

Planning & Land Use Committee Meeting Minutes
Tuesday November 12, 2019 7:00 pm to 9:00 pm
American Jewish University
15600 Mulholland Drive, Room #223 Bel Air 90077

1. Call to Order – Committee Member Roll Call 7 present initially, and 8 at 7:48 pm.

Name	P	A	Name	P	A
Robert Schlesinger, Chair		X	Stephanie Savage, Vice Chair	X	
Robin Greenberg	X		Nickie Miner	X	
Don Loze	X		Jamie Hall		X
Yves Mieszala	X		Jason Spradlin		X
Maureen Levinson	X		Leslie Weisberg	X	
Stella Grey		X	Wendy Morris		X
Shawn Bayliss		X	Cathy Wayne	X	

1. Approval of the November 12, 2019 Agenda

Moved by Robin; seconded by Leslie; 7 yes / 0 no / 0 abstentions / passed

2. Approval of October 10, 2019 Minutes (circulated with agenda)

Moved by Stephanie; seconded by Cathy; 7 yes / 0 no / 0 abstentions / passed

3. Public Comments on topics not on adopted agenda within Committee’s jurisdiction: None.

4. Chair Report: Robert Schlesinger Absent – **Vice-Chair Report:** Stephanie Savage gave brief note on an appeal in Downtown LA, with regard to changes in Title 24 Codes.

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

5. 8555 Lookout Mountain ZA-2018-7445-ZAD-ZAA, ENV-2018-7446-CE

Project Description:

CONSTRUCTION OF NEW 1472SF SINGLE FAMILY DWELLING

Requested Entitlement:

- 1) PURSUANT TO LAMC SECTION 12.24X.28, REQUEST FOR ZONING ADMINISTRATOR DETERMINATION FOR RELIEF FROM SECTION 12.21.C.10 TO SEEK WAIVER OF REQUIREMENT TO WIDEN ROADWAY TO MINIMUM 20-FOOT WIDTH;
- 2) PURSUANT TO LAMC SECTION 12.28, REQUEST FOR ZONING ADMINISTRATOR ADJUSTMENT TO ALLOW FOR A 10% INCREASE OF THE MAXIMUM RFA OF 1,338SF;
- 3) RELIEF FROM HEIGHT RESTRICTION TO ALLOW FOR A 10% INCREASE IN HEIGHT ON THE SW CORNER OF THE ROOF OF THE HOUSE;
- 4) ~~AND REQUEST TO COMBINE TWO, 3 X 6 FT LIGHT WELLS INTO ONE CONTINUOUS LIGHT WELL ON THE BASEMENT LEVEL.~~ (N/A: Per applicant, removed from list.)

Applicant: JASON GOODELL [Company:] goodelljason@gmail.com

Agent/Rep & Architect: Andrew Sussman sitistudio@gmail.com 818.506.3657

- They were heard by Zoning Administrator on 11/05/19 - File to remain open.

Staff Planner: Richard Reaser

- Mr. and Mrs. Goodell and Architect/Presenter, Mr. Sussman returned. Mr. Sussman related that nothing has changed. The underlying request is the continuous paved roadway, it’s a through-lot; the lookout complies; plus, there is an upper lot that will be tied that continued CPR action.

Other issues discussed included but were not limited to the construction process; parking, etc., discussion of a neighbor's property. He noted that no grading was done on their property; only some slope remedial work. The slope has been put back properly and any erosion control has been put in; site has been burlapped. He noted that there was flagmen control on traffic; work is done. He noted that there is a parking plan; as soon as garage is done will be 6 spots; and an offsite agreement for overflow, during the few days with pouring of concrete. On the upper street, no one wants to widen that street, but per code they need to address that. Offsite parking is 10 minutes over the hill, on Woodhill Canyon Road, when there are trucks, so they can carpool.

Cathy asked about parking. They will go right to the curb but off the street; he is measuring from the curb, 16 feet where a car can park. They discussed double row. Stephanie doesn't understand how you can park six cars He replied you have the hill; they bore down and do a caisson, every eight feet on center; they take the dirt away and build a wall for the garage, a 20-foot deep garage. You have 20' garage and 16' where it is now. There will be 32 feet which will allow tandem. Mr. Sussman agreed with Cathy there will be three in front and two in back; seventh will be in driveway of 8553. Cathy recommended no pouring of concrete on Thursday. ZA heard this on November 5th.

Don asked if they'd be willing to put in a covenant running with the land, as he noted we have seen people piecemeal, and was told that it is all contingent on the tying of the lot. He noted that they will not build or use that portion of the property. They say it will be tied, landscaped. Stephanie expressed concern of being able to fit three trucks and these kinds of things that affect the neighborhood along with the potential with these deep cuts for the detached garage, for the house. She noted that you have to do 30-day notification of excavation for both neighbors; you're potentially undermining their properties. Jason Goodell replied that they are ready for shoring and *slot* cuts; detailed in their soil report. Total yardage is 650.

They discussed the basement, public space. Cathy asked why is it separated out and not included within the total, to which he noted that per code it's a basement. Cathy responded that it is used as living space; it will use a light well. They are calling it a basement because 60% is buried. Jason noted that things are changing so quickly; it is a 2,200+ square foot building on a 5,000 square lot. Stephanie noted that this is going to be a very difficult build that will affect the neighborhood.

Motion: To deny the project because of impacts to the neighborhood that have not been mitigated including but not limited to lack of parking and staging; it will take a lot of time before four parking spaces onsite will be implemented and temporary parking is far away; the logistics of staging, the long term impacts because of limited space. **Moved** by Stephanie; **seconded** by Cathy. Discussion included but was not limited to concern about risk taking for the neighbors. Don mentioned that in other parts of the city there is a requirement for schedule performance and bond for completion. He noted that this is a questionable project, and that the neighbors should have some assurance that it will be completed – it will be impacting neighbors. He would like them to assure that they will not split and he would like to have a covenant with the land. Stephanie noted Zoning Administrator will make them tie the land together. Don doesn't know how they'll overcome the problems with construction. He doesn't understand their answer to not impacting the neighbors. He doesn't have a great deal of comfort. Cathy Wayne is concerned about the driveway and position of the garage exterior because a number of cars on that side of the road already extend out into the street and it causes a lot of difficulty getting up and down the hill; a lot of cars are longer these days and tend to stick out into the road. There isn't enough depth ... the size of the property is much too big for the lot. Cathy asked if it is possible to reduce the size of the house and move the drive in a bit. **3 yes; 3 no; 2 abstentions:** Don & Maureen. Don explained to the presenter that they have to overcome a self-imposed hardship that they cannot overcome and it is inconsistent with the neighborhood.

6. 1551 Summitridge ZA-2018-3458-ZV-ZAD, ENV-2018-3459-CE

THE REDUCTION HEIGHT FROM 64' TO 45' AND REDUCTION OF RFA FROM 4,207 SF TO 3,662 SF OF A PREVIOUSLY BUILT SFD THAT WAS CONSTRUCTED BEYOND THE SPECIFICATIONS OF PERMITS; AND INSTALLATION OF A POOL, SPA

Requested Entitlement:

PURSUANT TO SECTION 12.24 OF THE LAMC A ZONING ADMINISTRATOR'S DETERMINATION FOR A SFD WITH A MAXIMUM OF 45' IN HEIGHT IN LIEU OF THE REQUIRED 30' (HEIGHT OF THE UNPERMITTED SFD IS 65') AND REDUCED SIDE YARDS AT 9'5" IN LIEU OF THE REQUIRED SIDE YARDS. SECTION 12.28, A ZONING ADMINISTRATOR'S ADJUSTMENT FOR THE INCREASE OF RFA BY 333 SQUARE FEET FOR A 3,662 SQUARE-FOOT SFD (A REDUCTION FROM THE 4,207 SQUARE-FOOT HOUSE THAT WAS UNPERMITTED).

Applicant: MARK GAETA [Company: SUMMIT INDUSTRIES LLC] nymgaeta@gmail.com

Representative: DAVID PARKER [Company: OXFORD CONSTRUCTION]

dmparchitect88@gmail.com

Staff Planner: Jason Chan

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjIxODU00>

Steve Karawatani returned and related previously-discussed concerns: That in 2010 it was approved by the city and by 2012 the house as constructed was a fraud; ended up 64 feet tall; side setback issues; project was to be built 3,662 and ended up over 4,200 square feet. He noted that they are going to reduce the height, reduce square footage; can't do anything about side setbacks; it was built incorrectly. They have an opinion letter from the structural engineer; they believe the project is much better articulated; they've chosen materials to change the appearance of the house, a pool deck on the bottom; the AC condensers, to vault this within the confines of the house. They've had numerous meetings with the Planning, Council District, among others. They intend to do a great job with the landscaping.

Dave Lara representing the clients noted that he once worked for B&S in the past; noting that this project is very intense because of the past history and that trying to correct the factors after the fact has been a challenge. They had two months to start the process; were asked to follow up with B&S with a preliminary Plan Check, which was done June 18th 2019, and they went over requirements; reported it back to B&S; pulled together the applications, and on July 23rd, deadline, they submitted application to Planning which they accepted.

Steve related that they have reduced the house 19 feet from 64 to 45 feet. Steve noted that it was originally approved at 45; built to 64, now 45'9" and since the house was built there was a code change in 2016. They believe they shouldn't be subject to that change. The property is less than 10,000. The RE zoning was for 20,000 and larger. He believes the house is consistent in size, mass and that they are neighborhood compatible. David added that the challenge is to make it consistent. Don related that it is inconsistent with code, originally in place, and what's inconsistent now. Don feels that they are taking on a risk and he does not feel comfortable. Maureen asked about the height: Steve noted the code change and change in zoning which changed the dynamics. Steve acknowledged that they have lost some entitlements. Leslie asked, and Steve answered if the house were built to code today, there would only be a garage in front and it would be roughly half the size it is now. With that kind of mandate, it has been deemed 85% completed. The city would have them tear the house down.

Nickie and Marcia visited the site. Their big concern was parking spots. It's narrow and on a hairpin turn. It seemed logical to extend the size of the garage into the living space, to add spaces for four altogether. They have only one and a half parking spaces. Steve noted that they will have two spaces. The driveway is large enough to park another car onto that driveway. Steve noted that her suggestion would not be economically feasible; they're already pulling the house back by 15 feet. Robin is not in favor of the geological.

Public Comment: Attorney Mr. Jeff Harlan, representing some property owners in the neighborhood asked several questions, if they have met the codes and if it is a good faith application. He related that in May, Planning issued applicant this permit and that the original permit is not valid and has expired... He asked about the codes, noting that in 2015, prior owner made an application, virtually the same as tonight. ZA determination to deny on all counts. He provided a letter. He related that the property history suggests that the application has ignored codes, the project is not compatible with the community.

Cathy asked Steve for the size of the lot, which he noted is 9,767. Stephanie asked what does one do with this house that exists, and noted that there has been some testing. She related that it is their burden to make sure it's safe. It has to be made as applicable to codes as it can be. She is concerned about the parking requirement.

Yves asked what the property owners opposing the project want to happen. He noted that the City has demanded demo of Strada Vecchia, which he opined is similar with illegal construction. Leslie disagreed with said analogy. Jeff asked if they have met the codes and if it is a good faith application. Nickie disagreed with the issue of good faith application, noting that if you demolish the building it poses possible damage the hill below. Don noted that property law says they're allowed to build a habitable building; they have offered a solution..., that there are alternatives other than demolishing the building, and to be consistent with the neighborhood and the codes that exist. Don moved that their request be denied. No second.

Motion: To continue this. **Moved** by Stephanie. They will to return to the December 10, 2019 PLU Committee meeting. Dave Lara commented that we all understand the history. The question is what is the best way to find compliance without creating a decimating impact on the property? The other issue is that they spent a lot of time to come up with the best solution, if they could have made this easy... they'd have a permit by now; because they have tried to mitigate as much as possible and bring it to a scale that could be palatable to the community... He noted that B&S has not ordered his client to demolish this building. There has been no work on it. The permit has expired.

Motion: To continue this. They shall provide additional information, inspection records from Building and Safety. **Moved** by Stephanie; **seconded** by Cathy; **6 yes; 1 no; 1 abstention:** Nickie. They will come back to the December 10, 2019 PLU meeting. Steve noted that they have dozens of records where B&S have signed off and noted that they are reducing the size by 850 square feet. They are applying for variances.

7. 9477 Lloydcrest ZA-2019-4550-ZAD, ENV-2019-4551-EAF

Project Description:

PURSUANT TO LAMC SECTION 12.24.X.28, A ZONING ADMINISTRATOR DETERMINATION FOR A WAIVER OF IMPROVEMENT ON A LOT FRONTING ON A SUBSTANDARD HILLSIDE LIMITED STREET THAT IS IMPROVED LESS THAN 20 FEET.

Requested Entitlement:

PURSUANT TO LAMC SECTION 12.24.X.28, A ZONING ADMINISTRATOR DETERMINATION FOR A WAIVER OF IMPROVEMENT ON A LOT FRONTING ON A SUBSTANDARD HILLSIDE LIMITED STREET THAT IS IMPROVED WITH A ROADWAY WIDTH OF LESS THAN 20 FEET, IN RELATION TO A CONSTRUCTION PROJECT FOR AN ADDITION OF 1,900 SQUARE FEET ON THE SECOND FLOOR OF AN EXISTING SINGLE-FAMILY DWELLING, THE REMOVAL OF AN EXISTING SWIMMING POOL, AND THE CONSTRUCTION OF A NEW SWIMMING POOL

Applicant: RICHARD EISEN [Company: JUICE BAR TRUST]

Representative: ALEXANDER VAN GAALEN [Company: CREST REAL ESTATE]
vangaalen@crestrealestate.com Staff Planner: Esther Amaya **CANCELLED**

8. 2290 Sunset Plaza Drive ZA-2017-4404-ZV-ZAD-ZAA, ENV-2017-4405-CE

Project Description:

CONSTRUCT A NEW 2377 SF SINGLE FAMILY DWELLING WITH ATTACHED GARAGE.

Requested Entitlement:

- 1) PURSUANT TO LAMC AUTHORIZING SECTION 12.27 FROM WHICH RELIEF IS REQUESTED 12.21-C,10(B) APPLICANT REQUEST A ZONE VARIANCE TO ALLOW 2355 SQUARE FEET OF RFA IN LIEU OF 1000 SQUARE FEET.
- 2) PURSUANT TO LAMC AUTHORIZING SECTION 12.27 SECTION FROM WHICH RELIEF IS REQUESTED 12.21-C,10(D) APPLICANT REQUEST A ZONE VARIANCE TO PERMIT 48 FOOT BUILDING HEIGHT IN LIEU OF 24 FEET WITHIN 20 FEET OF FRONT PROPERTY LINE.
- 3) PURSUANT TO LAMC AUTHORIZING SECTION 12.28 SECTION FROM WHICH RELIEF IS REQUESTED 12.21-C,10(A) APPLICANT REQUEST A ZONING ADMINISTRATOR'S ADJUSTMENT TO PERMIT 3 FRONT AND SIDE YARD SETBACKS AND 13'7" REAR YARD SETBACK IN LIEU OF 5 FEET, 7 FEET AND 25 FEET RESPECTIVELY.
- 4) PURSUANT TO LAMC AUTHORIZING SECTION 12.24-X,28(A)(4) SECTION FROM WHICH RELIEF IS REQUESTED 12.21-C,10(A) APPLICANT REQUEST A ZONING ADMINISTRATOR DETERMINATION TO PERMIT 49 PERCENT LOT COVERAGE IN LIEU OF 45 PERCENT.

Applicant: JACQUELINE SAND [Company:] **Representative:** CHRIS PARKER [Company: PACIFIC CREST CONSULTANTS] Chris@pccla.com

Heard by Zoning Administrator on 10/22/19 - File to remain open. Staff Planner: Jason Hernandez

Chris Parker and Dean Larker the architect presented. The ZA adjustments and ZAD are basically yard setbacks. Because of the small and oddly shaped lot, they need relief from setbacks. Discussed the zone variances. For height, once they go to the 2nd story they have to report from highest plumb line 38 feet; total height highest to lowest 45. On the RFA, the slope band analysis ... minimum allowed per BHO is 1,000 square feet; very small; the house 2,355 plus a small basement, just over 3,055, smaller than every other house around there. Next houses are almost 4,000 and as much as 7000 not including basements. They are asking for zone variance for floor area, allowed minimum for that lot is so small it doesn't make sense to build; the ZAA for setback; ZAD for lot coverage.

Cathy noted that trying to build on this street is challenging. There is no off street parking; no place to unload supplies; to park, etc. She noted that it is extremely large for the lot size. Asked how they plan to build on such a small lot and staging. He discussed unusual site at Sunset Plaza, noting that the site widens and there is no house in front of it. He has seen contractors rent a shuttle to move workers up Sunset Plaza. He reported that the first thing to do is put piles every 8 feet, to create flat pad, that'll be all they'll have. Cathy continued that there are a lot of trucks, and a lot of traffic commuter traffic. Dean noted that there will have to be amenities for construction. Chris noted that it is a standard street. There is no haul route being asked for; under 1,000 cy. Discussion was held on the route and setbacks. They deny intention for any unusual lighting. They noted that the ZA said to talk to the NC and that it would not be bad if the project shrank a bit. Nickie related that she is categorically opposed to zone changes in the hillsides. This is a 2,377 lot; house allowed on that lot is 1,000; they want 2,355. **Motion:** To deny. **Moved** by Leslie; **seconded** by Yves; **8/0/0; passed.**

9. 1512 Stradella ENV-2017-5038-EAF AA-2017-5037-PMLA

Project Description: PARCEL MAP TO CREATE A TOTAL OF 3 LOTS

Requested Entitlement: PURSUANT TO LAMC SECTION 17.50, A PARCEL MAP TO CREATE A TOTAL OF 3 LOTS. *Parcel Map, lot split, to create a total of 3 lots*

Appl/Owner: Mamdou Bahna msbahna@gmail.com h: 310.476.2838 c: 310.990.5112

Richard Doss rich@pacificcoastcivil.com (818) 865-4168

De-De Poll deede@pacificcoastcivil.com (818) 865-4168

Public Comment: Mr. Frank Nuovo, Resident 1612 Stradella, noted he just found out about this three hours ago from Shawn, and noted that there is a hearing tomorrow. He noted that he and his wife have lived there 20 years, that it is all about the community, the overlook, the space, they want to preserve their biggest investment, the home and the natural beauty. Mr. Nuovo noted that if you allow three homes where there is one in this neighborhood, if we allow it to be destroyed with the subdivision, it sets a precedent. He found another neighbor 500 feet, Steve Kirschmeyer, Mr. Tanner, he has an email from him; lives at the bottom of the hill; all of the property proposed dumps in to his land. He doesn't want more density in his area. He was evacuated two years ago and saw flora and fauna of two properties destroyed by mudslides; they were abandoned. He opposes the lot split and opined that this will cause his property value to go down. He'll said he would get letters from the neighbors.

Owner and presenter, Mr. Bahna and Mr. Doss returned. Mr. Doss asked for a continuation. The owner noted that he has two daughters to build houses for and won't sell it. Maureen noted that the applicant cannot actuate a lot split without Bel Air Association; no further subdivisions can take place without a tentative tract map... Mr. Bahna showed his tract map to Maureen. Leslie suggested that they meet with BAA, get their continuance and come back. **Motion:** To continue **Moved** by Leslie; **seconded** by Cathy; **8/0/0; passed.**

Follow-up, Discussion & Possible Action on other Projects

10. LA County Superior Court case "*Eldridge v. Los Angeles*" – Jamie Hall – Not present

11. **Ridgeline Ordinance – Council File #11-1441-S1**

Motion Expiration Date: 11/14/2019.

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

12. **CD5 Protected Tree Ord. Amendment – Council File #03-1459-S3**

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

Adjournment: Moved, seconded and meeting adjourned at 9:14pm.

Next PLU Meeting: **Tuesday November 12, 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

Next Planning & Land Use Meeting 12/10/2019

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