



Draft Minutes

**Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting (Virtual)
 Tuesday March 14, 2023 5:00 P.M.**

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage	X	
Robin Greenberg	X		Nickie Miner	X	
Don Loze	X		Jamie Hall (<i>arrived at 5:12 pm</i>)	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, Ph.D., <i>ex officio</i> (<i>arrived at 6:00 pm</i>)	X	

Chair Schlesinger called the meeting to order at 5:03 pm, read the pertinent information on the agenda aloud, and called the roll with 11 members present. Jamie Hall arrived at approximately 5:12 pm, for a total of 12 present. BABCNC Board President and ex officio committee member, Travis Longcore, Ph.D., arrived at the meeting at 6:00 pm, just minutes before adjournment.

1. The March 14, 2023 Agenda was approved as moved by Member Wayne.
2. **Approval of Minutes:**
 - i. The January 10, 2023 Minutes (Attachment A) were approved unanimously as moved by Member Wayne.
 - ii. The motion to approve the February 21, 2023 Minutes (Attachment B) was deferred to the next meeting.
3. **General Public Comment:** There was no general public comment on items not on the adopted agenda.
4. **Chair Report** – Robert Schlesinger: There was no Chair report.

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

5. **2727 N BENEDICT CANYON DR 90210** **DIR-2022-8707-DRB-SPP-SPR** **ENV-2022-8708-EAF**
Project Description: 4,079.8 sq ft addition to be permitted for SFD to result in greater 17,500 sq ft in RFA in HCR zone; removal of existing pool, new pool, paved motor/entry court, landscaping, grading and 650 CY of export, soil nails for hillside stabilization and debris diversion system.
Applicant: Casa DF LLC 310-273-0043 cindy@raulwalters.com
Reps: Chris Peck 626-683-0708 chrisp@cmpeck.com, Andrew Odom andrew@crestrealestate.com & Isaac Lemus isaac@crestrealestate.com
Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYzMDM50>
Permits <https://www.ladbsservices2.lacity.org/OnlineServices/PermitReport/PermitResults/987170>
Updated Documents Folder:
<https://www.dropbox.com/scl/fo/vmkbgwk5712xrelq2bwgp/h?dl=0&rlkey=yxk2cw8sz5zxavgn9h345bv7h>

Representative, Mr. Andrew Odom, introduced himself and noted that he was accompanied by project representatives, Chris Peck, Architect, Civil Engineer, and representative to the owner, as well as Isaac Lemus, who has been doing back-end work with the Department of City Planning. He shared his screen and presented the project, which he noted was located on Benedict Canyon half mile due south of Mulholland Drive.

Mr. Odom related that the property is quite large, in total 178,000 square feet in size, several acres, and located off a private driveway that accesses Benedict Canyon directly. They are adding on to several parts of the house, which details are provided within their packet. He showed examples of additions to the floor plan, via the shared screen, as well as the elevations, showing which parts are being added on to the existing façade.

Questions were asked and answered, beginning with note that the owner had reached out to most of the neighbors and they have received three letters of support, which he will send. He noted that they have a Director of Planning case because this project has to go through Site Plan Review (SPR) based on the Hillside Construction Regulations (HCR), because cumulatively it is greater than 17,500 square feet at a total of 18,000 and change. He also noted that this is within the MDRB area, within the Mulholland Specific Plan. They have submitted to Planning and are awaiting scheduling of a hearing from Mulholland. They have sent out six requests for support from neighbors and received three letters back. For the Mulholland hearing, all of the adjacent and abutting neighbors are being notified.

[Jamie Hall arrived at approximately 5:12 pm.]

Mr. Odom explained that the project is an existing site, where there had been some construction in the early 2000s that was halted. The owner has now turned their attention back to the home, is working to permit everything, clean up the site and finish the process.

Chair Schlesinger asked about the soil nail wall. Mr. Chris Peck noted it is approximately 60 feet wide at its widest, by about 35 or 40 feet tall in elevation, to address an existing rock cut, the boundaries of which were defined by the soil engineer, at the north-facing slope of the south portion of the flat pad.

Chair Schlesinger asked if any trees are being removed, to which Mr. Peck noted that they have a tree plan, and as to which trees, they are removing a few clumps of palms, and the trees in red (pointing at the screen) are non-protected trees scheduled for removal because of grading work. There are four non-protected species, and a whole bunch of protected trees are all being retained with no plans for removal.

Member Weinberg asked how many requests they sent out to neighbors, of which they received three letters of support. Mr. Odom noted that they have sent six; they don't have neighbors to the north, the land to the north is MRCA land; to the south is a giant vacant 10-acre parcel, and all the homes are across the street from them; there are condos up on a ridge. All of the support letters they received are from neighbors along Benedict across the street from them.

Member Miner asked where the condos are located, to which it was noted that they are in Bel Air Ridge (BAR). Mr. Odom noted that they have not yet reached out to them; however, will have to with Mulholland as this is part of the Mulholland Scenic Parkway. Member Stojka asked about the proximity of the project to the property below BAR, where there are horse corals, to which Mr. Odom noted that it is to the northeast of them.

Member Grey asked, among the trees that remain, how many are in close proximity to construction footprints and what are they going to do with the trees, to which Mr. Odom noted that the construction footprint is the hillside (pointing) some close to the soil nail wall they're putting up, a few around the house that the owners planted, the construction footprint and soil nail wall area. They are planning to plant a ton of trees. Member Grey asked to see protective measures to not damage the existing trees on their landscape plans.

Member Savage asked about the LID planters, if there was a way to pipe the contribution area ... to the street, and was told that the house pad is above the street, the driveway slopes upward. They have an existing drainage system, and they will place the LID planters slightly downhill, from most of the hardscape areas, so they will be able to get to them by gravity... Member Savage noted that she has read through the soil nails report, and likes it is that it creates a safer condition for this property, and there is plenty of room to store dirt, and not impact neighbors. She thinks that this is a very ideal condition for doing this type of work. Chris Peck responded that the heavy contours on the plan are a landslide remediation zone, and they are reconstructing that hillside per soil report recommendations to make it stable and they have some flow diversion walls, since they are at the base of two canyons with fairly large water sheds; so they are putting in deflection walls to take any debris that comes down around the house. Mr. Odom pointed out that with the recent storms, and over time at the base these hillsides, there have been large chunks of rock that have fallen; the reason why they have been working with the geologist and doing all this work to create a safer space for the owner to live.

Member Wayne asked about their plan is for fencing around the property, to which it was noted that there is no fencing proposed; the owner is a big fan of the wildlife and wants to give them free access. Member Wayne asked about lighting, to which he noted they will be following the Mulholland regulations, all lighting shielded and down-facing. As to roof activity, he noted they have flat roofs but nothing going on the second roof, and no major balconies facing the neighbors except that off the master bedroom, there is a patio. Brief discussion was held on the balconies.

Member Loze asked about the grading, to which Mr. Odom noted they are exporting 600 cy of dirt, well below the haul route limit. It is going out on Benedict Canyon, likely north. The little house in front is not being changed. The work is limited to the house and the slope to the south and southwest of the home. The horse ring that is there is remaining and is not a part of this project.

Member Stella Grey asked and Mr. Odom confirmed that construction started and then stopped for various reasons. They originally applied for permits. The house was built a while ago, over the years there was work added; it was Sonny & Cher's house for a while. The original house was built with the original grading dates back to the 1960s, before the current owner found the lot. Member Grey asked about the grading quantities, if new or the same as originally asked for. Andrew Odom noted that this is all new, based on the soils report, and the grading quantity is essentially for the remediation of the hillside (pointing) and the addition of the soil nail walls along the hillsides to the south. There are no other areas of excavation, there is no basement; they are doing a small pool, which is going where there is an existing pool, so that gets swapped out.

Motion: To support the project because of the grading it is in safer condition; the square footage seems to be added in appropriate places, not making the house and footprint too much larger was **moved** by Savage and **seconded** by Miner. Discussion was held beginning with Member Loze, who asked how this relates to the site review, and noting that there seemed to be some questions about the geological report, which has not been received or completed yet, so maybe we should be a little bit cautious and continue it until everything is in order. Member Grey would like to add comments regarding tree protection during construction during the motion. Mr. Peck noted that the soil report has been reviewed and approved by the City, and is in the Dropbox link.

Amendment: That the applicant will reflect in the drawings, the measures to protect existing remaining trees during construction was **moved** by Grey, **seconded** by Savage, and **passed** by 10 yeses, 0 noes, and 0 abstentions.

Member Loze had questions regarding how this relates to the site review to which Mr. Odom responded that the reason for the site review is because the project proposes greater than 17,500 square feet cumulatively, which he noted is typically a DIR case but because this is in Mulholland, it also requires a DIR case, and both requests are managed by the South Valley Planning office. They sent in their applications with the original City Planning approval and at the end, Mulholland will issue a letter of determination which will include the findings of the SPR. Member Loze asked, which is the cart and which is the horse and explained that the SPR for 17,500 was tacked onto the HCRs. He doesn't think they have had the SPR, and noted that this also tags onto the Scenic Corridor and asked if we should consider that both of those have to be approved before we have our approval, as a matter of precedent as this may be important in terms of subsequent projects. He is asking the committee how to proceed.

Member Hall asked if this didn't go to Mulholland, who would be the Director, to which Odom noted it is still the Director of Planning. Odom noted that when they submitted all the Mulholland stuff along with all the SPR information they requested, the Mulholland guidelines are far above and beyond what SPR asks for, so that was all submitted in conjunction. He noted once they have their Mulholland hearing, which is yet to be scheduled, the MDRB will make their recommendations. Member Hall related that he hopes that the MDRB understands what they are charged with in terms of reviewing this project... Hall noted that our opinion is similar to what we would do for any project that has to go to MDRB. He agreed with Member Loze, to think about the implications. He noted that we don't get many projects for SPR and that for any recommendation we make should explain our rationale, because other expeditors will use this as Exhibit A for why they should get a house that is greater than 17,500. We should think about why we are recommending approval in a little more detail because the record is clear.

Amendment: We would support approval of a house that exceeds the 17,500 square foot threshold because of the pre-existing size of the home, and the minimal impact that the expansion will have on the environment was **moved** by Hall.

Member Evans noted that she is not sure why we want to confer an advantage for making a huge house huger rather than starting with something smaller. Hall noted that he understood but asked what justifies this going above 17,500. Further discussion was held on this. Mr. Lemus noted that the findings are included. Hall suggested maybe just saying that the project is in accordance with the SPR findings, and opined that size is a factor... noting that it is not just the process but it is an indicator of something.

Member Loze would support following approval of the SPR and approval of the Mulholland Scenic Committee. Member Savage noted that something that needs to be considered is that this is a very large site, and they are allowed more RFA than what they are asking for, the footprint of the building is not considerable, and they have a right to ask to have a larger house.

Amendment: Include a discussion of why we believe the SPR findings can be made so it is clear for the future and posterity, to include size of land, the RFA that's allowed, the pre-existing size of the home, which is an indicator of minimal increase of footprint and minimal impact, the fact that there are no native trees being removed and no fencing, and the support of adjoining land owners, moved by Hall. The mover accepted his friendly amendments.

Member Evans wanted to make note that this complies with the findings mostly but thinks adding the entire square footage of another new house has climate impacts that are not in line with the City's General Plan. Hall noted that the minutes can reflect that there was a discussion held about inconsistency with certain goals.

Motion as amended: To recommend approval of the project because: a) the grading would result in a safer condition; b) the square footage seemed to be added in appropriate places, not making the house and footprint too much larger; and c) the Site Plan Review findings can be made because of the size of land, the RFA that is allowed, the pre-existing size of the home, which is an indicator of minimal increase of footprint and minimal impact, the fact that there are no native trees being removed and no fencing, and the support of adjoining land owners; and with the direction that the applicant will reflect the measures to protect existing remaining trees during construction in the plans passed by 10 yeses from Members Hall, Savage, Stojka, Weinberg, Grey, Levinson, Loze, Miner, Wayne and Greenberg; 0 noes, and 2 abstentions from Chair Schlesinger and Member Evans.

Good of the Order: Dr. Longcore arrived at 6:00 pm, as Chair Schlesinger asked if anyone is aware of the issue of lawsuits by cities against SB9 and SB10, to which Dr. Longcore responded that the most recent lawsuit we might have heard about is from the City of Huntington Beach, not about SB9 and 10 but about enforcement of the State Regional Housing Needs Allocation (RHNA) numbers, with the Attorney General of California putting forward the idea that he will crack down and override local zoning jurisdictions that don't produce a local housing plan that complies with the goals set out as expressed by the State Housing Department. It is his understanding that it is a Federal lawsuit, in Federal court, asserting a violation of the US Constitution through the usurpation of local land use control. This is what he thinks this is what it is all about.

Dr. Longcore provided update, noting that we are working to get TreePeople approved as a location for this meeting for the April date. It has not yet been approved by the City but we are working on it.

The meeting adjourned at 6:04 pm as moved by Members Stojka and Wayne, to meet again on April 11, 2022 in-person, pending confirmation of the meeting location we have applied for at TreePeople.

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 ADMINSTRATOR
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	