

Bel Air-Beverly Crest Neighborhood Council **Draft Minutes**
Planning & Land Use Committee Meeting (Virtual)
Tuesday September 14, 2021, 5:00–6:15 P.M.
<http://tiny.cc/BABCNCPLUMeeting>

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	
Shawn Bayliss		X	Jason Spradlin	X	
André Stojka		X	Yves Mieszala		X
Cathy Wayne	X		Wendy Morris	X	
Maureen Levinson (late)	X		Leslie Weisberg		X
Stella Grey	X		Travis Longcore, BABCNC President	X	

- Call to Order:** The meeting was called to order at 5:05 pm.
- Flag Salute**
- Roll Call:** Chair Schlesinger called the roll with 8 members present initially and **11 present** and **5 absent** shortly thereafter.
- Approval of Agenda**
Motion: Approve September 14, 2021 Agenda: **Moved** by Members Savage & Wayne; **7-0-1**; Member Spradlin abstained; **approved**.
- Approval of Minutes**
Motion: Approve July 13, 2021 Minutes and the August 10, 2021 Minutes: **Moved** by Members Savage & Wayne; **8-0-0**; **approved**.
- General Public Comment:** Allison MacCracken asked how to converse with the NC regarding the Wildlife Corridors. Member Hall noted that Public Comment is not for dialogue but that we plan on holding at least two focused hearings before the PLU Committee on the ordinance because it is so important for the NC, he expects in the next two months.
- Chair Reports:** Robert Schlesinger, Chair, & Stephanie Savage, Vice Chair
- City Representatives**

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

- 677 N NIMES ROAD 90077 ZA-2021-6028-F 677**
Project Description:
 PURSUANT TO LAMC 12.21 C.1(g), (N) 8' HIGH FENCE IN FRONT YARD SETBACK, INCLUDING 6' WALL, VEHICULAR GATE, AND 8' PEDESTRIAN GATE WITHIN PUBLIC R.O.W.
Applicant: Edward Ehsan [677 Nimes Road, LLC]
Representative: Sean Nguyen [EZ Permits, LLC] sean@ezpermitsllc.com
<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjQ5MTI00> See Initial Submittal Documents

Sean Nguyen related that he is representing the applicant and owner for the proposed new 8' high fence in the front yard within the public right of way. He noted that the scope of work is the same but the new scope is for an 8' wall not 6' wall – an 8' fence and gate within public right of way. It is a single family residence under construction. Purpose of the fence for a revocable permit requires approval for the front yard max height of 42". Current design will be approximately 3' behind the curb, with an existing 10 foot parkway. The main reason for the fence is for security and privacy for the residents. They are asking for support for the proposed SFD to have a fence greater than 42" high within the public right of way.

Vice Chair Savage asked if he could screen share, which he was not able to do. It will be an 8' high fence along the front property line. He related a number of comparable homes on Nimes with 8' fences that were approved by the City and that the character of the entire block has fences of 8' with shrubs, walls, etc.

Vice Chair Savage shared concerns including but not limited to that the right of way is 40 feet, but the approved road is a hair over 20' and that what they have left over is about 10' from curb base to property line. The amount is 10 feet x 354 feet, a public area that includes other things like street lighting, 3,540 square feet. She noted that typically with revocable permits they don't want you to have any structure; there is no reinforcing so they could remove it. To put something permanent is problematic. She noted that she looked at the project on Bel Air Road, similar to what he is talking about. It is a structure. The only thing there is that the people do park on the street on Bel Air; they can exit their vehicle and open their car door. The reason to have a right of way is to be able to get out of your vehicle. If you plant or build on that space, you are impacting parking in the neighborhood. That is her concern. You are encroaching where people can park if you build it up to the curb line and any permanent structures seems inconsistent with what BOE would allow. She asked if there is a way he can build so that it is not a permanent structure at 10 feet. He didn't think so. She asked about liability for the city for occupying a 3,540 square foot area.

Member Hall noted that we have reviewed many for front yard setback but not in the public right of way and asked if this house was recently developed, a new development, to which the presenter noted that it is under construction right now. Asked if it was fully by right, were there any discretionary components, he noted that he was not with the project at the beginning; he can't confirm. Members Hall and Longcore discussed the appearance of deliberate "piecemealing" by developers.

Member Spradlin related that he knows the street pretty well. The fence he wants to construct looks like it was obstructed by plants and trees and that it will not be an ugly wall. Maybe some ficus in the back of the wall as well. Member Grey asked if the fence is in public right of way, does it mean it takes land from the city, occupies land that belongs to the city, to which Vice Chair Savage responded, temporarily, as long as the city allows it to happen. It is a requirement on any revocable permit that you have proof of insurance.

Vice Chair Savage asked if it is possible for his client to build a fence on the property line and have green space there so people can use that right of way, and the street light can be replaced on the right of way, to which he responded, yes, he will get back to us on that and will return after discussing this with the applicant/owner. Maureen Levinson noted that she had arrived late and is not up to date on this, and wondered if Sean discussed anything with the BAA, highly suggesting that he do that before they come back here. **Continued**

**10. Introductory Discussion on Entitlement Request planned for October 12 PLU Agenda:
2830 Woodwardia Drive PS-1435-MSP ENV-2020-2854-CE**

Project Description:

PROPOSED VACATION OF PUBLIC PORTIONS OF NICADA, WOODWARDIA AND ANGELO DRIVE INTO PRIVATE-ONLY ACCESS ALONG WITH IMPROVEMENTS ENTRY/EXIT IMPROVEMENTS.

<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjM3NzE20> See Initial Submittal Documents

Chair Schlesinger opened the floor for discussion, noting that they want to privatize their street, on the east side of the street, and opened the floor to Marty Ackerblom; noting that Fernando Villa is the Attorney. The presenter introduced us to the two applications that they submitted to the city and explained their design. They anticipate by the time of the October meeting, they will have a refined design to present to us.

Public Comment: Ken Linzer, President of the Bel Air Glen HOA, for a dozen years related that he was disappointed and outraged that the directors of Bel Air Ridge sent a false letter with false claims on the project. Counsel Villa noted that the purpose of the project is to provide safety to the homeowners BGA and to prevent speeding cars from killing children. He noted that people use the cut through from Beverly to Angelo, and they are very concerned that the safety of our homeowners has been jeopardized. The traffic during peak times is such that many of our homeowners on Woodwardia as well as our homeowners on Angelo cannot get into or out of their driveways. He noted that they have been discussing with those east of their project and assure them that they would have full egress and ingress and they were in favor of the project as they've noticed the increased traffic on Angelo when people come up Briarwood & Angelo.

Joanne Parrent, Bel Air Glen noted that she and other residents do not like the idea of this vacation or gating project. She noted that there have been a number of letters submitted to the City Council, and that a number of us have rejected this project; a land use lawyer in this community detailed problems with the application, including the homeowners who live where the gates are going to be have not given approval of this; any of us affected should give approval. It was an unusual thing where ballots were passed out at a party. The photos in the application are deceptive where the gates will be and impact the houses they are in front of. She noted that both Fire and Police – though they will have opening ability – will have delay, especially for older folks. She noted we are in the brush area and should be spending our money on dealing with more fire mitigation. She just found out about this meeting. Chair Schlesinger noted that we called both sides to show up.

The PLU committee's questions were asked and answered followed by further public comment.

Simon Asef related that he lives at 2851 Woodwardia and has seen how the traffic has negatively affected us; one of the kids has almost been hit by a car. He noted that this is not a want but a need and that they really need a gate to stop traffic from coming into your community.

Tim Steele, BG HOA noted that the traffic study was very cursory, done in November 2019, before COVID 19, and the cut through traffic has almost disappeared since then. It has always concerned him that we didn't consider seriously less radical approaches, like signs prohibiting right turns ... or speed bumps. He noted that Angelo Drive is a major street for their HOA and BAR HOA; that it is no simple matter with simple consequence to gate off half of that street and that this will effect traffic in the upper BG area almost certainly if this is adopted. He noted that they may eliminate outside traffic but will have traffic inside the community.

Further committee questions were asked and answered.

Joanne Parrent noted that the main way this has been sold is that this will improve property values and eliminate crime. These are things that may or may not be true. The traffic has so lessened since COVID 19. She doesn't think it's a problem anymore and they have spent \$500,000 on this attorney.

11. **Discussion** regarding lack of continuity between planning reviews and plan check reviews of projects with discretionary approvals. Conditions of approval prescribed by ZAs apparently do not become part of projects' documentation and therefore are not enforced by LADBS during construction. Discuss possible solutions, e.g., in the City of Beverly Hills, planners are involved with the plan check process. – Stella Grey
Continued to the next meeting.

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