



**Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting (Virtual)**

Tuesday October 12, 2021 5:00–6:30 P.M.

Minutes

Name	P	A	Name	P	A
Robert Schlesinger, PLU Chair	X		Stephanie Savage, PLU 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	X		Leslie Weisberg		X
Stella Grey	X		Travis Longcore, BABCNC President	X	

1. **Call to Order:** Chair Schlesinger called the meeting to order at 5:04pm.
2. **Flag Salute**
3. **Roll Call:** There were 9 members present initially; Member Loze arrived at 5:08pm; Morris arrived shortly thereafter, and Levinson at 5:44pm for a total of **12 present** and **4 absent**.
4. **Approval of Agenda**
Motion: Approve October 12, 2021 Agenda **moved** by Savage & Wayne; **approved by 9-0-0**.
5. **Approval of Minutes**
Motion: Approve September 14, 2021 Minutes **moved** by Savage & Wayne; **approved by 8-0-1** with Member Stojka abstaining.
6. **General Public Comment:** None.
7. **Chair Reports:** Robert Schlesinger, Chair, & Stephanie Savage, Vice Chair. Chair Schlesinger noted that he has been scoping a big project on Angelo that will be forthcoming.
8. **City Representatives**
9. **Update regarding 2830 Woodwardia Drive PS-1435-MSP ENV-2020-2854-CE**

At the **December 2021** PLU meeting, the Committee will hear from representatives for the Privatization of 2830 Woodwardia Drive.

[Member Loze arrived at 5:08pm; Member Morris arrived shortly thereafter.]

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

10. 1826 Crisler Way 90046 ZA-2020-7359-ZAA-ZAD

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 **Rep:** SIMON STOREY simon@anonymousarchitects.com
<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjQyNTU20>

Simon Storey returned noting that this is his fifth time here. He related that the primary concern was from the lawyer representing neighbors on Marmont Avenue, who brought a letter, he assumes from a geologist, dated May 16, 2021. He doesn't know who requested the report, however, noted that it is outdated and the subject of the letter is not regarding 1826 Crisler. He noted that typically they would get a rebuttal report from a geologist and would get his geologist to talk to us, and that he can't formally respond to it as his address was not on the letter. He noted that the first item is his own geology report dated June 18, 2020, in which page 41 has an analysis of the so-called factor of safety, a measure of slope stability. He provided the report to us and to the Grading Department who reviewed and approved the report dated August 2020 which details stability issues. He noted that the other issue raised at the Marmont meeting was the proximity of his site. He showed one map highlighting that any potential flow of spoils falls a long way from the buildings on Marmont. He thinks he is in a very different position than the other neighboring lots.

Public Comment: *(This is not a verbatim transcription.)*

Daniel Freedman, from the Law Offices of Jeffers, Mangels and Mitchell, represents homeowners on Marmont. Comments included but were not limited to that there was a lack of response to the concerns raised in the letter. The report was prepared by a civil engineer not a soils engineer. The homeowners on Marmont are concerned about the stability of construction and the safety of having construction equipment on a slope like that, e.g., a cliff. He is a little disturbed by the lack of response. To the extent that NC wants them to have their engineer review the site again and confirm his findings as to this lot being the same, he related that they have the exact same concerns that this has. With respect to the applicant's comments that it is really far from the homes, he noted that these images (*shown*) are somewhat deceiving as to the topography as to how the site works: the paper street on Marmont goes downslope; they will be constructing down the slope, down the hill, and will require a sewer connection. It is not a complete depiction of what the project will include. He still doesn't understand why his clients have not been contacted by this applicant, there has been zero effort. His clients have legitimate health and safety concerns.

Rawdon Messenger related that he is a resident of 8259 Grand View Road, further east from the drawing, slightly below. He noted that he has lived there 15 years. He cited a wind storm last year that caused power to be cut, trees downed and lots of issues. He cited trucks losing control on the hillside, last year one mail truck lost control on his hillside and drove through a reinforced fence, noting that it was lucky there were no children on the driveway. He mentioned a truck blocking the exit for three or four days last year. He stated that he can list issues regarding safety of this road, the streets are precarious, falling apart, and noted that hillside fell after the crash. He stated that this is a matter of safety. He believes the applicants know the number of trucks and causes of safety blockages on the street. He explained that the arrow on the image being shown is arbitrary; if you rolled a ball down, it would land straight on one of those houses.

Jon Pikus related that he has been 19 years in Kirkwood, just down the hill. He walks daily in the neighborhood; walks past the site on Grand View daily. As to whether there would be sufficient fire truck turnaround, he noted that there wasn't in the past. The narrow paper street to be turned into a street got cancelled. He noted it is a steep grade. Between his house and Grand View several years ago there was an attempted construction; a caterpillar got stuck on the hill and started to roll down the hill towards his house; it got averted. He noted that it is not a safe steepness to build upon. He reminded everyone of the 1979 fire on Grand View where they lost homes, in part because it is difficult to get fire trucks up these street. He is concerned that construction could block these vehicles that can prove catastrophic.

Julie Z Wynn thanked the NC for our work and taking care of our community and making sure that projects that should not be built are not built. She lives on upper Marmont and noted that that any debris would directly hit one of their two backyards. She noted that with construction comes a lot of debris, dust, and noise; she has sensitive lungs and spends a lot of time outside, and time in her pool, which if any debris would fall it would hit. She asked how about all the noise that would be in their community as a result of their construction from 7 am to 6 pm and she and her fiancé work from home; the noise and beeping is detrimental to their work. The debris that would fall into their back yard. They have a small dog that is constantly running around and it would be devastating if he were hit. She has seen this gentleman taking photos surveying the lot above us and she attempted to introduce herself and noted that a gentleman, not sure if it is the same as (*the presenter*) here tonight, was standoffish and she didn't appreciate his response.

Dr. David Ralston has had homes on Grand View over 20 years and previously on Yucca Trail. He noted that for five years Grand View and Yucca have been closed due to pipes giving way and taking out part of the hill. ...There were city projects to shore up Grand View. Two cars cannot pass by each other; people would have no option but to go down Yucca Trail if the street was closed. He noted that parts of the street are held up by decaying wooden planks and could go down with trucks. Outside his home is marked as "no parking at any time" yet at any particular day there are two to three cars parked illegally. Fire Marshall said that even one illegally-parked vehicle would prevent trucks from getting up to Grand View. He spoke about a wall, the same width as the one they are talking about, and that daily a truck tries to turn around on his driveway. He noted that any construction will involve people doing that, and it is not safe; the road is not viable. He noted that Crisler Way goes down a way; these are trails. He urged us to reject this project.

Jim Mills: He lives on Yucca Trail, and wondered if anyone went to check the site out, as suggested at the last meeting. He'd be interested in your impressions about the area. He noted that there is breaking down of Grand View because of heavy vehicles. He noted that down on Mannix Drive, a city project was causing strife, a good project to shore up the street and people are still irate, and Mannix is a wider street than Grand View. He asked, where will they be able to put the vehicles? If any emergency, Grand View is a very long snake-like street... If any emergency, people will be getting in line before they realize they have to back out. It is very steep and narrow, vertiginous...

Naureen McMillan: 8373 Grande View, was here in 2007... there was a medical emergency across the street; the ambulance had to stop at 8401, had to go back down Grand View and Kirkwood, and took Yucca which took a while to get back up here. She is concerned about personal safety for emergency vehicles, fire engines, because there is illegal parking, and if an emergency vehicle can't get through that's a disaster, as well as concerned about people who live on Marmont. They won't be able to control everything. She is very very concerned about her community and their safety.

Tikhon Bernstam thanked the council.... lives right below this project at the top of Marmont. His primary concern is safety, potential for landslides, falling equipment, slope failure; noting it is such as steep hillside and if the smallest thing goes wrong we'll have a major problem on Marmont. It is strange to him that the presenter is keeping them in the dark, there is no communication and "we feel totally in the dark." He noted the extreme winds yesterday that knocked out power and debris. He noted that if you combine these winds with this type of project on a hillside, he is terrified of what will happen.

Aiden Dr. O'Brien called in from Ireland and related that the last 15 years have been pure hell; project on Grand View should never have been green lighted; people have sold because they couldn't stand it. There was massive damage for what was done on the street. The total expense to shore up Grand View is huge. What was appalling was when the water tower area exploded and the mud flowed. He noted that where the red arrow is, follow the white road, this is a culvert directing water off Grand View to the top of Marmont. This is exactly how the whole thing will flow. It will be just like the mess on the hillside.

Brook related that she grew up in Laurel Canyon all her life; invited us to drive on the street. She lives on Yucca Trail at the bottom of Grand View, on the super steep part and noted that it is one of the scariest streets to drive in Hollywood. She asked that we look at the slope and noted that her main concern is that on a good day with no construction trucks, there have been three cars backed up each way on Grand View. There are no turnouts, nowhere for these cars to back up to. Any big truck up there is blocking all traffic. When they did the project at 8401, she was trapped and could not get in for about half an hour, multiple cars each way. With the high fire danger here and medical emergencies, it is terrifying if you were to live here. The arrow on the map is a bad joke, going off to the right. Things would go straight down. She noted boulders at the door on Franklin at her parents. The steepest part of Grandview comes to her driveway with no turnaround. Cars have backed and done damage to her home.

Blanche D'Souza noted that she lived in the canyon during the 1979 fire; she is a realtor. She received a report that says the Kirkland Bowl is a high fire severity zone. Living through that fire, this is dangerous area, especially with climate change, and asked that we not support this project from moving forward.

Brian Mathena noted that Briar Drive encountered development issues; two-year resident of Kirkland Bowl, he can see the impact that this would have. Outside of immediate safety regarding fire and medical, combine trash day with construction, safety would be impacted on Grand View above and Marmont below. Long-term impacts will be felt long after this developer won't be around. He sees lack of communication from the developer as an indicator of how they'll handle issues that arise and asked us to deny this project.

[Maureen Levinson arrived at 5:44 pm. For a total of 12 committee members present.]

Public Comment was closed and committee questions were asked and discussion held.

Member Wayne noted that the paper street is a drainage ditch and to make this into a street they would need to cut out the hill because it is a drainage ditch, and that is what the city initially installed it for. Also, if you look up from the triangle of those two houses on Marmont, it is almost a vertical drop from the top of Crisler and Grand View. She is not sure how they would call this a paper street. She encourages everyone to look at the street from the location. She asked what the debris fence is made of, to which Vice Chair Savage related that there are details on the drawings of the debris fence. Member Wayne opined that it won't hold any kind of rock because it is put into the side of the hill; it isn't going to have any security to hold the fence in place. She is not sure that this is sufficient for debris. She is extremely concerned about the fire safety and the ability for emergency vehicles to get to the properties. She lives in the canyon and knows all of the problems here and this is just another one that she is extremely concerned about.

Member Hall reiterated what he has been saying each time Simon has been here: we must first conclude whether or not this project is exempt from CEQA. The biggest reason it is not exempt from CEQA is the cumulative projects, e.g., the four-home project immediately next to the site. The applicant has said forget about that as that project isn't proceeding. Member Hall related that Jason Hernandez said no, this project is still active, has not been abandoned; however, the applicant is still pursuing the project, reflected in the fact that they have done an MND for this four-home project next door that was submitted to the state clearing house, submitted for public comment. Agencies and public wrote in. He noted that the MND is over 1000 pages long and concluded that there were potentially significant environmental effects with those projects next door, with which they share a boundary line. He will not support this project on the basis that it is exempt from CEQA because of the cumulative impact exception... The LCA board of directors voted to oppose this project, due to the absence of any environmental review. He noted that we have kicked this can a long time and need to take a vote, he recommends disapproval of this project.

Vice Chair Savage noted that we did reach out to the staff planner, who said that the four projects abutting this project are still viable. That is a concern, because if those were terminated, one would see this project differently. Savage noted that what is required is an erosion control plan... that there are many steps that the city makes you do when you are building a house... the four projects next door are the big concern.

Member Miner noted that she was up there one day a couple of years ago and was appalled. She has never been on any hillside roads as scary as these. Every road leading to Crisler is scarier than the next. It is a precipice, a straight down piece of land with no level land of lots there. This puts everyone who lives there in the neighborhood at risk. She does not think the builder has to build there, as you cannot put an entire neighborhood at risk.

Member Bayliss related that he read the project request but is unclear on the request, what they are asking for: Member Hall noted that they are asking for relief from street widening – continuous paved roadway, and ZAA to exceed max square footage.

Member Loze related that he appreciated all the comments from the neighbors who are subject to the potential of harm that exists with or without this project, but comes back to the question of what is being proposed that are more than what should be. In looking at the file, he found that there was a request for a swimming pool. He doesn't know construction issues of swimming pools, but thinks it would require cement, digging, caissons, something which adds to the risk of something being built here other than a habitable building, maybe the far end of what we should approve; but that adds to this in a way that causes disturbance. He acknowledged that the request that we are being asked for are those two things that Member Bayliss just asked. The lack of widening, and which has been in existence for all the houses up there, so he would ask why the landlord would be penalized for lack of widening while no one else has been asked to do the widening and why lose the application because of the request. He noted that we don't recommend the small room... 700 feet... and that the whole issue of cumulative issue because of something speculative bothers him. Not that he is against the argument of cumulative impact but noted that it is the cumulative impact of those who are in line while this guy is there already. He noted that we have all been concerned about terrible cumulative impact in this whole area that hasn't been considered by B&S. He hasn't a point of view... other than wondering how we knock this out of the box.

Member Hall noted that this four-home development is the furthest thing from speculative. A file application that is pending and being processed with the city is not speculative; we have a filed application. The other projects have already had a ZA hearing, and the ZA did not approve them. He noted that he cannot approve this because the city has failed to analyze the cumulative impacts of all the projects on Grand View that are currently being processed. We already have ZA saying that there were cumulative impacts and to do an analysis... The entitlement and the environmental analysis are paired. The city can't approve a permit until they have concluded that the appropriate level of environmental review has occurred. They have done nothing in this case. When it goes to the ZA, say to Jack Chang again, he will hear the same issues as well as the entitlement request.

Motion: That this committee recommends denial of the project on the grounds that it is not exempt from CEQA due to the cumulative impacts of the project especially the four homes adjacent to the project and that it express the fact that there are public safety and health impacts associated with the project that have not been analyzed. **Moved** by Hall/Miner.

Motion to Amend: To reflect additional language that part of the motion is that we don't support the adjustment for additional square footage because we do not believe requirements for findings can be made.

Moved by Loze/Levinson; passed with **2 abstentions** from Chair Schlesinger and Board President Longcore; **passed**. This will go to the board before a letter goes out to the ZA.

11. **1785 Summitridge Drive 90210 ZA-2021-5099-ZAD, ENV-2021-5100-EAF**

Project Description:

PURSUANT TO LAMC 12.24 X.28 AND 12.21. C 10(i)(3), A ZONING ADMINISTRATORS DETERMINATION TO CONSTRUCT AN SFR ON A VACANT LOT THAT DOES NOT HAVE A CONTINUOUS PAVED ROADWAY FROM THE DRIVEWAY APRON TO THE HILLSIDE BOUNDARY.

Applicant: RF CA REAL ESTATE jdorso@yahoo.com

Representative: TONY RUSSO [CREST RE] tony@crestrealestate.com

<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjQ4MzEz0>

Tony Russo presented, and was accompanied by Dan Brill, Architect from Walker Workshop and the owner Mr. Jeff Dorso.

Tony Russo related that he sent the checklist to Vice Chair Savage and Robert. He went through the points and opened the floor to questions including but not limited to: 17,437 square footage; no basement proposed; just two levels. Parking spaces 5 through 6 provided. Setbacks 6'2" front; 12' side, 25' rear; height 36' slope 30 flat, majority of the building is well under height. Overall, even the sloped portions are below the 30'.

They reduced export to 6300. They are in the HCR, and understand 6000 cy is a topic of concern. They understand 6000 nonexempt though they tried to make this work below 6000 total. The bulking factor is 30%. It adds an additional 1800 cy which pushes them above 6000. Would put them close to 4500. It could be close to 6000. Regardless of the grading is fully compliant with the BHO and there is no request for BHO or HCR.

The request for the ZAD is for just the continuous paved roadway. Their lot fronts a private street, improved to 20 feet, the HSR form states that, and also states that along their frontage, the roadway is 20 feet but along the road there are pinch points.

The rough construction schedule: 24-34 months approximately rough estimate. Parking and staging plans: majority of construction vehicle parking, staging, material deliveries, will all be at the entrance of the site, where this existing hammerhead is, flat area, will be through the majority of the phasing as they build out...

The neighborhood outreach: The owner has been in contact with the neighbors to the north and to the south. It is newly purchased. There has been some correspondence. The owner to the south did sign a support letter. They've been in communication with them.

The street condition: adjacent is 20 feet, per HRF... the fire hydrant, about 40' from property line and 80' to turn around. Vice Chair Savage has the summary of all this.

All utilities will be accessed from the private street; and extension will be completed from where the sewer currently ends, and is improved; will have to extend it along the roadway up to the property.

Public Comment: None. Committee questions were asked and answered.

Member Hall noted that part of it looks like it doesn't have mature trees; looks like some mature vegetation northern. They have an arborist's letter that says there is no projective trees. He asked what is the habitat type? Walker Group: it is spelled out in the arborist's letter. There is no native, no non-protected. Chair Schlesinger read from the arborist letter, that there are no protected trees or shrubs on this property.

Member Hall asked about a part of the property, which he thinks wildlife is using that and would not like to disturb it or fence it in. Tony Russo noted that there will be some hydra-seed planting for erosion control and he thinks four trees will be planted there, shrubs all along the site. It will look better than this vacant lot. Member Hall asked if they will have boundary fencing, wildlife permeable, to which Tony noted that there is existing fencing which will remain in place. He was asked to make sure not to fence it in, because it right next to open space; don't create any unnecessary blockages.

Member Wayne Wayne asked about decking, rooftops if there is going any patios up there, and lighting that to be sent off of this building to the surrounding areas, which will affect the wildlife. Tony noted that

there will be no rooftop decks; decks are at the entry level. Asked about the residents below and if they have been advised of this and what precautions are going to be given to that, Dan noted that the flat roof on top of the lower level is a green roof, all planted. There are some paved areas, but mostly permeable and planted, low planting. The upper level is a pitched roof, a metal – brown-bronze color. Lighting is not designed yet, but intention is not to light it up like a Christmas tree; he wants subtle low-level lighting. He doesn't want the lighting to compete with the views of Los Angeles. There is not a huge amount of external lighting. That has not been designed.

Member Wayne asked what about a sound system? Dan noted that it has not been designed. He is not going to be throwing big parties. Member Wayne asked if he has thought about the people below this project on San Ysidro? Tony related that they have reached out to the immediate neighbors; to the south with the support level and to the neighbors at the north, who would be most impacted. He is not sure if they have made contact with the owner of the neighboring vacant lot. He noted that there is tons of vacant land around them. Member Wayne asked about debris to which Tony noted that debris fences are standard. This design team is world renowned and have done plenty of these projects on sites like these; 90% of the area we are working in is flat. We won't be doing much construction into the hillsides; mostly on the flat area.

Public Comment: Jon Frishman asked if there is a section going down to the site; the one going down the hill. 6300 cy dirt of export. They are digging down into the existing flat pad. There is so much grading that the hill is gone. He asked what the soil condition is and how far down do you build piles to bedrock? Dan doesn't remember number but said bedrock is very close to the surface which is why the bulking factor is so high. He agreed that we are digging down. The section shows the existing grade in comparison with the proposed grade.

[Jamie Hall had to leave at 6:47pm. Back to 11 committee members present.]

Motion: To continue this project, postponing to next month's meeting. **Moved** by Vice Chair Savage & Member Grey; **unanimous**.

12. **Discussion Item** 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. – **S. Grey Continued.**

13. **Adjournment: 7:22pm**

Next PLU Meeting: Tuesday November 9, 2021 @ 5:00pm

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 ADMINISTRATOR
DRB – DESIGN REVIEW BOARD	ZAA – ZONING ADMINISTRATOR'S ADJUSTMENT
EAF – ENVIRONMENTAL ASSESSEMENT FORM	ZAD – ZONING ADMINISTRATOR'S DETERMINATION
ENV – ENVIRONMENTAL CLEARANCE	ZV – ZONING VARIANCE
MND – MITIGATED NEGATIVE DECLARATION	

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