



Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting (Virtual)
Tuesday September 13, 2022 5:00 P.M.
DRAFT MINUTES

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage	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
Steven Weinberg	X		Cathy Wayne		X
Maureen Levinson	X		Leslie Weisberg		X
Stella Grey	X		Travis Longcore <i>ex officio</i>	X	

At 5:07 pm, Member Savage acting as Ad-Hoc Chair just prior to Chair Schlesinger’s arrival, opened the meeting by introducing the requisite information on the agenda; the flag was saluted and roll was called, with 10 members present initially; Levinson arrived later meeting for a total of **11 members present** and **5 absent.**

1. The September 13, 2022 Agenda was approved as moved by Miner.
2. The approval of the August 9, 2022 Minutes (Attachment A) was **deferred** to next month.
3. There was no general public comment on items not on the adopted agenda.
4. Chair Schlesinger noted that he received a letter from Madeline McFadden related to item #5; otherwise had no report.

Items Scheduled for Discussion & Possible Action:

5. 9249 W ROBIN DR 90069 ZA-2022-2517-ZAA ENV-2022-2518-CE

Total Lot 26,164 sf. APN:5561-006-039

Project Description: (over ht wall) Construct wood fence with a height of 3'7" on top of existing retaining wall, new wall, pedestrian and vehicular gates with pilasters, for a max height of 9 feet. Max hedge fence height to be 14'

Entitlement Request: A Zoning Administrator Adjustment to permit: An over-in-height fence with a maximum height of 9 feet, including pilasters, and over-in-height hedge with a maximum height of 14 feet within the front and side yard setbacks in lieu of a height of 3.5 and 6 feet otherwise permitted by LAMC Sec. 12.21-C,1(g).

Attachments: Please See the “Initial Submittal Documents” on the upper right side of page at this link:

<https://planning.lacity.org/pdiscaseinfo/caseid/MjU2NjI40>

Owner/Applicant: Glen Rivers Co.

Rep: Chris Parker 818-591-9309 chris@pccla.com Dina Elkinawy 818-486-4468 dina@pccla.com.

Dina Elkinawy presented the project briefly. Questions were asked and answered. Chair Schlesinger related that he received an email from Madeline McFadden and that the problem is that the height of walls is embedded in CC&Rs which the neighborhood council does not deal with; we only deal with entitlements. Ms. Elkinawy noted that the code compliance limitation is what is in front of us today and given that we have a celebrity with 6'+ height, the 5' fence wouldn't provide any security. She noted that this was discussed at the HOA meeting. Member Grey related that the neighborhood association is DSPNA, and that DSPNA and HOA are different entities. This has not been presented to DSPNA; they just became aware of this request. Member Savage asked if the existing stone wall which seems to be over 3-1/2 feet, was built without an entitlement, which Ms. Elkinawy confirmed, noting it was grandfathered in. Dr. Longcore asked if the existing wall was nonconforming, which she confirmed.

Dr. Longcore noted that CC&Rs are something we cannot engage with and we can take into account in our assessments what an HOA may say but we can make our own independent judgment of whether the findings can or cannot be made. He noted that we can circulate and post the letter Schlesinger received.

There was discussion of the issue that the neighborhood association had not seen it and that the committee has not all seen the input from the HOA. Dr. Longcore noted that we can make a recommendation or ask the applicant for a month for the letter to be circulated and DSPNA review it and only take it up after we have that input for the community, and if PLU makes a recommendation, that is a month delay; however, if this committee wants to recommend something, that this goes to the full Board only on the condition that it comes with a recommendation or at least a position and associated materials from DSPNA and the HOA, there will be no delay but a condition for that meeting and some sense of recommendation be completed before our monthly board meeting on 09/28. Ms. Elkinawy was in accordance with this and would coordinate with Ms. Grey.

Asked by Ms. Miner, Ms. Elkinawy noted that CC&Rs are agreements attached to the deed of the property and not within the City's or this committee's purview, while the City Ordinances are the City requirements, which is why they are requesting a deviation from the 3-1/2 foot limitation and an over-in-height fence in the front. Chair Schlesinger noted that the HOA has approved 5 feet, now up to 5, not 3-1/2' any longer.

Member Savage asked if the new wall where the vehicular gate will close is built right on the front property line and not setback, and if that is not an additional ask, to which Ms. Elkinawy noted that it is part of the request, as long as it is on the property line, inside of the property. Savage additionally suggested that for the sake of the neighbors, including the kids riding by, that due to the height of the wall and its closeness to the front property line and the abutting property owner to the north, to consider looking at something practical such as a mirror.

Motion: That we forward this project without recommendation to the Board on the condition that when it comes to the Board there will have been input from the local neighborhood association and information from the HOA that the board can consider was **moved** by Longcore, **seconded** by Miner. Motion to include that the submittal should include explicit discussion of the five findings was **moved** by Longcore, **seconded** by Schlesinger. The question was called and the motion was approved by **10 yeases**, and **1 abstention** by Savage.

Public Comment was given after the motion by Nick Leathers from Crest Real Estate who related that he had heard from DONE and other NCs to say "present but not voting" rather than "abstention."

6. **Discussion & Possible Action:** To schedule a special PLUC meeting to review our previous letter on the addition of the Hillside Construction Regulations. Discussion was held and **no action** was taken.

HCR is connected with council file:

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-1472-S6>.

[16-1472-S1 was the original HCR for Bel Air; S2 was the Bird Streets & Laurel Canyon; S3 & S4 included Shawn Bayliss's contributions and S5 went to Brentwood.]

Public Comment: Nick Leathers from Crest Real Estate spoke on a personal level, noting there is one for Mount Washington and for Coldwater Canyon. Member Weinberg noted that there will be a hearing for Coldwater on 10/18. Chair Schlesinger noted that Coldwater includes the boundaries of the NC, which Weinberg noted goes to Bowmont-Hazen.

Alison MacCracken related that she has an issue on the suggestions for rooftop protections, and noted that we don't know how the Wildlife Ordinance will shake out. She thinks that when you make broad brushstrokes like all decks are prohibited, you are not only affecting the larger developments but smaller ones.

The meeting adjourned at 5:56 pm to October 11, 2022.

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