



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

Tuesday October 26, 2021 5:00 – 7:00 P.M.

Attachment A.i.

Draft 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 (arr. 5:15pm)	X		Jamie Hall	X	
Shawn Bayliss (arr. 5:14pm)	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 5:06 pm.
2. **Flag Salute**
3. **Roll Call:** Chair Schlesinger called the roll with 11 present initially; Member Bayliss arrived at 5:14pm and Member Loze arrived at 5:15pm for a total of **13 members present**, and **two absent**; Member Weisberg left at 5:45pm and Member Grey left at 6:00pm, with 11 members remaining.
4. **Approval of Agenda**
Motion: Approve October 26, 2021 Agenda: **Moved** by Member Longcore and **seconded**; **approved** by unanimous consent.
5. **General Public Comment:** None
6. **Chair Reports:** Robert Schlesinger, Chair, & Stephanie Savage, Vice Chair. None
7. **City Representatives** None
8. **Items Scheduled for Presentation, Discussion & Possible Action:**
9. **Implementation of SB9 in Hillside Areas**
Motion: To write a letter and file a CIS regarding the implementation of SB9 within the City of Los Angeles, with particular attention to compliance with provisions to protect public safety and the environment. (**Attachment A**)

Member & Board Vice President of Legislative Affairs, Jamie Hall, gave a presentation on the implementation and effects of SB9, with the express purpose of educating our NC members and the general public about this law and what are some exceptions that exist that we should all be aware of. A brief Q&A followed, whereupon Member Hall suggested working on the implementation memo in the next few months and later the implementation ordinance. Q&A was then opened to the Public.

Mr. Jeff Daniels thanked Member Hall and noted that he would like to follow up with him on this. He asked for more clarification on the idea that the fire hazard status in the hillsides does not disqualify hillside properties from implementing SB9 and about right of way issues.

Rick Israel thanked Member Hall for his presentation and noted that it seemed to him that Member Hall's focus is on new development versus existing. He asked if within R1 zoning, minimum lots still apply, e.g., a 5,000 square foot minimum lot becoming a 2,500 square foot lot. Member Hall related that they are saying you can change them to 2,500 each; however, they haven't started implementing SB9 yet. Other issues were raised including but not limited to back lots.

There was no further board discussion. Member Longcore thanked Member Hall for putting this together and drafting the motion. He moved that we adopt the motion that was submitted and circulated (Attachment A) – to summarize:

Motion: To recommend to the board that they to approve the motion, which in summary, states that the Department of City Planning and Building and Safety report back on how the city can implement SB 9 to ensure that environmentally sensitive parcels are excluded from utilizing SB9 and that all of the exceptions contained in the legislation are fully acknowledged. Additionally, BABCNC moves that Planning and LADBS analyze the following:

- Evaluation of existing hillside regulations that are considered “objective”
- Development of noticing and appeal procedure to contest applicability of project's approved via SB9 as an environmental safeguard
- Whether any existing regulations or ordinances adopted by the City constitute a “Natural Resource Protection Plan”
- Circumstances in which local building official may deny a project on the grounds that the proposed project would have a specific, adverse impact upon which public health and safety or the physical environment for which there is no feasible method to mitigate said impact
- Whether the City's existing fire hazard mitigation measures allow for development of SB9 projects notwithstanding Government Code Section 65913.4

Moved by Member Longcore & seconded; **passed by unanimous consent by all 11 members present and voting** (*members Weisberg and Grey having left at 5:45 & 6:00 respectively*).

10. **Planning Director's Memorandum Regarding Mulholland Scenic Parkway Specific Plan**

Motion: To write a letter and file a CIS opposing the determination by Director of City Planning Vincent Bertoni removing Design Review Board that eliminates in-depth reviews of impacts to parkland, scenic overlooks, scenic road corridors, wildlife corridors, riparian corridors, and the urban forest. (**Attachment B**)

- Chair Schlesinger introduced this item by reading from the letter.

Moved by Member Longcore and the motion was seconded; **passed by unanimous consent by all 11 members present and voting**

11. **9712 Oak Pass Road (“The Retreat in Benedict Canyon”)**

Motion: To write a letter and file a CIS in support of the motion by Councilmember Koretz (CF 21-0777) opposing the further processing of an application to develop a commercial facility at 9712 Oak Pass Road. (**Attachment C**)

- Member Bayliss recused himself as many years ago his wife had done some work on this project.

- Member Longcore noted that this is in support of the motion in Council File 21-0777 that says they should not process the General Plan Amendment but go forward with an EIR looking for a project that would not have so many environmental impacts.

- Chair Schlesinger spoke against having a hotel, and noted that the 33 acres of land in question could be turned into individual residences, from 9-17 in that area, purely residential and in line with everything else within the NC as pure residential areas are concerned; suggesting to use the land the way it is zoned. He and Member Miner discussed impacts, including but not limited to construction beyond the time of the building of the projects, e.g., traffic, noise. Member Miner would emphasize the eventual longer term results rather than the short-term construction time and noises. Chair Schlesinger discussed the process of the building, which would result in “piece-mealing.” Member Stojka noted that even ignoring the construction and noise, this proposal puts a 24-hour a day business in the middle of the residential neighborhood, which is the main issue that needs to be emphasized.

Motion: To write a letter and file a CIS in support of the motion by Councilmember Koretz (CF 21-0777) opposing the further processing of an application to develop a commercial facility at 9712 Oak Pass Road. (Attachment C) **Moved** by Longcore & seconded; **passed** by **10-0-0-1**, Member Bayliss recused himself.

12. **Adjournment:** **Moved** by Member Wayne & seconded, and the meeting adjourned at 6:27pm

Next Regular Monthly PLU Meeting: Tuesday November 9, 2021 @ 5:00 P.M.

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	