

Draft PLU Minutes

Planning & Land Use Committee Meeting (Virtual)

Tuesday October 13, 2020 5:00 pm – 7:00 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	
André Stojka	X				

1. Call to Order – Committee Roll Call: Robin Greenberg called the meeting to order at 5:07 pm, with 8 present; Stella arrived at 5:10 pm, Jason @ 5:15, Bob @ 5:17, Wendy & Maureen @ 5:18pm; total of 13 present & 2 absent.
2. Approval of the October 13, 2020 Agenda: Cathy **moved**; André **seconded**; **8/0/0**; **approved**
3. Approval of September 8, 2020 Minutes: Cathy **moved**; André **seconded**; **8/0/0**; **approved**
4. Public Comments: On any topic not on adopted agenda within Committee's jurisdiction
5. Chair Reports: Robert Schlesinger, Chair, & Stephanie Savage, Vice Chair
6. City Planners Linda Lou & Priya Mehendale Presentation on the Hollywood Community Plan Update (HCPU2) <https://planning.lacity.org/plans-policies/community-plan-update/hollywood-community-plan-update>
- Presentation was given on the Hollywood Community Plan, followed by Q&A.

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

7. **1765 CLEAR VIEW DR 90210 1758 CLEAR VIEW DR 90210 AA-2020-4429-PMEX-**
Project Description: PARCEL MAP EXEMPTION TO ALLOW A LOT-LINE ADJUSTMENT BEWEEN NEIGHBORING PARCELS **App:** KADISHA FAMILY LLC **Rep:** TONY RUSSO [CREST REAL ESTATE] tony@crestrealestate.com
 - Stephanie related that this is a property with a lot of acreage, 26 acres or so; not sure if it meets standard for parcel map exemption, and one of the properties they are developing with a lot line adjustment; one parcel is landlocked. According to Navigatela (<https://navigatela.lacity.org/navigatela/>) the landlocked parcel abuts a parcel that abuts Benedict Canyon that share a common assessors mailing address. It's a puzzle; may want to notify/ask the parcel map Advisory Agency if there are issues with the number of parcels being joined, if this plan meets the code criteria.
 - Jamie noted that we can invite them to come to us. Stephanie related that we did. Bob spoke to applicant (Tony Russo) who said that the owner said he didn't feel it was necessary to come.
 - Jamie noted that sometimes this is the only discretionary component. In cases like this, people could appeal, fight it, and have the person disclose what the true project is.
 - It was noted that there are multiple parcels and we need to invite the applicant again to clarify scope of project, and need to write a letter to the advisory agency listing our concerns.
 - Stephanie noted that these are large parcels that have no sewers, no road access of any kind, significant grade change, and there is a lot involved here. We need to get more information.
 - Don noted that, if we are being asked to review these things and he is asking for discretionary activity, he should not be able to not appear. We have to learn from this and may need some commonality with Planning and Council offices, and say our mandate is to advise the Council offices, and the Council offices have to work with Planning and require the attendance of the applicant and/or owner.

Motion: Write a letter, reach out to the applicant and plan to write a letter to the authority to bring up the issues we see that are problematic. **Moved** by Stephanie; **seconded** by Bob: **13/0/0; passed.** Don asked that we say in the letter that we want to see the entire project.

8. 13850 W MULHOLLAND DR 90210 DIR-2019-3173-DRB-SPP-MSP-

Project Description: MULHOLLAND SPECIFIC PLAN PROJECT PERMIT COMPLIANCE AND DESIGN REVIEW FOR AN ADDITION TO A RESIDENCE INCLUDING NEW RETAINING WALL ENCROACHMENT IN ROAD RIGHT-OF-WAY.

Requested Entitlement:

PURSUANT TO LAMC SECTION 11.5.7, MULHOLLAND SCENIC PARKWAY SPECIFIC PLAN PROJECT PERMIT COMPLIANCE (MAJOR) AND DESIGN REVIEW BOARD APPROVAL FOR A TWO-STORY 1,775 SQ. FT. ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE, WITH A NEW 1,600 SQ. FT. BASEMENT ADDITION AND 1,600 SQ. FT. GARAGE; INCLUDES A REQUEST FOR A 10-FOOT HIGH MAX. NEW RETAINING WALL TO ENCROACH UP TO 14-FEET INTO THE MULHOLLAND DRIVE RIGHT-OF-WAY.

Applicant: WILLIAM B. RANDOLPH [THE LITTLE PUMPKIN TRUST]

Representative: DAMIAN CATALAN [DC EXPEDITING, INC.] damian@dcexpediting.com

Damian Catalan introduced himself and noted that his architect was not able to be present. He has sent updated plans and updated application. Damian presented slides and discussed issues including but not limited to the following: Proposed design includes addition, 5-car garage, a deck, reworking existing pool, bringing it closer to the house; addition of ADU, a new casita and demo of existing guest house towards the back of the property. The new ADU is tucked away underneath the main level of the residence, is hidden, and helps to avoid having so many structures onsite. #9 is existing guest house. Slope-band analysis images are noted. He pointed out that there is a substantial drop from Mulholland; existing driveway through public right of way; they will be leaving existing retaining wall in place. All improvements are behind existing property; not planning to add anything to existing right of way. They tucked the basement addition to make it truly a basement; completely covered in the front, the rear and far side of top elevation.

There followed a Q&A:

Stephanie noted that he was going to confirm envelope height and asked as to overall height exceeded, to which he replied, yes, they do exceed the height throughout the site. The existing building height conforms to the Specific Plan with exception of tip of roof that encroaches. They have request for Specific Plan Exception (SPPE) to allow that construction.

Stephanie related that the grading may increase now that they have added underneath the ADU, asked if the grading will increase further to 2200 CY. He related that they are working with Soils Engineer and may be able to pull the haul route out of the request. Because of demo of pool and guest house, there is some earth that will remain on site, go towards backfill and compaction, etc. He thinks it will be just under that thousand cubic yards threshold, but he will leave it in case it is not. They do have a request for a haul route for 2200 CY but should be reducing that to under 1000 cubic yards. Damian noted that they have added height to the Planning application but that has not yet been signed off and finalized by Department of Planning; they still wanted to bring this project before the council.

They hope to go back to MDRB this week; need one clarification from Dominic and will submit package at the end of this week. Stephanie noted that this is the third time they have come to us; we have a good understanding of what he is doing but things are not signed off; application with Department of Planning, SPPE. She thinks it would be prudent to approve with the condition that it is accepted by MDRB, get verification of his additional request and of the grading, to know what the impacts are to the neighbors, if they are interested.

Don Loze discussed the extension on the right side of the drawing, which he stated defeats the intent of the Retaining Wall Ordinance to stop people from extending lots beyond the curvature of the hill and thereby changing the view sites of the hills into building mass, etc. He noted that this not only extends it but it piles it up higher in terms of caissons... and this flies in the face of everything we are trying to do.

Asked about downslope walls, if new walls, having discussed retaining walls last time, that this is not exactly a retaining wall but the underlying theory is the same; it interferes by putting piles and caissons underneath it, to which Damian responded that that is something they have taken into consideration: In the previous iteration, they had a much bigger extension off to the side, a huge cost impact for the client and not consistent with complying with Code as to Specific Plan, so they redesigned. They still have the small addition that extends over that requires caissons for support but minimized it as much as possible. He explained that there is such a small pad to be developed and they are now left with a smaller footprint, which is why they are going more into the hillside. "This is much smaller than what was proposed previously."

Don explained they are proposing a self-imposed hardship and if project is continued, all of this needs to be reconsidered. He thinks it is wrong. Nickie agreed piles don't belong there, no longer having curve to terrain.

Motion: To continue the project if Damian will return once we get these four things: 1) Revised application, all entitlement requests included; 2) Verification of retaining walls; 3) verification of cubic yards, and 4) that the project doesn't exceed height envelope anywhere else on the project except where they are asking for the request. **Moved** by Stephanie; **seconded** by Robert. **11 yes; 0 no; 2 abstained:** Nickie and Maureen; **passed.**

9. Discussion & Possible Motions for Community Impact Statement on Council File #20-1101

Hillside Construction Regulation (HCR) Supplemental Use District (SUD) / Very High Fire Hazard Severity Zones (VHFSZ) / Council District 4 Hillside / Citywide / Ordinance Amendment

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-1101>

Consideration of a Motion introduced by Councilmember Ryu which concludes: I THEREFORE MOVE that the Planning Department prepare and present an amendment to the Hillside Construction Regulation Supplemental Use District that will standardize the definition and comprehensively map all recommended locations for the HCR SUD Citywide. I FURTHER MOVE that the Planning Department, prepare and present an amendment to the Hillside Construction Regulation Supplemental Use District to include the HCR overlay in all Council District 4 hillside which feature high concentrations of active construction, substandard streets, restricted ingress and egress, below average emergency response times, lack of pedestrian infrastructure and location in Very High Fire Hazard Severity Zones; specifically including, but not limited to the communities of Bowmont Hazen, and Coldwater Canyon. I FURTHER MOVE that the City Council instruct the Planning Department to add the HCR SUD to all hillside and VHFSZ parcels to the map of proposed zoning changes as part of the Hollywood Community Plan Update. **Motion:** To write a CIS of support; **Moved** by Nickie; **seconded** by Jamie; **13/0/0; passed;**

Full Motion: https://clkrep.lacity.org/online/docs/2020/20-1101_mot_09-01-2020.pdf (Attachment A)

10. Discussion & Possible Motion for Community Impact Statement on Council File # 20-1098

Baseline Hillside Ordinance (BHO)/Baseline Mansionization Ordinance (BMO) / Updates

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-1098>

Consideration of a Motion introduced by Councilmember Ryu to update the Baseline Mansionization and Baseline Hillside Ordinances which concludes: I THEREFORE MOVE that the Department of City Planning close the loophole allowing McMansions in multifamily zones and prepare an update to the BHO and BMO to apply the same restrictions applicable to homes in single family zones to all new and substantially remodeled single family residences in all multi-family zones, and ban construction of a new single family home where two or more units of housing were demolished at the site in the last 5 years. I FURTHER MOVE that the Department of City Planning update the BHO and BMO to establish a maximum size for all new single family residences built in the City of Los Angeles. The Department shall report back with an analysis of current median sizes of single family housing types Citywide, and how the recommended maximum amount will further equity and environmental sustainability. **Motion:** To write a CIS of support; **Moved** by Jamie; **seconded** by Bob; **13/0/0; passed**

Full Motion: https://clkrep.lacity.org/online/docs/2020/20-1098_mot_09-01-2020.pdf (Attachment B)

11. Discussion & Possible Motion for Community Impact Statement on Council File 20-1174

Completion Bond / Unfinished Buildings or Structures / Los Angeles Municipal Code (LAMC) / Section 91.106.4.4.3 / Time Limits to Complete Projects

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-1174>

Consideration of a Motion introduced by Councilmember Koretz as to the feasibility of requiring a completion guarantee, sometimes referred to as a ‘completion bond’ which sets time limits to complete projects, providing remedies for incomplete development projects citywide.

The motion concludes: I THEREFORE MOVE that the Council instruct the Department of Building and Safety, in consultation with the City Attorney, to prepare a report with recommendations, relative to the department’s enforcement of Municipal Code Section 91.106.4.4.3, *Unfinished Buildings or Structures*, inasmuch as there are numerous unfinished development projects citywide, which were issued building permits, in some instances, more than eight years prior, and causes the development project sites to become eyesores, and foremost, a disturbance to abutting property owners and neighborhood residents, and the feasibility of requiring a completion guarantee, sometimes referred to as a ‘completion bond’ which sets time limits to complete projects, and thereby provide remedies for incomplete development projects citywide.

Full motion: https://clkrep.lacity.org/online/docs/2020/20-1174_mot_09-15-2020.pdf (Attachment C)

Don noted that this is a position that is half a position; we have to support it but it doesn’t do the job. Don feels that the proper way for this to exist is to require a schedule performance and then a bonding for that schedule and performance: This is a remedy as it is stated; this only comes about after the building gets going and the Planning Department and Building & Safety says you have to do a bond or something. He had brief discussion with Daniel at Paul Koretz’s office and this is something that can get done now, but it’s only half.

Maureen recommended amending with only cash bonds; because surety bonds once they expire, come into play at all. Wendy asked if there is a minimum, to which Stephanie noted that there are mechanisms. Bonds are held for different durations but for completing a house – she wondered how anyone can afford doing that – but that there should be something out there, and they expire and are not renewed, and the city sits without protections.

Cathy asked wouldn’t it be better to require it to automatically renew every year? Don recommended postpone the writing of this CIS until we have further discussion with the council office so we are precise with what we want to go after. The intent of what we’ve done is admirable but based on what we’ve read so far, there’s a lot involved in this besides how the bond works. At the moment, a file has been opened and gives us the opportunity to have serious discussion.

Jamie opined that there is a bigger issue: A motion says we start the process to get to this goal; there are many things to be figured out along that way. We might have some boilerplate language for amendments saying that the following items need to be further evaluated and addressed in the future ordinance, and lay them out. He noted that they are just at the beginning of the process. There are ideas we haven’t fully fleshed out. If we’re going to do a CIS within a week of a motion, we want to show we are supporting them and can do supplemental CISs as we go along. Rather than expect that we have fully evaluated now, lay out what we think requires further evaluation. *Motion: That we support a CIS in support of the project with amendments; moved by Jamie; seconded by Bob. 11 yes; 1 no; Nickie; 1 abstained; André; passed.* There was discussion about need for the amendments, following which **Jamie withdrew the motion, noting we are in no rush, and would have Don report back on what the amendments need to be, will discuss further with CD5.**

12. Discussion & Possible Motions for Community Impact Statement on Council File # 20-1175: Property Owners and Financial Institutions / Order to Abate Vacant Structure / Los Angeles Municipal Code (LAMC) / Sections 91.8904 et seq / Written Notice

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=20-1175>

Consideration of a Motion introduced by Councilmember Koretz which concludes:

I THEREFORE MOVE that the City Attorney, with the assistance of the Department of Building and Safety (LADBS), be REQUESTED to notify property owners AND financial institutions that carry a mortgage on the property via written correspondence when LADBS issues an Order to Abate Vacant Structure for violations of LAMC 91.8904 et seq, AND warn they could be subject to fines, criminal prosecution, and recovery of city abatement costs through a lien against the property, if corrective action is not taken prior to the compliance date on a LADBS Order. I FURTHER MOVE that the City

Attorney and the Department of Building and Safety, be REQUESTED to report with recommendations and the necessary resources to begin issuing ACE citations for violations of LAMC 91.8904 et seq, that are not corrected prior to the Compliance Date on a LADBS Order.

Motion: To write a CIS of support; **Moved** by Jamie; **seconded** by Cathy; **13/0/0; passed.**

Full motion: https://clkrep.lacity.org/online/docs/2020/20-1175_mot_09-15-2020.pdf (Attachment D)

Current Case Updates by PLUC Members on pending projects:

13. New Packages Received – Bob has received packages one to do with making east Nicada into a private road.

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

- Robin has seen many Transit Oriented Community (TOC) projects. Jamie noted many TOCs & CUBs in the flats.

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

15. Determination Letters Received:

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

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

- Jamie related that there was an application for a very controversial project 1830 Blue Heights Drive was appealed by DSPNA and LCA. It was remanded back to APC. They have now applied for a new entitlement, seeking a zone variance to exceed BHO maximum grading quantity.

- Wendy noted FAA meeting tomorrow.

18. Adjournment Meeting adjourned at approximately 7:00pm. Next PLU Meeting: **November 10th 5:00pm**

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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