



Planning & Land Use Committee Meeting Minutes
Tuesday January 14, 2020 7:00 pm to 9:00 pm
American Jewish University
15600 Mulholland Drive Bel Air 90077 in “The Boardroom”

1. Call to Order – Committee Member Roll Call – Bob Schlesinger called the meeting to order at 7:11 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

- 2. Approval of the January 14, 2020 Agenda **moved** by Robin; **seconded** by Yves; **8/0/0 passed**
- 3. Approval of December 10, 2019 Minutes **moved** by Robin; **seconded** by Stephanie; **8/0/0 passed**
- 4. Public Comments: On any topic not on adopted agenda within Committee’s jurisdiction. **None**
- 5. Chair Report: Robert Schlesinger & Vice-Chair Report: Stephanie Savage
 Robert noted that the projects will be taken out of order: 1) Carolwood; 2) Lloydcrest & 3) Summitridge.

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

- 6. **1551 N. Summitridge Drive 90210 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; 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: Steve Kawaratani (Kawaratani Consulting) stevekawaratani@me.com

This item was heard later in the meeting. [Shawn Bayliss recused himself.]

Mark Gaeta returned, accompanied by Luis Rodriguez and Robert B. Burke, Esq. Mr. Gaeta apologized for cancelling the last meeting, noting their attendance here October 10, 2019 and November 12, 2019 (*at which time this item was continued*). He read from the inspection report history regarding zoning changes to the lot and related that the variance meets the legal justification of the General Plan. He stated that the owner is preparing substantial reductions in mass and height to the minimum and still have a habitable residence; that parking meets all requirements that existed in this area up until recently; the third car can be parked within almost 50 spaces of 200 yards of the building. Mr. Luis Rodriguez returned to discuss permits and he submitted a packet for the record which includes a full printed set of permits which he downloaded and a flash drive with same.

Some items the presenters mentioned included downsizing of FAR to make it more amenable to the neighborhood and bringing down overall height to 44. He gave updates as to the issues from this committee in previous meetings, including but not limited to providing an updated landscaping plan to which consultant Steve Karawatani added trees to hide the caissons and and that Steve has created a wildlife corridor. He noted that they are here to get our consent and have asked for Jason Chang to hold the hearing until then.

Public Comment: Attorney Jeffrey T. Harlan of Ervin, Cohen & Jessup, LLP returned as opposing council. He spoke again on existing structure not having been permitted. Wendy recalled that there was a permit in the beginning, that permit expired to which he replied that it wasn't "finalled" by the city; that the permits had expired, current code applies and the applicant needs to submit new plans to reflect that. Safety concerns regarding the building were discussed, to which the Chair noted that Building and Safety will make the determination on safety of the structure.

Jeffrey is asking the applicant to abide by the rules, and apply for and not try to appear that this is a mitigation of an existing improperly built structure. He wants them to adhere to code. Stephanie noted that multiple people went through the process of permitting, things were approved, inspectors were hired and their work was approved. She noted that they did go through the process. They didn't get everything completed all the time. He noted that in 2014 virtually the same requests were made and were rejected by Zoning. Stella spoke on permits expiring, noting that they will have to go back to Plan Check and comply with current regulations.

Jeff Harlan presented a letter from the city stating that they need to correct application; that the request is relative to the existing illegal construction. Robert read the letter that Mr. Gaeta provided in response to Mr. Harlan's objections. Stephanie noted that according to the records, we can see online the interesting inspection notes; everything has been looked at, per inspections, yet the builder did not follow the plans. She noted that both deputy and LADBS inspections give us assurance that someone is looking at these things. Jeff noted that the prior builder built with permits but they didn't follow the permits; some were followed. Issues include height and side-yard setbacks, beyond.

Nickie opined that this is not a project that would set a precedent as it is unlikely we will see a case similar to this in the future; that these people want to do remedial work to it. She opined that consideration should be taken as to what they can do to fix the thing. Jeff asked if this meets code and if the request is based on the zoning code.

Motion: Move to approve the project. **Moved** by Nickie. Stella asked if they will re-do the application.

Amendment moved by Stephanie: The project should be looked at to review the entitlement request; add the proper entitlement request wording of request is according to the code that they will go over the actual entitlement request. Stephanie doesn't think this is precedent setting, as we have never seen a situation like this one. There was a point in time that foundations were built and later completed. The alternative is tearing it down. Yves agreed that they need to adhere to the building code as it is today. Robin called for the question.

Motion: Approve the project and add that they should be sure to ask for the proper entitlement, per code section, and describe them accurately. **Moved** by Nickie; **seconded** by Stephanie. Mr. Rodriguez clarified that the May 19th letter by Faisal Robles noted that they didn't ask for the entitlements properly and that the October 8th letter by Jason Chan letter deemed the case complete. They made the proper request. Instead of ZAD, they changed that in the application and fixed their findings; it is a ZAA now. **5 yes; 1 no; 1 abstain; 1 recusal; Shawn; Passed.**

7. **320 N Carolwood Drive ZA-2019-6732-ZAD-ZAA ENV-201-6734-CE**
CONSTRUCTION NEW OVER-IN-HEIGHT PEDESTRIAN GATES, WALLS AND PILASTERS WITHIN THE REQUIRED YARDS AND THE CONSTRUCTION, OF A NEW POOL PAVILION IN THE REQUIRED STREET SIDE YARD. A ZONING ADMINISTRATOR'S ADJUSTMENT TO ALLOW THREE 9'-6" TALL GATES AND PILASTERS WITHIN THE FRONT AND SIDE YARD SETBACKS OF A REVERSED CORNER LOT, IN LIEU OF THE REQUIRED 3'-6"
Applicant: Bruce Karsh [Company: H25A LLC] **Rep:** John Parker [Pacific Crest Consultants]

Chris Parker, from Pacific Crest Consultants, presented 320 North Carolwood Drive, which he described a simpler project. He noted that in 2015 the ZA approved multiple over-height elements to this property; two 10-foot hedges; vehicle gates, pedestrian gates and a pool pavilion with fireplace in the side yard setback. They are now proposing a different mix of those same over-height elements: 10 foot hedge; masonry wall; pedestrian gates to 9'6" including pilasters, mostly decorative. They have additional requests different from 2015: A pool pavilion at the top left corner of property, where you'll see a pool and a pool pavilion. It is supposed to be 25 feet from property line; they're asking for 20 feet. He related that it is a one-story building which nobody will be able to see and tell that it's 5 feet closer to the property line. There is already an existing 10-foot hedge. Most renovations on the house are by right. They tore out the chain link fence and removed some of the hedge to get some equipment in easier. Once equipment is out, they'll put the hedge back. The house is two stories. The pedestrian gates will go from 6'8 to 9'6 due to the design. The hedges were already approved at 10 feet and will be replaced at 10 feet. This is in Holmby Hills. The pavilion setback is supposed to be 25 feet and they're asking for 20 feet. Questions were asked and answered. There is a gas fireplace. He related that there are no issues in PlanCheck. Asked if he found out from the neighbors if they object, heights of neighboring properties are very similar (Carolwood and Hanover). Chris will reach out to neighbors.

Motion: Neighbors be notified, requested to approve, acknowledge, and okay the setbacks and height **moved** by Wendy. Chris said he will send certified letters. **Friendly amendment:** Conditional approval of the project conditioned upon their notifying the neighbors and certified return receipt **moved** by Shawn; **seconded** by Yves; **Passed** by all **8 voting**.

8. 9477 W. Lloydcrest Drive 90210 ZA-2019-4550-ZAD

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. 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 [Juice Bar Trust] **Representative:** Alexander Van Gaalen [Crest Real Estate]

Alex Van Gaalen presented, noted they are also adding to the scope of work a 60-foot square foot pool house; 5' setback from the property line. He related that it is very high up with no big presence. The property is located at corner of Lloydcrest and Lindacrest. They seek waiver from improvement along Lindacrest. He noted that they approved requests for waivers on both frontages. What remains is along Lindacrest. Current dedications: 5' on Lindacrest to the north, at the top, and 3' on Lloydcrest. They seek a waiver of improvement.

He described the issue of an existing railroad-tie retaining wall that is pretty high, noting that Lindacrest is a dead-end street. He related that the scope of work will not be near that. The city required that they demolished that (pointing to the image) along Lindacrest and put up a concrete retaining wall because the road is not wide enough. The roadway width along Lindacrest is 18 feet in front of the property line. They are asking for a waiver of improvement not for a waiver of dedication. Their request is inclusive of the entire frontage. Stephanie asked about parking, to make sure that they have the two covered spaces (and he added, three uncovered).

Asked about the difference of new from old pool, he noted it is significantly larger. Robin asked if he has neighbors' support. He has support of one neighbor out of 15. Discussion ensued regarding residents being able to access their houses, which Shawn described as a Catch 22. Nickie opined that the detriment is in favor of leaving it the way it is. The improvement is 2' widening. Stella noted that the issue of street access is for both during construction or not: In order to approve their request, ZA has to make certain findings, including that vehicular traffic associated with the building of structure will not create adverse impact on street access, and the building will not be detrimental to the adjacent property, or have a materially adverse impact on the surrounding neighborhood. He noted that the work he has to do is not an issue. Yves brought up need for soils report, as to whether the railroad ties will continue to support what is there. He has not gotten a soils report. He guesses the wall would be 10 feet. It could be screened.

Motion: In favor of keeping the promontory the way it is. **Moved** by Nickie. Discussion was held including Wendy opining that if the wall was put in, in a nice way, it would be safe; need to know about safety requirements; Robert noting problem for 15 houses being obstructed for a year; Shawn concerned that the project will grow after getting the approval. They are adding 1,900 sf. He'll need a soils report. **They do not have a hearing date.**

Motion: Table this until we see a soils report. We don't have a solution for access for 15 homes for a year.
Moved by Robert who noted that we need more information.

Stella explained that he will probably need a soils report, get advice from an engineer, and that he may find a new solution to avoid building a wall but without professional's advice, he cannot make a decision. He needs to look for other options. Wendy added that in the long-run it needs to be safe and solid.

Motion: To accept what is being asked for subject to the ZA dealing with the wall or the lack of the wall.
Moved by Robert.

Motion: Conditional confirmation based on what happens with or without the wall. Mention something to the ZA about the wall. Robin needs to see something concrete in writing.

Motion:

- To approve the project presented this evening, to the request to remove and replace pool, to add pool bathroom and the 2nd story addition.

- We want to confirm/verify onsite covered parking requirement is sufficient. Stephanie noted that added stair to second story addition encroaches and dimensions look tight for parking.

- We need to include information about 2nd entitlement request in relation to the extent of the retaining wall required for road-widening, pending further information from the applicant. We need confirmation from the ZA as to the safety regarding the hillside in need of retaining wall, if the road widening occurs. No soils engineering has been performed yet, so we do not understand if safety is the issue. Existing retaining walls are railroad ties.

Moved by Stephanie; **seconded** by Robert. **4 yes; 2 abstained; 2 opposed.** Motion is **conditionally approved.**

9. Adjournment: **9:30pm**

Next PLU Meeting: Tuesday February 11, 2020 @ AJU 15600 Mulholland Dr., "The Boardroom"

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

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