<http://planning.lacity.org/pdiscaseinfo/CaseId/MjE4NDI20>

2545 Bowmont, a number of issues and questions asked, lacking sufficient information. Neighbors were not notified and have a number of issues with this project. The MDRB sent the project back to downsize dwellings. We want to see a new version of Lots 2 & 3. 1 was already downsized.

10.b. 2545 Bowmont Dr. • DIR-2018-322-DRB-SPP-MSP ENV-2018-323-CE (see Parcel 1)

(Parcel-2) Construction on a vacant lot of a 30-foot high, 13,122-square-foot, 2-story SFD. Location of Lot 2 to be created from a proposed lot line adjustment. Design Review and Project Permit compliance, pursuant to the Mulholland Scenic Parkway Specific Plan, to allow the construction on a vacant lot of a 30-foot high, 8,592.6-square-foot, 2-story one-family dwelling and attached 6-car garage and basement. (location of Lot 2 to be created from a proposed lot line adjustment) Applicant: NICK KEROS [Company:2545 BOWMONT, LLC]

Ignacio Rodriguez Ignacio@ir-arch.com 818.488.9435

Rep: Jaime Massey jaimemassey@gmail.com 818.517.1842 Filed: 1/19/18

Assign/Staff: 2/28/18 Courtney Schoenwald courtney.schoenwald@lacity.org 818.374.9904 Permanent Link:

<http://planning.lacity.org/pdiscaseinfo/CaseId/MjE4NDE50>

10.c. 2545 N Bowmont Dr. • DIR-2018-325-DRB-SPP-MSP ENV-2018-326-CE

(see Parcel 1) (Parcel-3) (2358, 2360, 2380 Gloaming) CWC Construction on a vacant lot a 30-foot high, 14,490-square-foot, 2-story one-family dwelling and attached 6-car garage (located in Lot 3 of a proposed lot line adjustment) Design Review and project permit compliance, pursuant to the Mulholland Scenic Parkway Specific Plan, to allow the construction on a vacant lot of a 30-foot high, 14,490-square-foot, 2-story one-family dwelling and attached 6-car garage and basement. (located in Lot 3 of a proposed lot line adjustment)

Applicant: NICK KEROS [Company: 2545 BOWMONT, LLC]

Ignacio Rodriguez Ignacio@ir-arch.com 818.488.9435

Rep: Jaime Massey jaimemassey@gmail.com 818.517.1842

Filed: 1/19/18 Assign/Staff: 2/28/18 Courtney Schoenwald courtney.schoenwald@lacity.org 818.374.9904

MDRB Staff: Alycia Witzling alycia.witzling@lacity.org 818-374-5044. Permanent Link:

<http://planning.lacity.org/pdiscaseinfo/CaseId/MjE4NDIy0>

[RE: Terminology, "Lot 1" and "Parcel 1" are the same.]

The presenter Ignacio Rodriguez, aka Jorge, noted that they presented Lot 2 to the DRB, who asked them to take scale it down, to include the height of the retaining walls, along the water court. They asked them to take it down to 10' and 6' retaining walls. They went back and redesigned project; it got smaller; they are now proposing RFA 6,000 sf above ground with 3,700 sf basement, per DRB request. They have a proposed building of about 10,000 square feet for Lot 2. It was the same thing as Lot 1, for which they asked them to reduce the massing. Parcel 1 was reduced to less than 10,000 sf. He reported that there is no haul route and no removal of trees / any protected trees. They were asked to minimize the day-lighting portion of the basement, because in the original design, too much daylighting from the rear of the property. They did that, as seen on Page 51. It has the appearance of a two-story structure; it does daylight slightly but not really visible. Mostly just that of emergency egress out of the basement.

Jorge began to say, as to Lot 1, staging and workers parking, whether onsite or not, if they will be blocking Bowmont, he stated that he put together a small study that shows the existing driveway and existing pad of **Lot 2**, where the existing house is now, that will be demolished, that will serve as the main pad. He related that all staging of any kind is to be onsite so that Bowmont is not obstructed at all. He said they try to minimize the impact on Bowmont. They'll have a fire truck turnaround in Lot 2 and there will be plenty of room for trucks to turn around within the lot and back out onto Bowmont.

Lot 3 is now right under 6,998 square feet above ground; below ground is 2,476. Originally it was 9,676 above and 2576 below. The same with Lot 2, SFR will be 6,003 sf, with 3,714 below ground. Originally 6,736 or 7,595 above?, and 4,851 below ground. 9700 square feet against almost 12,000/13,122, per Robert. Robert continued that Lot 1 is 3,861 above and 4,331 below, after MDRB, to which Jorge noted Lot 1 was slightly smaller. They had asked them to reduce the size of the deck, and to comply with height restriction of the walls. Lot 3 is right under 6,998 sf above; below is 2476. Lot 1 is now 3,861 above ground and 4,331 below.

The MDRB also had comments as to massing the retaining walls and landscaping. As a byproduct of the changes, because Lot 3 was reduced, they are not doing any export. They need to import dirt to Lot 3 and 2, so everything balances onsite.

Public Comment:

Amy Adelson introduced herself as representing 143 residents of the Bowmont-Hazen Association and spoke on this development, which she described as massive in size and scope; relating that it was designed by the same designer responsible for Hadid's Strada Vecchia project. She pointed out the dangerous traffic conditions posed by hauling, parking, staging on substandard streets. 1) Amy noted, per MDRB, they've come back with one structure significantly reduced but she still needs help understanding these numbers; 2) a corollary to that is the basement day-lighting issue, as to the meaning of "minimal day lighting." She understands that a true subterranean basement that does not daylight, does not count as part of the square footage of the residence. Hillside builders, from her experience, have become very adept at camouflaging their first floors as basements. She has that we help her understand if these are these true basements or really first floors. She noted that on Lot 1 it is odd that the basement which is 4,331 square feet is bigger than the entire rest of the house, which has a RFA of 3,861, a basement 500+ feet larger. She noted that the builders are proposing to use Bowmont Drive as a construction road to access the development of three proposed Gloaming Way addresses. Their trucks and heavy equipment will pass and block the driveways to more than 114 properties from Cherokee to upper Bowmont. Any resident above the Bowmont/Hazen intersection will be held hostage because there is no exit, and no other access for emergency vehicles. This is essentially a dead-end. She asks if the very narrow driveway access from Bowmont can actually accommodate heavy equipment, 12-14 feet or less. She noted that, in contrast a much shorter and more direct access from Coldwater to Gloaming would only impact 18 properties, many of which are already under construction. She presented a visual in which she contrasted Cherokee-Bowmont, Upper Bowmont, to Gloaming Way access. She noted that we are looking at a project that will last several years and will almost necessarily irrevocably alter the character of the neighborhood.

Meg Greenfield, Planning Deputy for Council Member David Ryu related that she looked at MDRB agenda for June 19th when this case will be back at Mulholland, at 3:00pm in Van Nuys. She compared numbers to when last at MDRB, 11/07/2018. For Lot 1 there is a 9% decrease in sfd size; the basement and garage are the same. For Lot 2: also a 9% decrease for sfd. The garage was reduced by 30 sf, and the basement went from 4,851 to 3,714. Lot 3: 7% decrease in sfd size. There was a significant decrease in garage size, from 1,392 to 619. The basement from 2,576 to 2,476. There was some decrease but minimal. She thinks the sizes of the basements are concerning; she thinks it would be good to get more information from applicant as to how they will dig these huge basements without a haul route and also her office will work on getting a copy of the hillside referral form so they can look at that.

Bob asked the members of the public how many will be yielding their time to Peter McCoy, of which there were approximately five. Someone yielded time to Ben Silverman. Amy noted that Ginny Kahn is the direct neighbor of this development.

Virginia Jenny Kahn resides at 2545 Bowmont next door to proposed project. She is concerned about safety that she will be encircled by this entire project if they they do the project in the Bowmont Drive driveway. She noted that that driveway is next to her driveway, her property goes from that driveway to Kimridge. Kimridge is a point where construction trucks do three-point turns. The houses they propose to build are directly behind her property. She would prefer they do their project and staging from Gloaming. She questions how they can get construction trucks up and down that driveway. She is concerned that she'll be locked into her property with no way out if this project is through Bowmont.

Peter McCoy 2431 Bowmont for 47 years. He has concerns, as a builder, include the city's ability to really dig into what this plan is. He thinks their grading quantities are off by 80%, looking at the cut and fill; he knows the area, and has walked all of this. They certainly will not be able to park cars there and use it for staging, for rebar and piles, etc. They're counting on the city saying that they're foot spoils, their piles and foundation and all of that is "free export" and opines that "it shouldn't be free export. It should be part of their entire earth-moving plan." The cut and fill has not been properly looked at, as far as when these walls get built; where they're going to stockpile their backfill; are they going to move from one lot to the other for staging spoils? None of it has been planned, and the Planning Department isn't going to quantities. He noted that if had the plans, he could do a heat map on that whole area and tell him exactly what the yardage is. He noted that if these are all of one acre lots, or combined area, they will require a cistern, and just the spoils of cistern will exceed their allowable export. He sees a lot of problems with this and hopes we can be the brakes.

Bennett Silverman related that he had his wife have lived at 9350 Hazen Drive since 1976. He has submitted written opposition to this, which Bob noted that he has received. The one thing that leaps out, aside from the fact that we really don't know what the proposal is, the numbers are all over the place, the meeting next Wednesday has different areas than the notice for this area. Fundamentally, the most important issue is, it is a mile and a tenth from Coldwater Canyon and Cherokee, to the driveway of this property, all one lane except for Cherokee, which is two lanes, no parking, and clogged all daylight hours. He opined that if this project assesses the property from Bowmont, fire, ambulance, police, water and power, whoever should be responding to an emergency is never going to get through. It will take at least 10 minutes, maybe more, to try to make a turn from Coldwater, up Cherokee, across Bowmont, around a 270-degree blind turn, against a hill face that is sloughing off, to get to the entrance of the site. It's just a few yards from Gloaming and Coldwater. It comes down to who should pay / suffer the cost, and who should enjoy the benefits. The developer is perfectly free to develop whatever ... is appropriate, but it shouldn't be done at the cost of well over 100 homes and probably 500 residents, when here is a much simpler forthright way to go, and that's Gloaming.

Jorge responded to questions about grading, noting that the following numbers were prepared by a licensed professional civil engineer: On Lot 2: export: 750 cy; import 0. On Lot 3: export is 0 cy, because we are not cutting into the hill on Lot 3; to minimize grading per the DRB wanting us to reduce grading. On Lot 3: import 744 cy; Between the two lots, need to import 500 cy from one to the other. Goal to minimize the number of

trucks leaving the site; “that is why we don’t need a haul route; not only that, we don’t exceed 1,000 cy of export.” Bob asked what is involved in doing this out of Gloaming. Jorge noted that they bring in Gloaming because Lot 1 and Lot 3 front on Gloaming on paper but Gloaming is about 35-40 feet below the path to Lot 3. There is no way to develop that. Further up it’s all the same. He pointing to the illustration, looking up at Lot 3 from Gloaming, and says that there is no access from Gloaming.

A neighbor asked how often he has been up Bowmont with a big truck, noting that you can barely make a turn from Coldwater coming from the Valley or up. George continued that he often he hears questions about safety. These plans are being reviewed by LADBS. He also refuted the idea that they were the original architects for Hadid, noting that rather, Hadid hired them to help restore the hill. He is helping him remediate the hill. Maureen concurred with this.

Public Comment cards from Residents of Hazen, Bowmont & Cherokee, who opposed but did not speak:

- Elliot Megdal
- Joyce Silverman
- Jim Saltmar
- John Waybill
- Elizabeth Waybill
- Kacey Mccoy
- Holly Browde
- Arnold Stiefel
- Jordan Cocheran
- Barbara Derwin
- Arthur Kahn
- Pamela Goldman
- Ellen Halpin
- Kelly Brooks
- Anne B. Koral

Board questions began with Stella, who asked where the parking will be for construction workers. Bob asked, if all parking will be onsite. Jorge could not be sure, noting that that it is too early in the process; he noted that we can state that as one of our conditions of approval. He has met with and has spoken with Meg but has not gotten that specific.

There was discussion about many trucks needed for import and export. Bob noted that “basically speaking, you are taking out 1700 cubic yards between the two of them.” Stella related that the owner and applicant are the same, to which Stella noted that there is interpretation of the code that if the properties are adjacent and owners are the same, by definition of the lot, by the code, we can state that it should be treated as a single lot and you will need a haul route. She’ll email Bob the quote. Maureen related a story of a situation like this, as did Stella, in her area.

Jorge responded that as far as hauling is concerned, the only one truly exporting is Lot 1, under 1,000. There is a cut and fill from Lot 2 to Lot 3. The only thing they’re taking out is Lot 1.

Stephanie noted all three houses have basements, and the basement dirt is not exempt. She questions his calculations; where he says 750, she comes up with 800, based on the square footage he has. Then there is the cistern and there is also the driveway. He responded that there is no cistern. Stephanie related that she looked at the project a long time ago. She has already looked at the technical issues, including width to enter the driveway.

Stephanie and Jorge disputed the issue whether it is allowed to access more two or more houses on a shared driveway. He noted that there are three. She related that there is a Code section that you cannot have a shared driveway for three houses, only for two. He said you can’t have a driveway connecting the lots that goes across

three lots. Stephanie also expressed concern that there is no easement for storm water down property, so are you pumping all the storm water off the site? Jorge related that they need to comply with the green department, and will use capture and re-use. She asked what you do with the storm water from this area, with this long driveway that accesses three houses. That's a lot of concentrated water. Jorge responded that it will be used for landscaping. Stephanie noted that the water has to be taken off their site in a non-erosive device. That's the law. These are basic technical things that need to be looked at initially, when you are laying out a project. She asked where is the sewer, to which he noted that there is one there.

Don, asked for clarification, that the document states that there is from a proposed lot line adjustment. Jorge related that it has been approved by Planning Department. Robin asked if they are building all three properties at the same time, which Jorge does not know. He noted that the builder will know. She noted that we need to see the builder. He responded that the project has to be approved before a builder is hired. He represents the LLC that owns the property. Stella noted that he is building in her area as well, and requests that Jorge bring a team of professionals who can competently answer questions here, e.g., the various engineers. Stella related that as a community we have the power to place conditions, and it will be up to the builder to satisfy these conditions or not, at which time we can decide to support the project or not. Bob agreed that we need to see some professionals before we can make a decision. Bob disagrees that the project needs to be approved before they hire a builder.

Jason explained to Jorge that because these are small streets, and as this will really affect the neighborhood, we approve usually when you come with a parking plan, with a builder, come with whomever, need to make everybody in the room happy and then we vote. He noted that if they don't want to do that, we can vote on that. Jorge said he will call the developer. Stephanie explained further that there are many basic items that they need to look into before we can understand their project. She offered to list those for him. Robert noted that we deal with the construction people, because the HCR deals with people who are going to control.

Motion: To continue and to get sufficient information that has never been addressed; **Moved** by Jason; **seconded** by Don; Stephanie will give them a list. **8 yes; 0 no; 0 abstentions.**

The MDRB hearing is 06/19 @ 3:00pm. Bob will go to the meeting to tell them we need more time. The applicant and/or the MDRB can request a postponement in the hearing.

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

11. Update on HCR Additions (Koretz/Ryu) Council File 16-1472-S6 S4 -- On April 24, 2019, the BABCNC passed a motion that the PLU Committee write a letter with specific language on proposed item #5 to be added to the ordinance already being proposed:

Link to full motion: http://clkrep.laCity.org/online/docs/2016/16-1472-s6_mot_04-02-2019.pdf

Council File #16-1472-S6 <https://Cityclerk.laCity.org/laCityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-1472-S6> **Plan:** Coordinate language with council office. Don: We have had discussions and hope to receive language from the Council office.

12. Two WRAC Land Use Committee-Sponsored Motions Referred back to PLUC from the Board meeting of April 24, 2019:

i. Resolution: Co-Living Developments

Motion: To request that the City develop planning, zoning and leasing regulations for co-living developments, which are residential in nature but have aspects of hotels/ transient occupancy. Issues include: 1. Length of leases; 2. Parking for "units," which have larger bedroom counts; 3. Compliance with density bonus ordinances. **DEFERRED**

ii. Resolution: Tracking Density Bonus Housing Units Post-Entitlement Process for Compliance

Motion: To request that the Housing & Community Investment Dept. fully comply with the regulations of the State and City affordable housing density bonuses ordinances (SB1818 and Prop. JJJ/TOC), per the concerns stated in the City Controller's audit report of Jan. 2017.

- This includes ensuring that developers properly register units and record covenants upon occupancy, properly publicize and qualify low-income tenants and audit their status every year,

assign the correct restricted rent and review it every year, and conduct annual audits to ensure that the affordable units properly and legally serve the intended population of low income households of Los Angeles.

- HCID shall state how it will change its processes to ensure compliance.

- The job performance metric of the HCID General Manager shall reflect full compliance with the State and City's affordable housing density bonus programs, especially annual audits of tenants of those units. **DEFERRED**

13. Discussion & Possible Motion RE: Granting of Extensions on Permits – Grey Continued

14. The 30-day Notification of Intent to Excavate:

Discussion was held at the May PLUC meeting, and is pending further discussion – Bob noted that this is an ordinance & is resolved.

15. Update on Ridgeline Ordinance – Loze

Council File #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. Motion Expiration Date: 11/14/2019.

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

- Don related that we anticipate that there will be outreach hearings before the end of the year.

Update on CD5 Protected Tree Ord. Amendment – Council File #03-1459-S3

On November 22, 2017, Councilmembers Koretz and Bonin introduced a City Council motion to strengthen the Protected Tree Ordinance. It instructed the Urban Forestry Division to convene and consult with stakeholder groups and report back within 75 days with recommendations on such issues as reducing tree losses during development and broadening the tree categories and species protected under the Ordinance. To date, UFD has not taken action to convene the stakeholder meetings. There are 13 CISs in the council file. No change in Council File since October 2018. Motion Expiration Date: 11/22/2019.

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

- Maureen related, as to Chalon, we are supposed to get notification. She saw about this today; made effort to contact Urban Forestry to see how many trees are being removed. Robert would shoot for 30 days. The application was filed on the 5th of June; it would be good to receive notice on that date or the next. Linda recommended having Travis has time, they'll put a protocol together.

- Bob would like to have the next educational seminar on the MDRB, and to invite Allen Kischbaugh.

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

16. New Packages Received: See Project Tracking List

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

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

19. Determination Letters Received: See Project Tracking List

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

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

22. Adjournment Meeting adjourned at 9:06pm

Next BABCNC PLU Committee Meeting: Tuesday July 9, 2019 @ AJU 15600 Mulholland Dr., #223

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 ADMINISTRATOR

ZAA – ZONING ADMINISTRATOR'S ADJUSTMENT

ZAD – ZONING ADMINISTRATOR'S DETERMINATION

ZV – ZONING VARIANCE