



DRAFT MINUTES

**Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting
Tuesday December 12, 2023 7:00 P.M.**

**TreePeople Conference Room at Coldwater Canyon Park
12601 Mulholland Drive Los Angeles, CA 90210**

**Members of the public can join the meeting in person, online or by telephone
 Dial (669) 900-6833 or (888) 475 4499, enter Webinar ID: 883 5111 8782 and Press #
 Or Zoom: <https://us02web.zoom.us/j/88351118782>**

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Stephanie Savage on Zoom	X	
Robin Greenberg	X		Nickie Miner on Zoom	X	
Don Loze	X		Jamie Hall	X	
Shawn Bayliss		X	Jason Spradlin		X
André Stojka		X	Ellen Evans	X	
Steven Weinberg		X	Patricia Templeton		X
Maureen Levinson	X		Leslie Weisberg		X
Stella Grey on Zoom	X		Travis Longcore <i>ex officio</i>	X	

Chair Schlesinger called the meeting to order at 7:07 pm, provided welcoming comments and information on procedures. There were 10 present and 6 absent.

1. The December 12, 2023 Agenda was **approved** as **moved** by Longcore.
2. The November 7, 2023 Minutes (Attachment A) were **approved** as written, as **moved** by Levinson.
3. **General Public Comment:**
 There was no comment from the public on any topic within the Committee’s jurisdiction but not on the adopted agenda.
4. **Chair Report:** Robert Schlesinger
5. **Vice-Chair Report:** Jamie Hall, Vice Chair, related that the City of Los Angeles is proposing to adopt thresholds of significance for construction noise, vibration and historical resource impacts; that if you care about this, show up at the CPC hearing, and tell them one size does not fit all, we do not all live in DTLA, and we should *not* all live by heightened thresholds of significance.

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

6. **8429 W CRESTHILL ROAD 90069 ZA-2023-2055-ZAD ENV-2023-2056-CE**

Filed: 03/24/2023. APN: No.: 5555-012-024

Assigned/Staff: 04/13/2023. Yamillet Brizuela

Yes, Case is on hold: Construction work performed w/o required permits.

Project Description: Zoning Administrator Determination to allow 6 additional retaining walls in lieu of the 2 maximum allowed. 48 inches max height, solely to enable planting of native trees & shrubs to control erosion. Zone R1 SFD w/hillside garden

Owner of Record: Mdn Living Trust

Applicant: Matthew C. Cox coxeandc@gmail.com 323.382.3333

Architect: Agapito Fernandez Civil Engineers Abfcivil1@gmail.com 818.626.2088

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjY1OTgw0>

Note: At the November 7th PLU meeting, following the initial presentation, the presenters were asked to return to provide more details, including but not limited to specific heights, as the grading approval letter online states “walls up to 12’ high”, and information from the Soils Engineer, as well as on specific plantings, as we are in the Very High Fire Hazard Severity Zone (VHFHSZ), with the site being close to Sunset Boulevard.

Mr. Matthew Cox, homeowner of the property, returned to answer questions. He noted as to the height of the retaining walls, there is one very long wall, 6’ in height; the balance of the walls are 24” in height. The idea is to minimize the amount of export soil. Questions were asked and answered, and discussion was held. Member Loze asked how this applies to the Retaining Wall Ordinance.

Motion: Member Loze **moved** that he would be in favor of his request and accept the application if the applicant would say that there would be a covenant that runs with the land that it is solely for the purpose of supporting landscaping. The motion was **seconded** by Greenberg. Further discussion was held, with Member Savage noting that she has looked at the drawings and that the dimensions vertically do not add up; there is about 30 feet of grade change... she can’t visualize it working out physically on this site. She is looking at the drawing with color coding of 2 feet and 3 feet. Member Evans asked about the stairs, which add up to more than 2’ of grade change. He’ll go back to the engineer to make sure that the elevations make sense.

Motion reiterated: To support the project with the caveat that there be a covenant that runs with the land that designates that these walls are only to support trees and landscaping and not to set a precedent for retaining walls.

Discussion was held on the types of trees included in the attachments that the applicant sent today from the landscape architect, with Member Levinson asking him to support wildlife. The third issue from Member Savage was the actual soils report, which is attached.

Question was called, and the motion **passed** by **8 yeses** from Members Levinson, Evans, Schlesinger, Greenberg, Hall, Loze, Grey, and Miner, **1 no** from Member Savage, and **1 abstention** from Dr. Longcore.

7. **9926 W BEVERLY GROVE DR 90210 ZA-2023-3405-ZAD ENV-2023-3406-EAF**

Filed: 5/18/23 Assign/Staff: 7/07/23 Esther Serrato 213-978-1121

Hearing: No / Appealed: No / On Hold: YES

Project Description: A Zoning Administrators Determination to allow for the major remodel of an (E) single family dwelling on a substandard hillside street of less than 20’ & haul route for 3913 CY of grading. DEEMED TO BE APPROVED PRIVATE STREET FOR THE MAJOR REMODEL OF FAMILY DWELLING AT 9926 W BEVERLY GROVE DR.

Applicant: Gregory Dean, 9926 Beverly Grove LLC

Rep: Benjamin Eshaghian (Crest R/E) ben@crestrealestate.com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjY3NTk00>

Benjamin Eshaghian presented the project, a flag lot, with a frontage off of Beverly Glen Drive and access via what is deemed to be approved private street. He noted that they have gone through process to allow for the remodel and provided a site plan of the proposed home to be built: a 30-foot tall building. He provided details regarding the home, on a 27,542 square foot lot size, including basement & ADU, totaling 14,960 square feet.

Questions were asked and answered, with Dr. Longcore noting that this raises the issue of the ADU square footage making a mockery of the intent of the ADU, and Member Hall asking how it was compliant, noting the carve-out for hillsides, when the parcel does not have a 20-foot wide roadway, and if he is asking for an exception to the current ADU Ordinance. Mr. Eshaghian noted that the ZAD is for relief from the minimum of 20' foot continuous paved roadway (CPR).

Member Loze asked where the 3900 CY of dirt is coming from; he believes it is for provision of a basement. The current house is 2,300 and is going to 14,000; they are digging out a basement for an additional floor that has no RFA, for a six-car garage. There is a ZAD request for (*relief of*) required CPR along the frontage as well as to the boundary of the hillside. They discussed the private street, Beverly Grove that is not 20 feet wide. Benjamin noted that they are talking about widening the 10' portion by 6.

Member Hall noted that the ADU Ordinance has passed. See Council File 16-1468 for details: <https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-1468>

Member Hall read the rule for VHFHSZ noting that unless it meets exceptions, he needs to see if an ADU is actually permissible, it doesn't say CPR but frontage, and if he cannot fix the 10' he doesn't get the ADU by statute.

Member Miner discussed what she noted was *not* a street but a path – a trail – that is very narrow. She doesn't think it is 16' and opined that a six-car garage on that street is overkill, that cars cannot pass each other. She thinks this is impossible, being one of the narrowest and most treacherous streets in Benedict Canyon.

Tony Russo joined the meeting on line, and wanted to make himself available for questions if needed. Benjamin resumed the slide show. They are in the process of applying for the ZAD.

Member Hall asked further, if he has a plan for the trucks on the narrow roads. It was noted that they are in the process of finalizing the Traffic Management Plan; there are eight spots onsite for onsite parking issues. Member Hall asked about the hauling trucks, if they're putting together a haul route. Other projects 9955 and 9961 Beverly Glen also had a haul route, to which Tony Russo provided comment.

Member Evans noted that this is in an early stage. Hall would recommend providing as many recommendations and he would like to know: 1) the haul route, now that will occur, 2) whether the ADU can be built under current law, 3) to know more about whether the ADU will be used as an ADU or as a private gym, an office, that just expands on the square footage.

Tony Russo provided answers that the development is proposing a B-Permit, and they are working through the CPR issue that has been addressed in other homes on the street. He noted that there are two access points, in and out and thinks that this addresses the traffic flow of hauling. He noted that they had 9955 & 9961 which they did with conditions of approval such as flag men (and others) He noted that they could detail the haul route...which has been managed effectively before. He noted that you cannot get the haul route approval until after the ZAD approval.

Member Evans asked about other projects in the area. As regards neighbors' support, they reach out to the neighbors and send out certified mailers. One of the neighbors is their client from 1261 Tower Grove. They

haven't received any express opposition. Evans would like to know from the neighbors with the same access. Hall asked if they have engaged in community outreach efforts so the neighbors can know they can come here and speak to us. Savage asked about the ADU and about by right max allowed; they filled out 3000, and based on the basement they are at the edge. She is also concerned about entire elevation.

Greenberg asked if the owner is a developer to which Ben noted that that is his profession but this will be his personal home. Miner mentioned the streets that the access empties into, and that it seems incredulous to think of constructing something on the dangerous street. She knows from having measured it that it is 16' and in some points 12' and is concerned about all wildlife affected from all the cement trucks. She thinks it won't be easy to build something that big.

Motion: To continue this project for further details, e.g., about the haul route, about the ADU, whether it is acceptable to us was **moved** by Greenberg, with a list that will be provided by Savage; whether the B-permit investigation to widening the 10' **seconded** by Longcore. Levinson would like specifics on the remodel. The motion to continue this **passed**. Tony would request a list of questions.

8. **1255 N CLARK ST 90069 ZA-2022-8436-ZAD ENV-2022-8437-CE**

Filed: 11/17/2022 / Assigned: 05/11/2023 Dylan Lawrence

Project Description: REMODEL OF AN EXISTING TWO-STORY SFD FOR A 316 SQ FT ADDITION AND NEW ROOF DECK IN THE R1-1-HCR ZONE.

Applicant: Mark K Robinson & Olivia Grigorjeva. mjr1969@gmail.com 323.304-0892

Trustees of the MOR Family Trust 1255 N Clark St. WeHo, CA 90069

Representative: Isaac Lemus isaac@crestrealestate.com

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYyNzU40>

Isaac Lemus provided a slide show presentation. He noted that the main intersection is Sunset & San Vicente, which turns into Clark Street north of Sunset Boulevard. He discussed the project scope, creation of two bedrooms; noting that the previous bedroom was converted to a living space on the second floor. The roof deck is on top of the existing second story, approximately 400 square feet.

Isaac provided visual diagrams and listed requests, including:

- To allow a less than 20% increase in the allowable height (4.8 feet) to the 20/24 rule per 12.21.C.10(d)(5). He discussed the 316 sf addition, noting what is existing and what is being proposed are legal nonconforming. They would need to go above the 24' limit above the 20; of the 20/24 height limit rule, because it is less than 20% deviation, and therefore the ZAD request.

- To allow a less than 20% increase in the origin height (~10") to the 20' R1 encroachment plane requirement per 12.08.C(5) From setback line, going up 20 feet, once at that limit, have to create a 45 degree angle that goes upwards; requests having to do with the (diagonal) encroachment plane.

He also showed project renderings.

Isaac provided Neighborhood Compatibility Study, lot size, building size and ratio between the two, noting that they fall in line with the average of the surrounding community; all the homes were built prior to the BHO; and looking at the community for qualities in the buildings, they are in line with what is existing. As to outreach done, Isaac noted that they have done outreach to the DSPNA, who have reviewed and approved their project and have reached out to the two most impacted neighbors, 12594 directly north, by the second story addition going in front of the home. They reached out to 1250 Hilldale which is most impacted by the roof deck they are proposing, and they are supportive. Both will send a letter.

He discussed their efforts for limited impact, with no hauling or grading, no export, no haul route, no biological resources that would be impacted, noting that it is all a second story addition; no landscaping or protected trees or shrubs onsite that would be impacted.

Questions were asked and answered, beginning with overall height: railings will be 3-1/2' Chair Schlesinger asked for more detail of the rooftop deck, e.g., lighting up or down? Isaac noted that we can have a condition for the lighting.

Member Savage cautioned on the front yard setback, revocable permits for what are on the Public Right of Way (PROW) to be considered. Isaac noted that they are *not* building in the PROW, and would *not* evoke a revocable permit. Savage referred to the planter in what she thought was the ROW, to which he noted that he thinks that is existing and there might be a revocable permit for that. He believes it is in the driveway next to them, and is not taking up any parking along the street; however, acknowledged Savage's concern as valid.

Member Loze expressed concern about the deck on top as not good for safety, thinks it increases danger of the neighborhood, to which Isaac responded that a lot of people in the area use roof decks and they have to abide by precautions from B&S for safety. Loze thinks this increases risk to the neighbors, which Isaac disagreed with and invited a condition of approval of no smoking sign on the roof deck.

Motion to support the project with some restrictions, e.g., a large no smoking sign on the roof deck, and low intensity lighting on the roof deck, passed by **10 yeses** and **2 nays** from Loze and Schlesinger, as **moved** by Evans and **seconded** by Levinson.

Good of the Order: Dr. Longcore noted that the Patricia Templeton had related to him that the rules of the prohibition for CPR are for new structures.

Adjournment: Meeting adjourned at 9:00 pm to January 9, 2023 at 7:00 PM.