



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

Tuesday June 14, 2022 5:00 P.M.

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		Ellen Evans		X
Cathy Wayne	X		Wendy Morris		X
Maureen Levinson		X	Leslie Weisberg	X	
Stella Grey	X		Travis Longcore <i>ex officio</i>	X	

Draft Minutes

Chair Schlesinger called the meeting to order at 5:03 P.M. The pledge of allegiance to the flag was recited, and the roll was called with 9 present and quorum met. Miner arrived at 5:10 P.M., Loze arrived at 5:16 P.M. Vice Chair Savage at 5:23 P.M. and Member Bayliss one hour into the meeting for a total of 13 present and 3 absent.
[Wayne left at 6:20 P.M. Savage left at 6:22 P.M. after being in and out of the meeting due to power issues.]

1. The agenda was approved, as moved by Stojka.
2. The April 12, 2022 Minutes (Attachment A) & May 10, 2022 Minutes (Attachment B) were approved as moved by Weisberg/Spradlin with 2 abstentions from Grey & Wayne.
3. There was no general public comment on topics not on the adopted agenda.
4. Chair Reports – Robert Schlesinger, Chair, & Stephanie Savage, Vice Chair: Chair Schlesinger noted that the Bel Air Road, item #5 will be the last to be reviewed this evening.

Items Scheduled for Discussion & Possible Action:

5. **ZA-2022-1226-ZAD, ENV-2022-1227-CE 1001 N Bel-Air Road 90077 (Continued May 2022)**

Project Description:

Demolition of (E) SFD and Construction of a new 14,317 SF SFD with 1980 sf basement fronting a substandard hillside limited street that is improved to a roadway width of less than 20' width, and haul route for export of 2800 CY (per LAMC Section 12.21C10(i)(2) and LAMC Section 12.24X28) **(See Attachment C for Questions Answered)**

Applicant: 1001 Bel Air Holdings LLC jdorso@yahoo.com

Representatives: Benjamin Eshaghian, Crest Real Estate ben@crestrealestate.com & Tony Russo <https://planning.lacity.org/pdiscaseinfo/search/encoded/MjU1Mjk50>

[Item #5 started one hour into the meeting, following the arrival of Member Bayliss.]

Ben Eshagian & Tony Russo returned to address the questions from prior meeting (as in Attachment C).

Some comments by Mr. Russo included:

Site grading: Comments show bulking if exempted; it is and is not counted as grading.

Exemptions and limits of BHO exemption, e.g., driveway cut and overall exemptions; the engineer and they have analyzed BHO table, and note that it is fully compliant with regard to grading.

Staging, temporary grading on the site, which is a large site with a large flat pad as they work on the project.

Number and location of retaining walls. There are existing permitted retaining walls on site and allowed to remain; they don't count; two allowable walls; C2.1 location of new walls.

Setbacks and overall height. Total height of 47' ... as discussed in the hillside area, there is only the encroachment plane for height... it is natural grade or finish grade whichever is lower around the footprint... there was a mistake of rear yard and front yard setback...

Water features, There are three pools, level of water not known; can be calculated;

Solar panels: Yes.

Percentage of glazing: Title 24 compliant;

Requirement on hardscape to get clearance approved.

There will be a new building permit.

This used to be a separate owner.

Mr. Russo noted, regarding the A Permit, they are cooperating with adjacent neighbor who owns all of the other homes that give access to the private street portion of Bel Air Road. This person requested that they do an A Permit to realign the pavement so drainage doesn't go into his driveway. He noted that we had a permit that we have to get reapproved; we negotiated with neighbor, who says he is willing to support the project, and once they get the A Permit they'll get a support letter. Mr. Russo reports that as of now, everyone is in agreement.

Questions were asked and answered.

Member Bayliss noted that the biggest issue is there is one property owner of the three or four homes there, and if the neighbor is okay with not widening the road, it's hard to say we demand it as it is his driveway and it is a dead end with no further access point beyond it. Bayliss noted that *BAA* does not have a high level of concern with the request, but wanted to hear from others.

Member Grey would like to see Mr. Russo's grading calculations, she doesn't think you can exempt anything from cut and fill. She would include in a motion made that the motion include that the grading quantity is reviewed and if incorrect, support should be withdrawn.

Member Loze had questions about retaining walls. Mr. Russo noted that there are two current retaining walls, built prior to the BHO, in addition to the two new ones. Mr. Russo noted the two onsite were legally permitted before the Retaining Wall Ordinance went into effect. Member Loze opposes this part of the plan because of the lack of clarity in the policy and the ordinance. Mr. Russo would be happy to a condition that further review of this policy can be looked into; however, noted that this has happened with many projects.

Motion to support the requested relief from widening the road along the property frontage, including Member Grey's condition regarding the bulking and fluffing factor, that the grading quantity is reviewed and, if incorrect, support should be withdrawn was moved by Bayliss and seconded. There was no public comment and the **motion passed** by **7 yeases**; **2 noes** by Miner and Loze, and **2 abstentions** by Schlesinger and Longcore.

6. **ENV-2022-1536 EAF 1423 N Oriole Drive 90069**

Project Description: Union of Accessory Building (from expired permits) to an existing single family dwelling at basement level. Associated Grading of 3400 CY and Haul Route (per LAMC Section-)

Applicant: Yosef Simsoly

Representative: Alexander Van Gaalen, Crest Real Estate vangaalen@crestrealestate.com
<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjU1NjIx0>

Mr. Van Gaalen noted that this is a request for a haul route of 2,300 CY, the initial request was for 2,100 CY, which didn't account for bulking which they are now accounting for. The haul route is for the main purposes of connecting the main house and the garage at the level of the basement.

Motion to table this until Doheny-Sunset Plaza Neighborhood Association (DSPNA) can hear from them and then reschedule **passed** unanimously, as moved by Schlesinger.

7. **ZA-2022-1422-ZAA ENV-2022-1423-CE 2558 Benedict Canyon 90210**

Project Description: Zoning Administrators Adjustment to allow an over-in-height fence and hedge fencing, in conjunction with a pool addition within the front yards for an existing single family dwelling located in the RE20-H-HCR Zone (per LAMC Section Sections 12.21 C,1 (g) and 12.22 C,20(f))

Applicant: Andrew Tansey [Stanley Street Trust]

Representative: Samira Squires [Kimberlina Whettam & Associates] samira@kwhettam.com
<https://planning.lacity.org/pdiscaseinfo/search/encoded/MjU1NTA10>

[Don Loze arrived at 5:15 pm.]

Ms. Samira Squires with Kimberlina Whettam & Associates, presented the request for over-height fence, and showed proposed landscaping. She noted that with the remodel, the owner decided to move forward with a 6' fence for privacy and security purposes. They have requested a ZAA with City Planning, and **have an upcoming hearing on June 29th**. She noted that it looks like 60' in length and they are proposing 15 cypress trees in the public right of way (PROW), that are 12' spaced 4 feet apart. As a part of their variance request they are requesting permission to construct a small pool in the front yard. They have six neighbors who have supported the project. Along with the materials submitted, they have a copy of the neighborhood outreach sheet showing support. She is seeking feedback and support.

Jamie Hall asked about the over-height aspect, particularly the over-height cypress hedges. Vice Chair Savage noted that she doesn't see permits approved for over-height hedges but will look into it. Hall noted that this request is unique. Greenberg asked about the planting in the public right of way. Vice Chair Savage noted that she thought it is unlikely that Benedict Canyon will be widened in the future and that fewer things in the PROW is better as a policy.

Member Wayne noted the 12' trees are large in diameter and will extend out quite a bit in the PROW, and will grow further. She agreed with Savage that the road is narrow and single lane and thinks this is a problem. Wayne noted that cypress trees are fire torches; if there is a fire, those go up as torches. She doesn't know if they are appropriate for the location. Member Weisberg concurred with Wayne that this is a high fire severity zone, noting that our water will be limited and she has great concern about the type of landscaping proposed.

Member Spradlin noted that from the maps it seems 50% of homes in the area have high hedges, high gate and walls and 50% don't. He may not oppose high hedge or gate but noted concern if type of landscaping is appropriate for fire.

Longcore asked since this is in the PROW, wouldn't vegetation be governed by the street tree permit process because you need a street tree permit to plant trees in the PROW next to the street... and, if not, why not, and how does the spacing and nature of these species compare with the street tree requirements by the City? He noted that there is a specific species list and spacing requirements, for which you would need a permit, and will be provided recommendations by the City. He asked if this was governed by the street tree rules and if not, why not.

Ms. Squires noted that they are specifically requesting over-in-height hedging, then for the trees on the street they would have to get approval as well. She believes they will be getting written comments back; this may not be the final design. Longcore noted that if these haven't gone in yet, this is not the brightest choice for the high fire hazard area. She acknowledged the high fire zone and will relay to the client. He added that she should check for planting of the street trees in the PROW and that the City will tell her where and what she can plant.

Member Loze expressed concern about planting out of the curb, he is not clear how the entrance and exit to this house is; thinks that there is a driveway that goes in; but if you put a line of trees at the curb, the line of sight ... you are blocked in seeing what is coming up the street, and sometimes the cars are coming pretty fast... If you put the trees on the edge of the street you won't be able to see coming out of the driveway... Ms. Squires responded that the trees are not on the edge of the curb; they planned that and won't have much of an issue of visibility but will confirm. She noted that it is about 16 feet from the actual street to the property line; 16 feet is all PROW. The fence is on the border of the private property. Loze questioned if 16' and is concerned in if there will be trees growing that will be blocking traffic.

Member Miner concurred with Member Loze regarding fencing and trees, noting that part of Benedict Canyon is very treacherous and in addition to a car going in and out of the driveway, people are coming out of curbs, perhaps going over the middle line. She'd like to make a site visit before voting on anything here. She thinks a lot of safety issues are being overlooked and that it needs a site view. She asked about square footage: lot size is 33,000 square feet.

Member Hall noted that there are at least four places with over-height Ficus hedges in the two-block area, which he believes are illegal, noting that they are technically hedges that require variances. He agreed that the particular tree type needs to be reconsidered and that it would be nice to have some native plants there. Hall commented that if we could achieve screening through use of native landscaping it would be great.

Greenberg asked if anyone from the neighborhood has a problem with the front-yard pool. Member Wayne noted that they said they have had discussions, but doesn't know if they have them in writing. Ms. Squires noted that they do have in writing that the pool is accepted to the neighbors that they all signed off on. Wayne asked and Ms. Squires noted that it is a very small in-ground pool. Miner has no objection to the pool.

Ms. Squires noted that the June 29th is the hearing and that they had been working on community outreach to the neighbors before scheduling with us.

Greenberg suggested that they come to the BCA before coming to the NC. Miner asked if the applicant would be willing to postpone the ZA hearing, to which Ms. Squires noted that they spent a lot of money on expediting. Hall noted that they could take our information and ask the client whether they are willing to make the changes; if yes, we can have a meeting next week and do this before the ZA hearing (Option #1) but that this only works if they are willing to make some changes. If not, we probably do need to decide what we want to put in the letter.

Member Weisberg noted that it is difficult to support the motion under these circumstances. Hall noted that the other option is to have a motion listing the items of concern. Member Stojka thought it would be a good idea to run it before BCA and tabling this motion.

Motion: Deny based upon a variety of factors, #1 the kind of tree proposed, and #2 a lack of research concerning what is or not allowed by the City within the PROW, vis-à-vis what species are allowed in PROW, and other things mentioned moved by Weisberg/Miner. Discussion noted that we are not opposed to the pool in the front yard, and can approve some and not approve other aspects of the project. **Amend motion** to approve the pool and approve the over-height fence itself, and that our concerns have to do with planting and the trees moved by Weisberg. Miner and Loze have great concern about planting on ROW and visibility.

Motion to substitute the above motion: Deny the entitlement request with regard to the over-height fence and hedge due to concerns regarding the species type, the placement of the trees in the public right of way, and overall concerns regarding safety impacts associated with the over-height fence, including line of sight issues of entering and exiting the property. Further, we support the request to place a small pool in the front yard of the parcel **moved** by Hall, **seconded**.

[Discussion was held and additional motion was moved and seconded to put in the letter to the ZA the request that the applicant meet with the longstanding BCA prior to the ZA acting on the request; however, this was removed following discussion, as requested by Member Loze, and as accepted by the maker of the motion, Member Hall.]

The **substitution motion passed** by 10 yeses, 1 no and 1 abstention.

The **main motion passed** by 9 yeses, 1 no from Loze and 1 abstention from Chair Schlesinger.

8. **Update on June Board Meeting**

HCR - Presentation and Discussion by the Department of City Planning (Ulises Gonzalez)

9. **Update from Task Force** – Chairs, Greenberg & Spradlin + Members Schlesinger & Miner
2830 Woodwardia Drive PS-1435-MSP ENV-2020-2854-CE (January 2022 Agenda)

Project Description: proposed vacation of public portions of Nicada, Woodwardia and Angelo Drive into private-only access along with improvements entry/exit improvements.

Longcore noted that the task force disbanded but we can provide an update. Longcore and Spradlin noted that we are waiting for Bel Air Glen folks to come back with options to the PLUC and then the Board in August.

Good of the Order Member Loze would propose that the land use committee propose that the board raise a question of the policy of the Building and Safety granting additional retaining walls whenever there has been a retaining wall on the property prior to the passage of the ordinance; raise the question with the Planning Department, City Attorney and our City Representatives. This was not agendized for a motion this evening. He was asked if he'd agendize it for next month's PLUC or submit a request to place it on the agenda under New Business at the June Board meeting. It will be brought to the board in June.

Hall gave an update on the Ad Hoc Subcommittee on Proposed Wildlife District that has been meeting and the meetings have been long. They've received extensive public input and testimony, are going through the ordinance in chunks, taking time, and the committee is putting a lot of work into this. Simultaneously, the Environmental Committee is looking at the ordinance with slightly different vantage point.

Member Loze related that Jarrett reported that the Planning Department was planning to have a second public hearing and a revised version of the Wildlife Ordinance presented shortly. Hall noted that we need to know that. Longcore noted that we have a scheduled meeting with Evans, Longcore and Connie Pallini Tipton at City Planning for next Thursday to get some of the questions that have come up answered and hopefully include this question of whether it will be revised again at that time.

The meeting adjourned as moved at 6:45 P.M. to return on July 12, 2022 at 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

info@babnc.org

(310) 479-6247x7

www.babnc.org