



Planning & Land Use Committee Meeting Minutes

Tuesday March 10, 2020 7:00 pm to 9:00 pm

American Jewish University

15600 Mulholland Drive Bel Air 90077

Room: "The Boardroom"

1. Call to Order – Committee Member Roll Call

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 March 10, 2020 Agenda: **Moved** by Cathy; **seconded** by Maureen; **8/0/0; passed.**
3. Approval of February 11, 2020 Minutes: **Moved** by Cathy; **seconded** by Maureen; **8/0/0; passed**
4. Public Comments: On any topic not on adopted agenda within Committee's jurisdiction.
5. Chair Reports: Robert Schlesinger, Chair & Stephanie Savage, Vice Chair

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

6. Street Vacation – VAC-E1401313 (Hillside Way), Council File No. 17-0789

Project Description: Street Vacation Hillside Way

Applicant: Camille Natta Clafin camillenatta@mac.com **Rep:** Lloyd Pilchen lpilchen@omlowlaw.com

John and Camille Clafin presented the project. Lloyd Pilchen was not present. John related that that they are long-time residents. This is on a substandard half-paper street; dead ends into a drainage ditch; goes to the ocean. The idea of vacating street came about when he discussed with orthopedic surgeon neighbor, Brent, that cars were coming in all the time, going very fast downhill, coming to a screeching halt, and having to back up. He discussed the slope and the fire issue.

Cars illegally park, blocking entrance. There are fire-safety & life-saving issues with the cars coming down streets and with cars illegally parked. They started the process of vacating the street, met with BOE who are happy that they will do it. They are surrounded by a sewer line which they'll leave as is. They'll have a gate with LAFD access. Discussed lot tie. Per John, every one of the neighbors signed off on it beginning with the orthopedic surgeon neighbor. They notified all contiguous neighbors. They spent about \$30,000 on this. They are looking for approval. Don complimented them for working with the neighbors.

Motion: Motion to approve street vacation **moved** by Stephanie; **seconded** by Cathy; **8/0/0; passed.**

This will be brought to the board meeting for final vote on 03/25/2020.

[We will write a letter to both Public Works & Gang Reduction Committee (where this was referred in council file #17-0789) and the department which processes this application.]

7. 2411 BRIARCREST ZA-2018-7304-ZAD-ZAA-DRB-SPP-MSP

Project Description: 2,071 SQ FT ADDITION TO SFD AND NEW 2,410 SQ FT ALQ WITH 522 SQ FT CARPORT AND 555 SQ FT GARAGE

Requested Entitlement:

PURSUANT TO LAMC SECTION 12.24-X28, A ZONING ADMINISTRATOR'S DETERMINATION TO ALLOW THE CONSTRUCTION, USE AND MAINTENANCE OF A 2,410 SQUARE FOOT ACCESSORY LIVING QUARTERS WITH A 522 SQ FT CARPORT AND A 555 SQUARE FOOT GARAGE, FOR A TOTAL OF 3,487 SQUARE FEET, WITH A HEIGHT OF 40 FEET IN LIEU OF 30 FEET PERMITTED IN THE RE ZONE.

PURSUANT TO LAMC SECTIONS 11.5.7 AND 16.50, PROJECT PERMIT COMPLIANCE AND DESIGN REVIEW FOR A 2,071 SQUARE FOOT ADDITION TO AN EXISTING SINGLE FAMILY DWELLING AND A NEW 2,410 SQUARE FOOT ACCESSORY LIVING QUARTERS WITH 522 SQUARE FOOT CARPORT AND A 555 SQUARE FOOT GARAGE, FOR A TOTAL OF 5,078 SQUARE FEET OF NEW FLOOR AREA IN THE MULLHOLLAND SPECIFIC PLAN AREA.

PURSUANT TO LAMC SECTION 12.21.5(B), A ZONING ADMINISTRATOR ADJUSTMENT REQUEST TO ALLOW AN ENCROACHMENT INTO THE 55-FOOT FRONT YARD SETBACK FOR AN ACCESSORY BUILDING, AND TO ALLOW A 7-FOOT 7-INCH REDUCED SIDE YARD SETBACK.

Applicant: Chris Rudin & Devin Donner chris@rudindonner.com

Representative: Donnal Poppe donnalpoppe@yahoo.com

Donnal Poppe, Land Use Consultant, along with Chris Rudin & Devin Donner from architectural firm, Rudin Donner Design, presented the project.

Chris noted that the client wanted to move his garage across the private drive, currently attached to the house, create accessory living quarters out of that and do an addition to his property as well as additional living space across the way.

Devin noted that the impetus to starting the process was that there was a slope failure on the side of the street where they proposing the accessory structure. They took care of that by having the hill stabilized, building a retaining wall. They are also stabilizing the hill by putting the accessory living structure on the opposite side of the street because the hill had some failure in the past.

Devin walked through the site plan, pointing to the existing house and existing garage, in gray. The blue is the addition to the main house. Multiple details were pointed out. They have a carport next to the accessory structure entrance, and they have a car lift.

They are building a new garage, carport, lift parking, living quarters below (to further stabilize hillside where a slope failure occurred in the past.) Heights are 32 and 35 at different points in the slope. The original house has post and beam construction with carport, which they brought back into their design. Showed photo of existing house shot by Julius Shulman. Landscape arch designed what is in the image.

They've been to MDRB who approved the design and landscape architecture plans; they are awaiting ZA action for which they hope for a hearing shortly). Donnal noted that the greatest hardships of the lot are: A roadway easement owned by property that continues to four other houses; slope failure & steep descending slope. She clarified that the MDRB wanted to them to redesign to remove the accessory structure closer to Briarcliff, to lessen the impact, and have a new landscape plan, which they did, and which MDRB has accepted and approved. They also have letter of support from a downhill neighbor.

They have three requests (stated above):

- 1) Over height from MDRB & Hillside Ordinance, that allow 30-foot max; request says 40 feet; they requested 40 in case; their average is 32-35 feet. The new building will anchor into the existing retaining wall and will stabilize the slope, an asset to protect the neighbors below on Burroughs.
- 2) The other request is for the accessory building must be 55' from the front property line, and they are requesting an entitlement to be less than 55'. Accessory buildings mirror and use the architectural design elements of the main building; both one-story on Briarcrest; impact is not much. It is not visible; only 47 feet from the front property line.
- 3) One corner is in the required side-yard setback, a 16 SF area. They've asked for reduced side yard.

Questions were asked and answered, including but not limited to:

The people down on Burroughs got notice. They have a letter of support from one neighbor on Burroughs at 9043. Committee would like them to acknowledge 9044 Burroughs.

This easement serves <5 houses, a house under construction and two homes by one owner. There are curbs and gutters on both sides. Discussed width of easement, 30 feet wide.

The purpose of this ADU: Client has a two-bedroom house; he needs to stabilize the hillside; good opportunity; there are now railroad ties down there; he entertains a lot, and has need for parking. Discussed having lifts for two cars; presenter says the lifts will not be noisy. Discussed parking.

Committee member noted that they have an accessory living quarter and proposed ADU. Discussed difference between an Accessory Living Quarter and an Accessory Dwelling Unit (ADU). Committee member noted that they are not allowing ADUs in the hillside. The presenters deny that this is an ADU; they have no intention of renting it out, and that it is for family and friends. It will have a kitchenette.

Donnal reported that she has a memo from 1990s, from B&S, still in effect, showing a laundry list of what you can and cannot have in an ADU, with 9/13 items that you can have; limitations to make it uncomfortable as full-time resident. One could have a 10-linear feet counter. If it has a stove it is an ADU.

Committee member asked for justification for encroaching setback that explains something unique about the parcel that would warrant that deviation: Looking at the existing house, the vertical element. He asked what are the findings to which Donnal responded, the small square footage, 3.5 feet that they are asking for in that one corner; it is 16 square feet of encroachment; also 90 feet horizontally from the adjacent neighbor. They are above the property by 35-40 feet; adjacent property is at a much lower elevation. The distance of the encroachment is minor to them. Committee member mentioned the roof, to which Donnal related that they allow the roof to encroach in the Zoning code.

Discussed deviation of height: They are seeking an increase to 40 feet; Code is 28 feet. Asked to justify their deviations from the height limit due to committee's concern about setting precedent, Donnal noted that they have a really steep slope; they're smaller than the houses up the street (mentioning two other houses much larger than theirs), and that they are looking for compatibility with the neighborhood. Donnal noted that the height is 32-35 feet now. Asked, Chris explained that the ceiling height is higher than normal due to slope. Donnal noted that the limit of the site conditions warrant it being over height. She tied it into the retaining wall. Donnal read from a document regarding the "Hardship Finding." Discussed big setback from proposed building to property line and then to abutting properties. The private easement runs along the ridge. The property owner owns it.

Their hearing is sometime in the first or second week of April.

Committee member discussed having the proposed ADU taken off, have the developer improve the street, and make sure there will be proper drainage. She would continue this, in order to get confirmation on: 1) Drainage of the street, that there is a catch basin, where the water empties; and 2) Take the proposed ADU off; uncomfortable to have three houses on one lot. If they think the structure is 33 feet, should just say 33 feet and not 40. She would like confirmation that they stick to 33 feet where they have one area at 30, the other area is 35 and the smallest 33-35. [They say that they want to give themselves a buffer.]

Motion: To continue this to the board meeting, asking them to: 1) Remove the 3rd building, the ADU; 2) Give heights ranging from 32-35 feet, not to exceed; 3) Verify all drainage is proper from the new structure & provide additional information regarding the drainage, making sure there his curb and gutter, and 4) Advise 9044 Burroughs of the intent of the project. **Moved** by Stephanie; **seconded** by Cathy; Don asked if there is precedent being set, differing from the rest of the community; **8/0/0; approved.**

Donnal will contact CD4 Emma Howard who has said this project is of interest.

They will attend the BABCNC general board meeting on 03/25/2020.

8. 10430 W OLETHA LN ZA-2019-1222-ZV-ZAD-ZAA ENV-2019-1223-CE

Project Description: CONSTRUCTION OF A NEW 30 FEET HIGH 3-STORY ONE-FAMILY DWELLING AND ATTACHED ONE-CAR GARAGE.

Requested Entitlement:

A NEW 3-STORY, 30 FEET HIGH ONE-FAMILY RESIDENCE IN THE RE15-1-HCR ZONE, WITH REQUESTS FOR: A ZONE VARIANCE PURSUANT TO LAMC SECTION 12.27 TO ALLOW CONSTRUCTION OF A ONE-CAR GARAGE IN LIEU OF THE REQUIRED TWO COVERED PARKING SPACES FOR A ONE-FAMILY RESIDENCE AND TO ALLOW A HEIGHT OF 31 FEET AND 3 INCHES IN LIEU OF THE PERMITTED 24 FEET WITHIN THE FIRST 20 FEET FROM THE FRONT PROPERTY LINE AS MEASURED FROM THE ADJOINING STREET CENTER LINE;

A ZONING ADMINISTRATOR DETERMINATION PURSUANT TO LAMC SECTION 12.24.X.28 FOR A NEW RESIDENCE: ON A LOT FRONTING ON A STREET IMPROVED TO LESS THAN 20 FEET WIDE, ON A LOT WHERE VEHICULAR ACCESS FROM THE LOT TO THE BOUNDARY OF THE HILLSIDE AREA IS ON STREETS NOT CONTINUOUSLY IMPROVED TO A MINIMUM OF 20 FEET WIDE; AND, A ZONING ADMINISTRATOR ADJUSTMENT PURSUANT TO LAMC SECTION 12.28 TO ALLOW FOR AN UP TO 10% INCREASE IN MAXIMUM RFA.

Applicant: Jonathan Kozun & Donna Kozun jonathankozun@gmail.com

Representative: Georgii Shpak legorshpak@gmail.com [Representative Shpak was not present.]

Jonathan Kozun and his mother, Donna Kozun, are the owners of the property; neither are architect or construction worker. They bought it two years ago. Jonathan Kozun presented the project. He noted that they have a substandard road 18 feet; had to do ZAD to waive requirement to improve the road.

He related that they cannot build higher than 24 feet within 20 feet of the property line because they measured from the centerline of the road, they had to minus 10 feet, so they could only build 14 feet height within 20 feet of the property line. There is a hill 40 feet back from the property line; that will be a retaining wall. It's not possible to move the building; as they would have a 20-foot setback and have to move into the hillside.

They expect to have 250 cy of fill with no real cut and need a 15-foot distance from the hillside. They have a 10-foot retaining wall. They haven't applied for permits for the retaining wall, pending variance for height first. Other houses on the street are more than 14 feet high on the front yard portion of the lot. Six plus houses exceed 14 feet in height from the centerline.

Donna noted that they designed the house to stay on the pad. The pad was there. The lot sold with the neighbor who owned it and had used it as a parking area; neighbor across the street; they sold the house and split the lot and sold it to them.

Existing trees to be removed: Ficus. House: 1,533 SF. They reached out to neighbors Adam (up) and Christina (further up) who have not gotten back. Local neighborhood associations would be Beverly Glen and Holmby Hills.

Committee member noted that one-car garage is an issue as there is not parking on the street. Jonathan said if he could do a compact and compact could do a tandem. Donna noted that they could put a lift. She noted that the lot is now a vacant lot, a parking lot, a dumping area. They want to make a home. As regards renderings, they are waiting for the ZAD and meetings are done in case there are changes, though they do have images on the phone. Donna noted that they'll have a one-car garage, and would have a place to park in the driveway and in front. They could put a lift in and redesign.

Committee member noted that substandard road alerted us to the issue of construction parking and staging and urged them to reach out to their neighbors and neighborhood association to have this conversation now rather than later. Donna noted that they have a paperless street. Jonathan noted that the road gets much wider towards Beverly Glen. Discussed need for a staging and parking plan. Jonathan noted that if they don't approve the variance the whole design has to change.

Discussed steepness of the slope and need for another retaining wall. Explained requirement for retaining walls and need for understanding requirements. Jonathan noted that the slope itself is stable; he has been talking to the soils engineer. Esther at Planning sent them here.

Committee member recommended that they speak to the neighborhood association, put flyers down the street and let them know the project exists and get their input. Donna noted that they have tried to be good neighbors; Jonathan has notified the neighbors. Committee noted that the neighbors will get notice anyhow. Leslie would move that that they come back down the road. Committee members would like them to come back and have questions answered.

Jonathan explained his bonuses. He was told he needs just one retaining wall. He has a grading plan. Stephanie can send him total slope requirement and recommends they do a site section to understand what they are looking at in terms of the 15-foot flat space. Jamie clarified that Stephanie is looking for confirmation that they do not require an additional retaining wall in order to achieve the 15-foot flat area, and if the added retaining wall complies to code, and to confirm that independently.

Motion: Continue this item and ask the applicant to return to us when they are ready to report back on the items discussed: Stephanie will provide a list to include 1) notification of abutting neighbors; 2) parking and staging plan; 3) total slope requirement; 4) additional parking. **Moved** by Jamie; **seconded** by Maureen. Discussion included but was not limited to turnarounds and fire hydrants which Donna believes LAFD has already cleared. They already started the permit stage. **8/0/0; passed.**

9. 10427 W CORFU LANE 90077 ZA-2018-1641-ZAD

Project Description:

CONSTRUCTION OF A NEW SINGLE FAMILY DWELLING ON A VACANT LOT FRONTING ON A HILLSIDE SUBSTANDARD LIMITED STREET.

Requested Entitlement:

REQUEST FOR RELIEF FROM PUBLIC IMPROVEMENTS FOR SUBSTANDARD HILLSIDE STREET.

Applicant: Kenneth Sampson info@bdsconstruct.com
Rep: Rudy Alegre rudyalagre@hotmail.com [Not present]

[Shawn left at the start of this project at 8:35pm.]

Kenneth Sampson took questions beginning with trees being removed. They are removing three small walnut trees. He has a tree report. He has two oaks being protected. He is supposed to put in another 10-12 trees. Committee member encouraged Southern California Black Walnuts, a protected species.

Outreach to Neighbors: Three immediate neighbors, he lets people use his driveway and lot. He'll paint houses of neighbors as a gesture of good will.

House: 10,000 sq. feet; other houses down the street include a couple 4,000, 5,000 and 6,000. He describes his lot as a "flag lot." He distributed renderings. He bought the lot two years ago, which he described as tranquil, green and private.

Access: Corfu from Beverly Glen. Six to eight houses on Corfu. He has spoken to five and has educated everybody. Rooftop deck: None.

Discussed how the 10,000 foot house can be compatible with the smaller houses. He will have a seven-car garage with motor court that holds 4-5 cars and there is room for cars down the street.

He noted that no one has objected to his having a 10,000 foot house. He is isolated on a knoll, so no one will see him, with a 150-foot driveway - maybe off 10 feet. He can build it in 16-18 months. He noted that the foundation, caissons and walls are the hardest part for all of us. He'll have roughly 20 caissons.

Asked what adjustments will he make for the roads being damaged by the trucks, he would put in writing that he will repair the road if around 4' x 8' area.

Asked if he'll shuttle workers, he thought to have four or five trucks on the lot with orange cones and no parking signs. He also has Beverly Glen to park on. He's trying to go to "no parking on Corfu." The lot can have 5-6 cars, Beverly Glen 5-6 cars; no more than 10 cars on any job sites.

He works 10 am to 2:00 pm for certain trucks. Lumber trucks would be smaller, and coming from the Valley side (95% of the time).

He has a hearing on March 26th. There are 3 protected oak trees and 4 California black walnuts.

Asked what is the "necessity finding" – efforts made to design the project around the protected trees. He noted that there other protected trees that will be trimmed. Height of house is 31-32 feet. Stephanie noted that there is a retaining wall greater than 12 feet. He noted that the plans are 90% approved; they have clearances and approvals. Asked, the garage accommodates six or seven cars. There are three trees there. He would plant on the property.

Committee member would like him to show us that it is a reasonable development and asked if he could make a smaller garage and save trees. He responded that he could not push the garage further into the hill. Committee member noted specific trees he would be removing and the garage and home property footprints, and having a conversation of reasonable development. He reports 600-650 yards of grading. Discussed need for construction, parking and staging plan.

Committee member would like to outline our concerns, ask the ZA to take no action on this, keep it open and ask the applicant to come back. Committee member noted that the orange cones will not work; others recommended shuttling and need to identify where shuttling to, noting that there is a lot of construction in that area. He offered to provide a parking plan.

He offered to provide his plans for his solar, tree report, parking, construction and shuttling; address where to store the dirt, and more information on impacts.

Motion: At this point, there are a lot of outstanding issues; suggest writing to the ZA saying we had a meeting with the applicant and these were some of the things we discussed and sought additional information on, and would ask that the ZA keep the comment period open for a month, so the applicant can come back to us. **Moved** by Jamie; **seconded** by Bob; **7/0/0; passed**. Stephanie will email him a list. He should email Bob the protected tree report. He can come to the next PLU meeting in April 14th.

[Don left at 9:13pm.]

Follow-up, Discussion & Possible Action on other Projects

10. Discussion & Possible Motion on Open Space Element of the General Plan – Jamie Hall

Consider recommending to the board that we send a Community Impact Statement encouraging the City to move forward and update the Open Space Element of the General Plan.

See <https://planning.lacity.org/plans-policies/community-plan-update/general-news-item/ourla2040-open-space-working-group-summary>”

Jamie noted that this sets out the plan on how the city will protect open space in the city of LA. After a lot of work, attention was shifted from the Open Space Element, to the Housing Crisis Element.

Jamie set up a meeting with the lead planner, and would invite Travis, our Custodian of Open Space, Robin and Jamie. Emma will join. He would like us to champion. Thurs 03/19 at City Hall.

Current Case Updates by PLUC Members on pending projects: Items #11-16: No report.

Adjournment: Meeting adjourned at 9:18 pm

Next PLU Meeting: **Tuesday April 14, 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