



**Bel Air-Beverly Crest Neighborhood Council
 Planning & Land Use Committee Meeting – Minutes
 Tuesday July 13, 2021, 5:00 P.M. – 7:00 P.M.**

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 Member Roll Call:** Meeting was called to order at 5:03 P.M. by President Robin Greenberg as the Chair was not yet present. Vice Chair Savage related since the Chair is not yet here, and there is a growing list of attendees, it would be prudent to take agenda item #4, Public Comment on items not on the adopted agenda, after items #6, 7 & 8, in order to allow the presenters to present their projects. VP – Legislation Hall stated that it is at the discretion of the Chair to take items on the agenda in any order. Vice Chair Savage estimated it would take 1-1/2 hours to get to item #4. President Greenberg called the roll with 9 present; shortly thereafter there were **12 present** and **3 absent**.
- 2. Motion** To approve July 13, 2021 PLUC Agenda **Moved** by Members Wayne & Savage; **9-0-0; passed**.
- 3. Motion:** To approve June 22, 2021 PLUC Minutes **Moved** by Members Wayne & Savage; **9-0-0; passed**.
- 4. Public Comments:** At the conclusion of items #6, 7 and 8, the floor was opened to general public comment on any topic not on the adopted agenda within the Committee’s jurisdiction, beginning with Council District 5 Planning Deputy, **Daniel Skolnick** who introduced the topic of the Draft Ridgeline Ordinance.

Daniel acknowledged the controversy that has arisen as to communities built in the ‘50s on prominences of the ridgelines and related that the ordinance will not pass as written. He discussed the intention of the ridgeline ordinance to protect the hillsides and ridgelines.

He noted that that this draft is the product of the Co-Studies Division of the Department of City Planning, who didn’t do the best job when they included many homes that would create nonconformity. He asked that we continue to work with them.

He noted that the council office is looking to organize a group of experts in hillside development to include members of the American Institute of Architects (AIA). He would welcome anyone with extensive hillside development background to reach out to work with them.

He assured all those in attendance that they will not be rendering half a century of homes built as non-confirming. He acknowledged that folks feel that this is moving quickly, on a path that is going to be adopted tomorrow, which he assured us is the furthest thing from the truth.

Daniel related that a proposal to protect the ridgelines in the Santa Monica Mountains has been worked on well before Paul Koretz has been in office, it was long in the making, since we have seen a developer exploit a number of sites. Today this draft ordinance is not at the City Planning level to make a recommendation to the Council. The decision is so far back in terms of process, it might take a year or more to finalize. There are

changes to be made. He asked that we work with the office of Paul Koretz and Planning to voice concerns and recommend changes.

He noted that if you live on a ridgeline, he understands the concern, and assures us that they are not going to let this pass without substantial changes.

Daniel responded to comments from the attendees whose comments included but were not limited to the following: (This is not a verbatim transcription.)

M. Allen: We have been patiently waiting. Once politicians get their hand in the jar you cannot take it out. Daniel noted that we will not let it go further in its current iteration.

[Vice Chair Savage announced at 7:03 P.M. that we are extending the meeting beyond the 7:00pm hour.]

Connie related that she felt threatened by the city coming with legislation and asked why this continues to happen. Daniel related that they will ask the department to prepare a draft that will be sure that homes will not be rendered legally nonconforming.

Shirin Javid, resident of East Bel Air related that she has lived here for 40 years, and asked if there has been any incident where homes have slipped down. She thinks that we should not fix an initiative that should never have happened. **M. Allen** agreed and recommended killing the initiative. Daniel noted this is about protecting scenic resources; however, people have their property rights, to add on, etc.

Richard MacCracken, related that he has lived here all his life, his family has been on Linda Flora for 150 years. He appreciates what the council office is now saying and that this is wrong and will be rewritten. He noted that there is a trust issue. The impression is that this is about protecting undeveloped ridgelines but he when he looked at the draft more clearly, he did some research and feels the only way to figure out what was being done was to have a number of hours and a law degree; that it is essential to lawyer up if you want to know what's going on. His impression is that the attempt was to do this sub-rosa. He related that at the June 17th City Planning meeting he learned of the public comment period closing and had to write a letter that he took to the neighbors. He noted that no one in the neighborhood had a clue what was in this. His concern is the how well we will be informed of what is being done.

Allison MacCracken, Richard's wife, noted that they have been blown over by what they are reading in the Ridgeline Ordinance and Wildlife Ordinance, which removes what they can do with their properties when they purchased them. She feels it is appalling that we spend this much time working on either of these ordinances when other issues need attention, fire, homeless setting fires in our canyons, traffic crime, etc. A lot of neighbors feel this way in the hillside. Daniel agreed that this iteration wasn't done right but doesn't mean we shouldn't protect our resources.

Farrah asked about the idea for this ordinance, to which Daniel noted that the idea to protect the ridgelines was grassroots in the community before the Councilmember took office. It is to expand scenic resources and he asked if we think it is okay to flatten hillsides or preserve the shape of the Santa Monica Mountains. Farrah noted that as homeowners who are spending millions of dollars, we don't want to be limited in building and remodeling. She asked Daniel to tell them not to damage homeowners, limit us, make a little bigger house without ruining the hill grading or damaging our neighbors, etc.

Arash Daghighian related that he is a lawyer, and can understand how there is a lack of faith in the City Planning Department which he thinks is incompetent. Daniel brought up that we already have the Baseline Hillside Ordinance for houses in the hillsides, and that the point is to limit development on pristine ridgelines. Arash feels that whomever is behind the wildlife ordinance and ridgeline ordinance has misled the community. He is 50 years of age wants to live here for the rest of his life.

Patricia Templeton asked questions including but not limited to what the task force for the ridgeline ordinance will be doing, what he meant when he said it was not the Councilmember's intent for established neighborhoods to have further restrictions for developed areas. She noted that the Councilmember's original motion says "the established ridgelines would be left unmolested by the Ridgeline Ordinance." She asked if her home built in the 1950s, 2200 square feet though allowed 5500 with slope band analysis, on her existing lot, graded 60 years ago, would be affected.

Daniel related that he is trying to organize a group of professionals, primarily looking at AIA, to have them review the ordinance on behalf of the CM's office, to provide expert opinion, and be an advisory group for the council and provide recommendations to the Department of City Planning. He agreed that it is about protecting natural resources, not about areas that are fully urbanized; not to limit homes in fully urbanized areas.

Committee Member Morris asked about RP2, to which Daniel noted that he wants additional work on this, and review with the advisory group. **Committee Member Weisberg** asked as CM Koretz will be termed out in 2022, who is the councilmember working with to pick up this mantle? Daniel noted that CD4 is continuing to work on this. Right now it is funded and it is something they intend to complete.

Zack Friedland asked why is the Councilmember not focused on more important things, e.g., homeless, fires, infrastructure. He noted that you blame the Planning Department, but it is an issue that the Councilmember created in the first place. Daniel noted that it is something that the Department was supposed do years ago. Asked about budget for this from Paul Koretz's office, Daniel noted that if you want to talk about homelessness, and the elements of the General Plan, email him. There was a draft release about the housing element which no one ever talked to him about.

Shirin Javid asked why we are working on a project that is not a high priority problem. He noted that this is not about hillside stability.

Rajiv, resident of Linda Flora Drive, related that he understands why the ordinance was originally developed, that was to limit the mega-mansions that are 20,000 square feet, and thinks there should be another type of ordinance to deal with the mega-mansions. He would like to appeal to the people of this community as he thinks this would drastically lower the value in his property in a way that he wouldn't be able to recoup his investment. He noted that for neighbors in support of this, we are just like you, the only difference is a couple of feet of elevation.

Brief comment was given by Member Miner to which Member Hall reminded us that we are under the constraints of the Brown Act to refrain from responding to comments from the public. From this point on everyone continued to be given an opportunity to speak; however, without replies to each question from Daniel.

Omar is now living on Linda Flora with his wife and two daughters, having lived on Roscomare previously. He worked from nothing, put their nest egg into it, doing improvements. He runs one of LA's most prominent solar companies. He encourages being a little more level headed and maybe restrict new development and not 60-year-old developments.

Andrew Paden: Love of natural beauty of this area inspired him to become an environmental planner. He was concerned about this inappropriate ordinance. He wanted to know what was the role of this NC in promulgating the RP1 designation.

Arsuda was called upon to speak but did not reply.

Elizabeth McGuire related that she lives on Roscomare, and asked what it means that this won't impact the neighborhoods that are already developed. Daniel noted that the intention is not to unduly restrict urbanized areas from the 1920s or 1950s and, that it would not apply where there are not ridgelines to affect.

Josh related that he has been on Stradella for 23 years; he shares everyone's concerns, he is confused by the confusion and asked for complete transparency and lots of clarity.

Tala Jayadevan asked, if someone wants to join the group to consider the ordinance, how would one be considered to be on the panel? Daniel offered to communicate by email. 2) Mentioning RP1 & particularly regarding RP2, from her read of it, it would apply to developed neighborhoods. That's part of everyone's concern here, even if RP1 wasn't applied. He noted it was never their intent. 3) She noted that the anger from this group is that all felt blindsided and surprised by it, there were few notices for protecting the ridgelines, and when you dug into it you saw this scary property-taking ordinance. She understands it was a mistake and perhaps wasn't supposed to be that way. She would like more communications that truly say what will take place that so we know what will change. Daniel agrees with her. 4) She asked when we will know that it won't pass like this, and when will it change? Daniel noted that there is no date until revisions are made.

Nadia Heshmati asked what would happen if there was an earthquake or a fire and you needed to rebuild; as it is it is a process to get a permit for a simple add on. Daniel sees her concern; they don't want the properties to be nonconforming. They think if your home burns down in a fire, you should be able to rebuild.

H. Nikfar asked at what point did our councilmembers and the board know about this ordinance. Member Jamie Hall noted that it is not our job to interact with the speakers during public comment period. Mr. Skolnick could answer but board members cannot answer. H. Nikfar continued, why not drop this ordinance as it is written and why not write from scratch.

Alex Ganelis thanked Mr. Skolnick for answering our questions. He has been 20 years on Stradella Road, and noted that this ordinance would affect him tremendously. He mentioned rebuilding, and asked why differentiate for houses that need to be built because of natural disasters or a house needs to be rebuilt. Daniel replied you are allowed to repair existing building; you would always be able to maintain your property. Mr. Ganelis is against this ordinance.

Daniel Freedman from the Law Offices of Jeffers, Mangels and Mitchell represent several owners in the hillsides, who are also opposed in to the Ridgeline Ordinance. He was happy to hear Daniel Skolnick say that it will be revisited and modified significantly. In terms of moving forward, he would suggest going towards the comments about protecting the resources; that this ordinance and the wildlife ordinance, the way they are proposed, put the cart before the horse, because they are not identifying the resources they are trying to protect; they are first identifying the regulations.

Chair Schlesinger thanked Daniel for showing up and absorbing attacks. Member Hall reminded us that we are not to interact, and cannot limit what people say during public comment period. He noted that people can talk about anything they want to, whether the ridgeline ordinance or wildlife ordinance. Daniel Freedman related that both are proposed with categorical exemptions and encourages a thorough environmental analysis before being brought to the public again.

5. Chair Reports: Robert Schlesinger, Chair, & Stephanie Savage, Vice Chair
Vice Chair Savage gave a brief report noting that she has been looking at LADOT requirements for single family homes for hillside development, and that although it says that single family homes are exempt from the normal calculations for projects, there is an addendum letter to the PLU committee specifically regarding projects with roads less than 24 feet wide. If there is a review, it may be part of Plan Check, not part of the entitlement process; there is a review being done for roads less than 24' wide.

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

6. DIR-2020-7484-DRB-SPP-MSP, 15408 W MULHOLLAND DR 90077 (Stephen Wise Drive)

Project Description:

THE DEMOLITION OF TWO EXISTING BUILDINGS, TWO EXISTING PLAYGROUNDS, AND A SURFACE PARKING LOT AND CONSTRUCTION, USE, AND MAINTENANCE OF A NEW 21,000 SQUARE-FOOT TWO-STORY BUILDING AND RECONFIGURATION

Applicant: SHARON SPIRA-CUSHNIR [Stephen Wise Temple]

Representative: MATT DZUREC [ARMBRUSTER GOLDSMITH & DELVAC LLP]

matt@agd-landuse.com <https://planning.lacity.org/pdiscaseinfo/search/encoded/MjQyNjgz0>

Motion to approve the project **moved** by Member Miner and **seconded** by Member Wayne; **approved** by **11-0-1** Chair Schlesinger abstaining.

7. ZA-2020-7359-ZAA-ZAD 1826 Crisler Way 90046

Project Description:

PURSUANT TO LAMC 12.24 X.28 AND 12.28, A ZONING ADMINISTRATORS DETERMINATION/ ZONING ADMINISTRATORS ADJUSTMENT FOR A NEW 1,660 SF SFD WITH AN ATTACHED 2-CAR GARAGE ON AN EXISTING VACANT LOT

Applicant: TAKESHI FURUKAWA [Company:]

Representative: SIMON STOREY simon@anonymousarchitects.com

<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjQyNTU20>

Simon Storey went through 10 items, including but not limited to measuring building height with a 33-foot envelope height. He had initially a combined height but most of the building is 28 feet; garage area 33;

planner said whole project can be 33. They didn't change the building which is mostly 28. Tree report was updated and the Arborist found one protected tree, a Toyon, well outside footprint; one single Toyon which he noted is easy to protect, 20-30 feet away from the building. Questions were asked and answered including but not limited to parking plan, to which he offered to come up with a new plan and email it to us. He was asked about the four other projects on Crisler at 1818, 1812, 1806 and 1800 Crisler, which this project is next to. He was asked and noted that he did not have permission to park at the Country Store. The issue was raised about the additional 10% for an additional bedroom.

Public Comment: **Billy Brown** noted with respect to the 10% he doesn't agree increase should be allotted. He noted that any time spent on Yucca Drive, Kirkwood and Yucca Trail, there are multiple no parking signs, which are disregarded by Amazon drivers, construction crews, guests, etc. He feels that this project doesn't satisfy the sensitivity of existing home owners and residents in the area. The Canyon Country Store is well known. They are very strict, wiping out his opportunity to park there. He lives on Grand View.

Daniel Freedman: Law Offices Jeffers, Mangels and Mitchell represents property owners on Marmont, noting that clients haven't been made aware of the project; they are actively involved in the four homes; this was just brought to his attention yesterday. They don't have information; they have concerns about any construction on Grand View and Marmont. They'd like more information and to be involved.

Chair Schlesinger asked Simon to come back after speaking to the neighbors; Stephanie would send him a list subsequent to this meeting. Jamie noted that we need to understand that Simon is saying those four projects are withdrawn or inactive. We need a concrete answer from Staff Planner, Jason Hernandez, if they are active or withdrawn. Stephanie will reach out to Simon that the staging plan needs to be fleshed out. She'll send something to him. **Continued for further discussion.**

8. **APCSV-2019-3173 -SPE-DRB-SPP-MSP, 13850 MULHOLLAND DR 90210**

Project Description:

Original Language: 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.*

Revised Language Applicant will communicate to Planning Department: Mulholland Specific Plan Project permit compliance and design review for an addition as well as a slight variation for over-in-height roofline to SFD, new pool house, ADU and maintain encroachment of existing retaining wall within roadway right-of-way.

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

Representative: DAMIAN CATALAN [DC EXPEDITING, INC. Damian@dcexpediting.com <https://planning.lacity.org/pdiscaseinfo/search/encoded/MjI5Nzk20>]

Damian Catalan related that they had presented this to us a couple of times previously and it has evolved since then. The latest plans have taken into consideration previous comments they received, one of the biggest being the grading and the height of the addition itself. Detailed update was provided. This is the 4th time Damian has been here. No public comment.

Motion: To approve project with the condition he spoke of, the replacement of the wildlife permeable fence along frontage and replacement of the walnut at a 4:1 ratio and the other entitlement request he has in his application. **Moved** by Vice Chair Savage; **seconded** by Member Wayne.

Amendment: Subject to the approval of the MDRB **Moved** by Member Loze, **seconded** by Chair Schlesinger; **9 yes:** Vice Chair Savage, Members Levinson, Wayne, Loze, Bayliss, Grey, Miner, Morris and Schlesinger. **0 no; 0 abstentions; passed.**

9. Adjournment: Moved by Members Wayne & Schlesinger, the meeting adjourned at 8:01 P.M.

Next PLU Meeting: Tuesday 08/10/2021 @ 5:00 P.M.

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 ADJUSTMENT

ZAD – ZONING ADMINISTRATOR'S DETERMINATION

ZV – ZONING VARIANCE