



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 June 13, 2023 7:00 P.M.

Members of the public can join the meeting online or by telephone

<https://us02web.zoom.us/j/84176622237>

OR Dial (669) 900-6833 or (888) 475 4499 Then enter Webinar ID: 841 7662 2237 and Press #

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage		X
Robin Greenberg	X		Nickie Miner	X	
Don Loze (<i>remotely</i>)	X		Jamie Hall		X
Shawn Bayliss		X	Jason Spradlin		X
André Stojka (<i>remotely</i>)	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	

With agreement of the applicant’s representative, Tony Russo, and with unanimous approval of the committee, the motion to accept remote participation of two committee members, on the basis of health, per AB-361, was approved, as moved by President Longcore, who explained the rules for this. Chair Schlesinger called the meeting to order at 7:07 P.M., read relevant information on the agenda including but not limited to public comment.

1. The June 13, 2023 Agenda was unanimously **approved** as moved by Longcore.
2. **Approval of Minutes:** The April 11th Minutes (Attachment A), May 9th Minutes (Attachment B) & May 16th Minutes (Attachment C) were all unanimously **approved** as moved by Longcore & Evans.
3. There was no General Public Comment on topics *not* on the adopted agenda.
4. **Chair Report** – Robert Schlesinger – No report.

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

5. **9979-9989 Beverly Grove Dr (Current)**
9955 Beverly Grove Dr (Previous)
1297 Beverly Grove Pl (Proposed)
[Northern Parcel]

Applicant: Randolph Gustafson [Upper Deck Property Holdings, LLC]

Representatives: Tony Russo and Benjamin Eshaghian [Crest Real Estate]

Requests:

Pursuant to L.A.M.C. Section 12.24.X.28, a **Zoning Administrator's Determination** allowing relief from LAMC Section 12.21.C.10(i)(2) & 12.21.C.10(i)(3). The project is requesting relief from the requirement that any new construction of, or addition to, a One-Family Dwelling on a Lot must have a vehicular access route from a Street improved with a minimum 20-foot-wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area.

Pursuant to LAMC Section 12.28, a **Zoning Administrator's Adjustment** allowing relief from LAMC Section 12.21.C.10(a), 12.21.C.5(b); 12.21.C.1(g); 12.22.C.20(f). The project is requesting relief to permit a detached accessory structure (guardhouse) to encroach into the side yard setback as well as requesting relief from the requirements of detached accessory structures located within the front half of the property.

Pursuant to LAMC Section 12.28, a **Zoning Administrator's Adjustment** approval granting relief from LAMC Section 12.21.C.1(g) to permit the construction, use and maintenance of new 10'-4 3/4" maximum height & 9'-8 1/2" maximum height wood pedestrian gates, plaster pilasters & plaster site walls in the required side-yard setback, new 10'-0" maximum height black chain link fence in the required side-yard setback, new 12'-0" maximum height guard house with planter above located in the required side-yard setback, and new over in height planting (Indian Laurel, maximum height 20'-0") located in the required side-yard setback of a single-family dwelling in lieu of that which is otherwise permitted by the Municipal Code along.

Mr. Benjamin Eshaghian gave an in-person presentation on *both* projects, agenda items #5 & 6, which was followed by a Q&A, with the participation of Mr. Tony Russo remotely. There is no hearing date yet.

Initial Motion: That we do *not* support the guardhouse and the over-in-height fence because of piecemealing. We recommend supporting the widening of the roadway request contingent on an arborist's letter detailing significant impacts related to road widening... It would be eligible only because there are two ways in and out. Moved by Evans and seconded by Greenberg. (*This motion was later withdrawn.*)

Public Comment: Kathleen Linder related that she lives on 9800 block of Beverly Grove Drive and regarding the comment that the guardhouse would be tucked in as the house would be, from her vantage point, they see the whole thing; they see that all the trees that are important gone and the trees that remain very low; doesn't know how protected they are; they don't create canopy or verdancy. So, they can see everything from their point of view, and right now it is a big pad of dirt. Regarding widening the road, she agrees with the builder, because of the slope she could see how difficult that would be... Ms. Linder acknowledged that it was a very steep slope. She noted that she couldn't hear very well, sound was muddled by the person speaking. She couldn't see the slides. She couldn't see the detail of the property maps on the screen, as it was too small on her screen. She asked if the chain link fence and the laurel fence at the perimeter of the street or at the top of the slopes. Because they now have plants and verdancy around the top of the property. She couldn't tell where the chain link fence would be located, and thinks if you have a 20-foot Laurel fence on the road, with the people across the street have a Laurel hedge fence. She noted that in the past they didn't see the house, they just saw a bunch of trees. The old house was covered in trees on the land and now there are no trees that are distinguishable. She noted that there may be low trees that she cannot see. She spoke on the beautiful cactus and other beautiful plantings on the west side of the slope that have been there for generations. She is arguing against widening the road. There was no other public comment.

Motion to divide the question into pieces, the question about the road and the question about the guardhouse, was **approved** unanimously, as moved by Levinson. Longcore recommended addressing the northern parcel with the guardhouse first and the southern parcel next.

Mr. Russo presented the arborist report dated August 19, 2022, pointed out onscreen the first tree, an offsite street tree, noting that the widening and grading required would remove the tree. As to the 2nd and 3rd tree, the grading is too close, particularly for the Black Walnut and the Oak Tree; the Black Walnut would 100% need to be removed, and the 4th and final is the offsite 7 tree as the wall – the physical widening itself – would require the removal of that tree and there would be additional grading in that area.

They got their building permits in September. Longcore asked, they had an arborist report in August 2022 for plans to widen the road, or were issued permits on the premise that they would widen the road.

Mr. Russo noted that they worked with BOE on the improvements, having designed the piles and walls, as they were bonded they were able to pull their permits. Discussion was held on the timing. They then recognized they had impacts with the trees. They pulled permits knowing that the road was under 20' and part of pulling the permits was widening the road. The reason for the ZAD is to avoid impacting the protected trees in order to widen the road. They haven't issued the tree removal permit yet.

Evans **withdrew** her above motion *relative to the road* as the motions would be split. There was no objection.

Northern Parcel:

Motion to recommend the Board **deny** relief from the requirement of a minimum 20-foot-wide Continuous Paved Roadway on the basis of fire safety, recognizing that if the ZAD is denied, it has already been permitted to be completed by the City was **moved** by Levinson, and **seconded** by Evans. The motion **passed** with **7 yeses** from Levinson, Miner, Evans, Stojka, Schlesinger, Greenberg and Weinberg, **1 no** from Loze & **1 abstention** by Dr. Longcore.

Motion: As regards the wall and the guardhouse for the northern parcel, the motion is to recommend the Board **deny** approval, based on piecemealing of the project. The motion was **moved** by Evans, **seconded** by Miner and **passed** with **8 yeses** from Levinson, Miner, Evans, Stojka, Loze, Schlesinger, Greenberg & Weinberg, **0 noes** & **1 abstention** from Dr. Longcore.

6. 9955-9961 Beverly Grove Dr (Current)

9961 Beverly Grove Dr (Previous)

1289 Beverly Grove Pl (Proposed)

[Southern Parcel]

Applicant: Randolph Gustafson [Upper Deck Property Holdings, LLC]

Representatives: Tony Russo and Benjamin Eshaghian [Crest Real Estate]

Requests:

Pursuant to L.A.M.C. Section 12.24.X.28, a **Zoning Administrator's Determination** allowing relief from LAMC Section 12.21.C.10(i)(2) & 12.21.C.10(i)(3). The project is requesting relief from the requirement that any new construction of, or addition to, a Single-Family Dwelling on a Lot must have a vehicular access route from a Street improved with a minimum 20-foot-wide continuous paved roadway from the driveway apron that provides access to the main residence to the boundary of the Hillside Area.

Pursuant to L.A.M.C. Section 12.28, a **Zoning Administrator's Adjustment** approval granting relief from L.A.M.C Section 12.21.C.1(g) to permit the construction use and maintenance of a new 11'-6 1/2" maximum height vehicular gate (auto gate a), 9'-7" maximum height vehicular gate (auto gate b) & 9'-11" maximum height vehicular gate (auto gate c) wood auto vehicular gates in the required side-yard setback, new varied in height (maximum height 11'-6 1/2" h) plaster pilasters in the required side-yard setback, new 10'-0" maximum height black chain link fence in the required side-yard setback, and new over in height (Indian Laurel, maximum height 20'-0") planting located in the required side-yard setback, in lieu of that which is otherwise permitted by the Municipal Code.

The Southern Parcel:

There was no public comment.

Motion: To **deny** relief from the requirement of a minimum 20-foot-wide Continuous Paved Roadway due to fire safety and piecemealing, and to **deny** the over-in-height Vehicular Gate and Fence on the basis of piecemealing of the project was moved by Evans and seconded by Levinson and passed with 8 yeses from Members Miner, Levinson, Evans, Stojka, Loze, Schlesinger, Greenberg and Weinberg, 0 noes and 1 abstention from Dr. Longcore.

Good of the Order & Adjournment to July 11, 2022 at 7:00 PM.

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

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