



Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Draft Minutes
TreePeople Conference Room at Coldwater Canyon Park
12601 Mulholland Drive Los Angeles, CA 90210
Tuesday May 9, 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		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	

The meeting was called to order at 5:07 PM; roll was called with 9 present and 7 absent.

1. The May 9, 2023 Agenda was **approved** unanimously as moved by Evans.
2. Motion to approve the April 11, 2023 Minutes (**Attachment A**) was **deferred** to the next meeting.
3. **General Public Comment:** Member Evans noted that there are two SB9-related projects in her area, one a duplex that might not go to Planning. She recommended that the committee take up some recommendations for the overall process and procedure.
4. **Chair Report** – Robert Schlesinger – None

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

5. [1436 N BELLA DR 90210](#) [ZA-2022-3836-ZAD](#) [ENV-2022-3837-EAF](#)

Lot Area: 167,720.7 square feet.

Present & Proposed Use. SFD Demo SFD, excavation & const of new 3-story SFD w/basement, pool & spa structures and site improvements. Proj includes haul route to exp 9,000 cy.

Project Description: ZONING ADMINISTRATOR DETERMINATION TO ALLOW RELIEF FROM A CONTINUOUS PAVED ROAD OF A SFD. To Demo a SFD 4.800 sf, built in 1953

Applicant: FALCON LAIR HOLDINGS LLC 484-660-1460 westphal@cfolic.com

Representatives: CREST REAL ESTATE tony@crestrealestate.com 408.655.0998.

ISAAC LEMUS. isaac@crestrealestate.com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjU3OTk40>

Crest RE Dropbox:

https://www.dropbox.com/sh/g353rsqck5k3y2m/AAA-Iy7_Wsy-UmhpO-H7mAMja?dl=0

This project was heard by the PLU Committee initially on January 10th and on February 21st. Mr. Isaac Lemus returned and provided a brief presentation, noting that the property is made up of six separate lots 176,000 sf, four (4) acres roughly. He shared images on the screen, and related the terms of the proposed scope, noting that the original property was “Falcon’s Lair.” He presented a slide on grading, noting that half of the proposed grading is remedial grading, mandatory from LADBS to bring the entire site up to code; the other part is for cut & fill in relation to the proposed SFD; just under 9,000 square feet, which will require a haul route. He reported that the entire project is being done on a ministerial basis, and that they were present this evening for a ZAD for relief from a continuous paved roadway (CPR). He discussed the area in question, “not the entirety of the strip,” pointing to a blue star to the boundary of the hillside area that has 20 feet & that Bella intersecting with Cielo has the blue stars (pointing to the screen).

Member Evans asked for the reasoning for not increasing the roadway, to which he noted it is because of the slope, and that he would be discussing what can be done for safety. Chair Schlesinger asked about the trucks, to which Mr. Lemus pointed out that Traffic Management Plan details from the report are found in the drop box provided, which he showed onscreen. He discussed limiting hours of construction, that contact would be posted on site; he listed phasing diagrams approved by DOT, barricading, construction site security and emergency access as well as haul route conditions from Board of Safety Commissions (BSC), as well as a long list of general and site-specific conditions of approval. He noted that they proposed additional flagmen and only one haul truck at a time: one truck up and one truck down, which Mr. Russo noted is starting to become a standard condition, that they are happy to include as a condition of approval, and confirmed they’d have only one truck at a time, haul route or concrete and that they’ll complete the ZAD approval before presenting for the haul route.

Member Evans asked if they had provided the findings, to which Mr. Lemus noted that they did at the original January meeting. Evans read the findings that need to be met to which Mr. Russo noted that single family served a single benefit, would not change the existing conditions; they’re working with BOE to improve the roadway after the ZAD is approved and noted that we can condition improvements at least of the roadway without adverse effect. As to the General Plan, sf zone lot sfd home, he noted that they comply with other aspects of the BHO, and that they are only asking for relief from the CPR. They are in contact with the neighbors and will try to include them in the improvements.

Member Evans asked if there isn’t a new State law requiring the 20 feet and Member Grey noted that they cannot park. Chair Schlesinger mentioned the HCR construction in his area, and that they have to stick to the regulations. Mr. Russo agreed and reiterated that he is happy to condition with construction conditions.

Member Grey asked about environmental review as part of Traffic Management Plan, to which Mr. Russo noted that it is a piece of the CEQA, that sfd doesn’t require a Traffic Management Plan, and that they are below the threshold. Grey asked about cumulative impacts of other projects to which Mr. Russo replied that it is a sfd in a sf area. Grey raised the issue of 9000 versus the 6000 of export allowed, to which he pulled up the grading plan. Asked if he was saying that the remedial grading was exempt, Mr. Russo quoted import and export activities, where remedial grading is listed as an exemption... noting that the code states any exempted earth work is also exempted... and that the grading is a safety requirement.

Questions were asked and answered. Regarding the fire road with a dead end, asked if they would still do the project if they did not get relief, he replied in the negative. Asked about turnaround during construction and increased construction-related traffic in relation to other traffic, he noted that they’ll include additional flagmen. He noted that only one lives there, the others are out of state; there are four homes total that access the street – the three other homes, there is *not* a ton of traffic coming up this street, and as to the turnaround, he related that there is an extremely large motor court and entry on and off Bella Drive.

Asked about LEED cert and solar panels, he answered they have to be “solar ready” whether they put it on or not. Asked about the current condition of the roadway where there will be 900 trucks, Mr. Russo noted that some spots could use resurfacing; they’re committed to resurfacing...to the original condition and would do the work post-construction.

Dr. Longcore asked for clarification of the minimum width of Bella from Cielo and the average width of Bella, to which we were told that the minimum is on the Hillside Referral Form, and that there are stretches that are 20 feet; a couple areas towards the entrance get well over 20 feet, there are a couple of narrow pinch-points along the turns, and leading up to the property there is a straight stretch with 18’ minimum. Dr. Longcore noted that the Fire-Safe regulations were approved in August and they specify that you have to have 20’ minimum width or cannot proceed with development. Asked how he will comply with the State regulations, Mr. Russo noted that this is a question for the City. Member Levinson related that we have a responsibility that the roads are in accord to State laws.

Motion to recommend denial of the project based on the State Code that requires Fire-Safe roadways and based on the extreme amount of energy usage required to run a 17,000 square foot home, approximately 8 times the average home in Los Angeles was moved by Evans and seconded. The motion was to *not* be able to make the findings, not complying with state regulation with regard to providing an access roadway of 20 feet minimum width and passed by 6 yeses, 0 noes, 2 abstaining Schlesinger & Longcore, and 1 ineligible Miner.

6. [2424 N BRIARCREST ROAD 90210](#) [DIR-2022-9281-DRB-SPP-HCA](#) [ENV-2022-9282-CE](#)

Mulholland Scenic Parkway Specific Plan (MSPSP) Lot Area. 40,498.00 sf.

Present Use VACANT UNDEVELOPED

Project Description: CONSTRUCT (N) STORY SFD (7029 SF), 5,760.43 SF OF HARDSCAPE, A 460SF LID PLANTER, OUTDOOR POOL, (N) ACC. STRUCTURE WITH DRIVEWAY (GARAGE 646.79SF), AND GRADING (545 CY OF EXPORT). MAX HEIGHT 25FT.

Applicant: Paul & Lisa Fitzpatrick Alto Cedro LLC Torrance 424.421.9429 paul@pfihotels.com

Representative: Permits Unlimited Janaye Callaghan 805.367.6914. permitsunlimited@gmail.com

Architects: Gerhard Heusch, Heusch LLC 310.748.7000 gheusch@me.com &

Pablo Guerri pguerri@heusch.com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYzNjMy0>

Please also see the following links:

<https://drive.google.com/drive/folders/10IQ1KEYTO-oO5Gj4qQBuhvhjnIgcCEFG?usp=sharing>

https://drive.google.com/drive/folders/1dVb5_nZiVjoe2uitatjtmoSiNdhlw3E7?usp=sharing

Please also see additional attachments on the BABCNC Project Information Page link:

<https://www.babcnc.org/committees/viewCommittee/374>

This project was heard by the PLU Committee on 02/21 and 04/11, following which meetings, questions were sent to the applicant and answers were provided. This evening we heard from Mr. Paul Fitzpatrick, who introduced himself as the owner who would also be a neighbor. He noted that he is not sure what will be done with the house; he may build it for his kids but is not sure. He noted that they had circulated written answers to the questions. He was available to answer questions. Some comments included his confirmation that the width of the roadway is 20 feet, that had been inaccurate but that the City corrected it and it actually is 20’ they did measure it. As to the street below, Burrow Road, he noted that the neighbors met and are in agreement with no objection to the development. Dr. Longcore related that he had received an email from two people on that road supporting the project. As to lighting, Mr. Fitzpatrick noted that lighting is inward and they will *not* light up the grounds.

Motion to support the project was moved by Evans, seconded by Weinberg. Dr. Longcore reminded us that the relief is the endorsement; they’ll be going to Mulholland shortly and they wanted our support; that there is no request for variance or relief; the motion passed with 6 yeses, 0 noes, 2 abstentions and 1 ineligible.

7. [2401 N BOWMONT DR DIR-2023-2748-DRB-SPP-MSP ENV-2023-2749-CE](#)

Filed On: 04/20/2023. **Assign/Staff:** 04/20/2023 Claudia Rodriguez

Appealed: NO. On Hold: NO

Project Description/Entitlement Request: Mulholland Specific Plan project permit compliance and Design Review Board to permit a new 419 sf detached recreation room and two new 9'3" and 4'7" retaining walls.

Applicant: Robert and Sheryl Goldstein

Rep: Cason Hall [Kimberlina Whettam & Associates] 213.924.3236 cason@kwhettam.com 503-753-8539

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjY2Njkx0>

Please see the DCP Application, Findings & Plans on the BABCNC Project Information Page link: <https://www.babcnc.org/committees/viewCommittee/374>

Ms. Cason Hall representing the applicant provided a presentation on the project. She was accompanied by the architect, Jennifer Yano.

Questions were asked and answered as to grading, which she noted is lower than the minimum, and as to existing retaining walls, one pre-BHO that will remain with the two new walls. She noted that the request is just for the DRB and Specific Plan compliance. Dr. Longcore noted that we have taken a position as a NC that it is a ludicrous that the City has interpreted the clear language of the retaining wall ordinance to exempt by-right retaining walls constructed before the passage of the ordinance from the limit on the number of retaining walls per property. She doesn't believe there will be amplified speakers associated with the rec room, and the architect noted that that the roof will *not* be accessible. They anticipate that the project will take a year; there are options for staging on site. Seven years ago the owners did a remodel. She was asked about the location of the existing and new retaining walls and Chair Schlesinger noted that the back retaining wall stretches the width of the property.

Public Comment:

Amy Adelson member of the Bowmont-Hazen Coalition noted that she wanted to provide some general comments, including that there are some neighbors who endorsed the project, the one adjacent and one across the street, while there are others who have opposed it. She noted that in 2018, there was a massive remodel that blocked access to upper Bowmont and egress from upper Bowmont. She has photos of what the neighbors endured at that time. She thinks it is a question of process and not the project per sé. She noted that they didn't have communication. She noted that it is a substandard street, a dead-end, and, if anyone gets trapped there they have no emergency exit. She asked that we take this into consideration and create a civil relationship with the neighborhood, noting that in 2018 it was not collaborative and not civil. She reiterated that they have support from two neighbors but do *not* from four or five also on contiguous properties.

Georgia Stavropoulos spoke in opposition to the project, noting that she lives in the house (pointing) and that the construction will take place outside her home. She related that she has already been through construction on this house, when the house changed hands and was taken down, which took several years; the second time it took a year and a half to two years, and was a nightmare. She noted that they were greatly impacted from the start of construction early in the morning and were unable to sleep, they got flat tires from construction debris on the road multiple times, experienced blocked access; she was late picking up her child from school, notable to get past construction vehicles. She is concerned as to how they want to do grading & hauling, etc., and, as to loss of access as they cannot access from the rear, mix cement and bring it in to the property, noting it has to go from the front and will be a construction nightmare. She doesn't see how it can be done without tremendous impact to the neighborhood and to the immediate neighbors especially.

Jim Saltmar noted that he lives in the same house as his wife who just spoke, and that they just found out about the project yesterday. He knows that they are facing many months of dust, noise and disruption; he is

not used to the idea but has a lot of concerns. He asked what the rec room will be used for, how noisy will it be, and what kind of disruptions will there be after construction. He noted that they remember noise from the neighbors in support but have many concerns about the construction process. They expect that the Hillside Construction Regulations (HCR) will be followed. He noted that they are trying to deal with it and right now they are *not* supportive of the project.

Board questions were asked and answered as regards to street width, the purpose of the rec room, which is a gym. They just filed two weeks ago and there is no hearing date. Member Greenberg would like to hear from the neighbors at the next meeting. Member Miner is concerned about the retaining walls, and thinks that the request to build more retaining walls doesn't comply with the Retaining Wall Ordinance. Member Grey related that the Retaining Wall Ordinance was instituted in 2005 and that this has nothing to do with grandfathering. She doesn't see any violation or anything that can legitimately stop the project but asks what can be done to stop the construction noise and anything to protect the neighbors, and if this can be added to the design that would help.

Ms. Hall noted that they will also complete a Traffic Management Plan. Member Grey asked about the permanent mitigations. Levinson asked if they've reached out to the Bowmont-Hazan Coalition especially about traffic mitigation. Evans asked as to export of dirt and import of concrete to which Jennifer noted that they briefly discussed this with construction and there was discussion about the hair-pin turn.

Board President Longcore noted that there isn't a request for the Zoning Administrator to do anything; we could provide input to the MDRB, though they do not have a date for that yet. We may have time to wait and facilitate greater conversation with the neighbors about the concerns raised tonight.

Motion to table this for now and come back to it in a month or two when there has been some greater conversation and development whether they will do construction on a street – on a hair-pin turn, at which time we can make a recommendation to the MDRB **passed** as **moved** by Greenberg and Levinson.

Dr. Longcore thanked everyone for coming and participating and the meeting adjourned at 6:34 pm to meet again on **June 13, 2022 at 7:00 PM.**

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	

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