



Minutes
Planning & Land Use Committee Meeting (Virtual)
Tuesday July 14, 2020 7:00 pm – 9:00 pm
To Join Meeting Dial (669) 900-6833 Webinar ID: 912 3911 3830

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. Call to Order – Committee Member Roll Call: 7:06 pm 10 present; 2 absent
2. Approval of July 14, 2020 Agenda: Moved by Stephanie; seconded by Cathy; 9 yes; 0 no; 0 abstentions; passed.
3. Approval of April 21, 2020 Minutes & May 19, 2020 Minutes: Moved by Stephanie; seconded by Cathy & Shawn for 04/21 & 05/19 respectively; 10 yes; 0 no; 0 abstentions; passed.
4. Public Comments on any topic not on adopted agenda within Committee’s jurisdiction – None
5. Chair Reports: Robert Schlesinger, Chair & Stephanie Savage, Vice Chair – None

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

6. 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 jonathankozun@gmail.com Contractor parking/staging Beka Saldadze bdesign2003@gmail.com

- Jonathan Kozun noted that since the last meeting, he has spoken with abutting neighbor, Dominique Shelton and Nate Hahn, across the way, who both signed a sheet; third neighbor, Christiana, sent an email to Esther supporting the project. Neighbor to the right, Adam, wanted more information, which he sent but hasn’t heard back. He has not made contact with another house across the street.

As to retaining wall discussed at last meeting, he reported having submitted project to the Grading Department who approved his retaining wall.

Beka Saldadze, General Contractor for B Design, answered questions about plans to address traffic to the small street, saying they will control traffic; laborers will park elsewhere; big machinery will go inside property. There is parking on Beverly Glen, except two hours of street cleaning on Tuesdays; they will park max five cars, except Tuesday. People can walk or they'll drive them to & from site; there is some parking at liquor store on Beverly Glen.

They do not believe that they have to do any road improvement to Oletha, neither curb cut nor A-permit; they will improve inside property line only. To mitigate mud running down streets during rainy season, Beka noted that they will provide plants. Jonathan noted that grading went down to 36 CY with the new design. In response to City requirement of irrigation plans, Beka noted that they will have drainage with the final plans.

Asked for quantity of parking in the final design, they have only one designated garage space. Jonathan noted that they wanted to do a tandem, one standard and one compact; it is basically a one-car with a parking spot in front of it; only one is covered. There is only parking for two cars, practically. Beka noted that there will be one inside and one outside. There will be one more space when they remove existing Ficus trees depending on final plans. They have protected trees on the property and have to remove one. Forestry will let them remove that one protected tree which they'll replace with four like trees.

They are asking for relief to not widen the road in front of the property or to the edge of hillside designation area. Jonathan noted that the houses are built on the property line; there is no way to widen it. He noted that because they measured from the road, they lose 8-9 feet. He could only build a one-story. Asked if they are putting four new trees in the rear of the property, isn't there a steep slope at the rear, Jonathan noted that it flattens out at the top. They'll install irrigation.

When people visit, people will park in front of the garage and on the road in front of the property. Discussion was held about the A3 photos; drawing 2 and drawing 4 showing the slope of the property frontage, which is why it is a challenge to park there for the second vehicle. There's a planter there that will likely be removed.

Committee member noted it would be good to know if they'll have parking that's not so steep; they need to address and include this in the project. It was pointed out that BOE will require curb cut on their side to get into the driveway or the garage. By only having one covered space on property, we would like to see at least an option on the street. Jonathan opined if he could do two compact, he could put tandem there. Committee member noted that would be an adjustment to ask for; shouldn't add burden to the neighborhood; people don't have garages and it's a narrow road; don't want to make it worse.

Committee member noted that all of these are requests for variances are self-imposed hardships. To go higher than 24 feet to 38 is a self-imposed hardship based on Jonathan's response to the code. It was explained to Jonathan that he has to show it is not a self-imposed hardship but a necessity. How does this qualify all five elements of a variance when the things being asked for are all self-imposed hardships?

Discussed variances, requirement for two parking spaces and the height issue. Additional square footage is at 10%; Jonathan noted again that because they measure it from the road, they lose 8 feet. Asked about sideline variance, Jonathan noted that that is a ZAD. Square footage of the other houses around them are 1273, 1488, 965, 3,000, 1,000, 1200, 1200, 800. His finished will be 1533 square feet. Committee member noted that sometimes side yards vary, and in this case, he is asking for that because of the narrow site. One could construe that as a hardship. Asked, he noted that the ZA will try to do the meeting in a month or so, in August.

Motion: To approve the project with the condition that there is a civil engineer hired to lay out the property frontage to ensure there is some way of parking and/or ask for the two tandem spots for the compact cars because it could set a bad precedent to have a one-car covered space for a lot like this. Approve with the condition that a plan is provided to both allow for parking in front of the property with an apron and a curb, that they request the ZA to allow for tandem parking for two compact vehicles, and that they improve the road along property frontage.

Moved by Stephanie; **seconded** by Bob. **6 yes:** Robert, Wendy, Stephanie, Nickie, Leslie, Stella; **1 No:** Shawn; **4 Abstentions:** Don, Cathy, Robin & Yves; **passed.**

7. 8441 FRANKLIN AVE. ZA-2017-2647-ZV-ZAD-ZAA ENV-2017--CE

Project Description:

NEW SINGLE-FAMILY DWELLING WITH ATTACHED GARAGE AND SWIMMING POOL LOCATED IN THE R1-1 ZONE.

- ZV- TO ALLOW 4,249 CY OF NON-EXEMPT GRADING AND 4,245 CY OF EXPORT (1,000 AND 750 MAXIMUMS, RESPECTIVELY); AND
- ZAD- TO ALLOW CONSTRUCTION OF SFD WITHOUT WIDENING THE STREETS TO THE EDGE OF THE HILLSIDE AREA;
- TO ALLOW A MAX BUILDING HEIGHT OF 45 FEET WITHIN 20 FEET OF THE FRONT LOT LINE;
- TO ALLOW ENCROACHMENT INTO THE FRONT-YARD ENCROACHMENT PLANE; AND
- SIX RETAINING WALLS UP TO A MAX HEIGHT OF 28' 4.5"

Applicant:

DAN GATSBY [GATSBY INVESTMENT LLC]

Representative:

JOHN J. PARKER [PACIFIC CREST CONSULTANTS] chris@pccla.com

RENEE SCHILLACI [ADVOCACY] renee@advocacy.la

Renee Schillachi and David Beatty were present to discuss the project. Renee noted that they have been working and met with the Neighborhood Association (NA); they presented to the committee a couple of years ago, under previous BHO. Current design based on 2017 BHO. The Applicant has lived in the area for years. It is a 3-bedroom, 3-bath home. They have not cleared through the NA yet.

David Beatty described revisions made in the current design: reduced floor area, a two-car garage in lieu of four cars; because of square footage reductions no longer need additional parking spots off street. The rooftop deck houses a lap pool, spa, and out-door showers as well as mechanical equipment, solar panels and planters. See red line exhibit how they had the top two floors stepped back into the dirt; afforded a larger terrace, but a straight structural system to reduce grading.

Discussed natural grade/steep slope; within 20 feet of the front property line, the dwelling will observe a maximum height of 45 feet; however, beyond the 20-foot setback line, the dwelling (as height is measured in the Hillside Area ordinance) will comply with the 28-foot maximum height limit at all points, as permitted by the ordinance for a flat-roofed building. Goal was to reduce grading quantities.

Discussed civil engineer exhibit and export quantities that decreased with each iteration of the design; 5058 Cu Yds (2017) vs. 4245 Cu Yds (2019) vs. 3502 Cu Yds (2020).

Question regarding haul route. Neighbors were relieved to hear one-direction for traffic. Question re retaining walls: They anticipate they will come down in height and hope in numbers as well. Stella noted max export 750 cy vs proposed 3500 cy; which is 466% of permitted by BHO. Stella noted that square footage is only first and second floor; omitting two basements. Total square footage 1800 square feet; 4,000 square feet total building or 170% of what is allowed. When you compare it to 2017 design, it does look much better but in absolute numbers it is exceedingly large. Stella explained Don Loze's point – for each variance there are five findings that City Planning has to make. She cannot understand how he can justify some of them. She asked him how can ZA justify his requests; how can he meet all five requirements?

David related that it is a small house on a very steep lot and the geography is what has gotten them in trouble on these grading quantities. The two-bedroom level will set the CY that they have to work with. Stella asked and he noted that the bedroom window to pool has been removed.

Cathy asked, why reference to two basement levels? David related that is the aspect to the code that is allowed. The lowest two levels are considered basements; to qualify for RFA, which is limited as the lot is steep. Cathy noted, it is still a livable floor; isn't really a basement, and it is 1200+ square feet, all livable. She asked for comment on roof deck and the limiting of lighting and sound, which affects people in the neighborhood. David related that they will light the property according to the night sky rules and regulations; he is unclear on sound regulations. They will grow vine for the retaining walls. Cathy noted that speakers will resonate on the roof; music and speakers might be an annoyance. She asked to clarify square footage. They considered the RFA determination for BHO.

Maureen asked if there is an elevator shaft on roof. It is restricted to 5' projection, and not included in overall height. Asked about a planter or trellis to conceal it, to which David noted that because of setback it will not be seen from the street in anyway; will have umbrellas; otherwise no plans for trellis.

Shawn asked how is a 45' height limit permitted by code in this instance, to which David noted that, even if the project designed as a "wedding cake" it would still be 45 feet per code in this hillside. He opined that code allows 45 foot max overall height. Shawn asked if they are asking for relief from street widening, to which David noted that they are no longer requesting relief from road widening.

Discussed heights and measurements of planters. It was noted that a 9-foot wall planter is considered a retaining wall, 10 feet or less. Two feet or less or 1-1/2 feet – discussed retaining walls allowed. Description will soon say including two retaining walls as by right. They are hoping to reduce them. It was noted that from a visual standpoint the structure will look like a four-story house with a rooftop deck.

Don reviewed the history of the retaining wall ordinance and called into question the six retaining walls. Four of the six are not by right, are contrary to the intent of the hillside ordinance. He noted that this flies in the face of the retaining wall ordinance and asked what justification is there for giving them the extra retaining walls.

Bob brought up the roof deck, noting music and lighting disturb human beings and animals. Asked, what kind of lighting is proposed and will speakers be off at 11:00pm, to which David noted there will be low-level lighting on the roof, over work surfaces or floor. Asked, there will be no kitchen on the roof. There is a shower.

Public Comment:

Emma Howard, Senior Planning Deputy for CD4 Council Member David Ryu: Emma related that they will have subsequent conversations with the neighborhood association & neighborhood council (NC). The Council member requested that the project minimize number of entitlements asked for, to see compliance with the BHO and to hear what the NC and neighbors have to say. Their preliminary comparisons along the street pre-date the BHO.

Gregor & Anja Neighbors at 8461 Franklin Avenue. Their main concern is the haul route. They are against the huge project; say they disturb our neighborhood. Trash collection stops because of haul trucks, it is a problem for emergency vehicles and that they are concerned about over-sized projects.

[End of public comment]

Bob would like them to finish with DSPNA, before voting. Nickie asked how many pools? Same pool, saltwater and lap pool; small spa, and a Baja shelf for children to play on.

Don Loze expressed concern about the retaining walls. They anticipate an improvement there. Also concerned about roof decks being a fire hazard, as well as lighting and noise. Shawn noted that roof decks are almost always proposed; Bel Air's architectural committee disallows them.

Wendy asked what makes you call the second level a basement, to which David noted the 40/60 rule; slope band analysis wouldn't have made it a viable project based on RFA alone.

Per the chart with the houses on the block, the other houses were built a long time ago. David noted that they used means that they had available, planning and real estate. Daniel Freedman noted that this was to give a feel for what's on the block; a mix; not trying to create an impression of any one building height being the way to do it.

Stephanie noted that 1) the fire hydrant needs to be relocated. Fire hydrant as allowed by LAFD. Asked if power lines are close to where they'll be working and if going underground, told, yes, plan to bury lines. 2) She noted that they need to improve frontage of property; hopefully provide more off-street parking in front of the property. It's a pretty complicated project.

Motion: To continue the project **moved** by Don; **seconded** by Cathy; unanimous; **passed**. They will hear from Carter Bravmann to when DSPNA will meet. Then it can come back to the PLU committee.

Follow-up, Discussion & Possible Action on Other Projects

8. David Ryu’s Charter Reform Motion Limiting Unilateral Influence in Development Decisions.
https://d3n8a8pro7vhmx.cloudfront.net/davidryucc/pages/2799/attachments/original/1589907659/245e_Charter_Reform_Motion_05.19.20.pdf?1589907659

David Ryu’s Letter to B&F Cmte re: Special Investigators in the Controller’s Fraud, Waste, and Abuse Unit
http://clkrep.lacity.org/onlinedocs/2020/20-0600_misc_06.16.20%20CM%20Ryu%20Letter.pdf

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

- 9. New Packages Received: See Project Tracking List
- 10. Certified Neighborhood Council (CNC) Reporting Review of New Projects Submitted
- 11. Upcoming Hearings: See Project Tracking List (Subject to discussion & action)
- 12. Determination Letters Received: See Project Tracking List
- 13. Pending Haul Routes (Update by any PLU Committee members)
- 14. Proactive Tracking, Tasks & Projects (Update, Discussion & Possible Action)
- 15. Adjournment

Next PLU Meeting: TBD

ACRONYMS:

- | | |
|--|--|
| A – APPEAL | PM – PARCEL MAP |
| APC – AREA PLANNING COMMISSION | PMEX – PARCEL MAP EXEMPTION |
| CE – CATEGORICAL EXEMPTION | TTM – TENTATIVE TRACT MAP |
| DPS – DEEMED TO BE APPROVED PRIVATE STREET | ZA – ZONING ADMINSTRATOR |
| DRB – DESIGN REVIEW BOARD | ZAA – ZONING ADMINISTRATOR’S ADJUSMENT |
| EAF – ENVIRONMENTAL ASSESSEMENT FORM | ZAD – ZONING ADMINISTRATOR’S DETERMINATION |
| ENV – ENVIRONMENTAL CLEARANCE | ZV – ZONING VARIANCE |
| MND – MITIGATED NEGATIVE DECLARATION | |

www.babcnc.org
Office (310) 479-6247
council@babcnc.org