



**Draft Minutes**

**Bel Air-Beverly Crest Neighborhood Council  
Planning & Land Use Committee *Virtual Meeting*  
Tuesday February 11, 2025 7:00 P.M.**

Name	P	A	Name	P	A
Robert Schlesinger, Chair		X	Jamie Hall, Vice Chair	X	
Robin Greenberg	X		Stephanie Savage	X	
Nickie Miner	X		Leslie Weisberg	X	
Patricia Templeton		X	Ellen Evans	X	
Maureen Levinson	X		Stella Grey	X	
Jason Spradlin	X		Travis Longcore <i>ex officio</i>	X	

In the absence of Chair Schlesinger due to illness, Vice Chair Hall called the meeting to order at 7:05 PM. VP Operations Greenberg led the Flag Salute. Vice Chair Hall called the roll with 9 present initially. Following the arrival of Member Spradlin, at 7:11 PM, there were 10 present and 2 absent.

*[Of note, at the start of the meeting, we had an issue with the Zoom link that had been included in the body of the email to the committee members and the presenters; however, the link in the agenda was correct, and the two individuals who experienced trouble getting into the virtual room got in and the meeting continued.]*

1. Motion to approve the Agenda **passed** unanimously as moved by Miner.
2. Motion to approve the November 12, 2024 Minutes (**Attachment A**) **passed** by all but one abstention from Miner, as moved by Evans.
3. **General Public Comment:** There was no public comment on any topic within the Committee’s jurisdiction but not on the adopted agenda.
4. **Chair Reports:** Chair Schlesinger was absent today so there was no chair report from him.

Jamie Hall, Vice Chair provided a report that he has been involved with a project where the issue of the application of the State Minimum Fire Safe Regulations has come up again. He noted that the Department of City Planning is persisting and arguing that the new State regulations adopted in 2022 just don’t apply unless a new road is being constructed, said officially in a staff report issued to the City Council. He thinks this is inaccurate, something the Attorney General has stated. He noted that this is something we have discussed in this committee before, that it has application within our Neighborhood Council for substandard roads, and our City refuses to recognize the existence of the regulations. He thinks this is something we should consider writing a CIS for lobbying on in the future.

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

5. **8414 W Edwin Dr. Dir-2024-6335-DRB-SPPC-MSP (Returning from November 12, 2024 PLU meeting)**

Project Description: 2 new retaining walls / RESIDENTIAL

Applicant/Owner: The Edwin Drive Trust Co.

Representative: Arvin Shirinyans [ARCHNTECH [arvin@archntech.com](mailto:arvin@archntech.com) [raphael@therhbgroup.com](mailto:raphael@therhbgroup.com)

Lot Area: 11,284. APN: 5565040033

Previous or Pending Cases: DIR-2018-5371-DRB-SPP-MSP.

No intent to develop a larger project or Subdivision. (**Attachment B**)

**Permanent Link with Initial Submittal Documents**

**<https://planning.lacity.gov/pdiscaseinfo/search/casenummer/DIR-2024-6335-DRB-SPPC-MSP>**

Vice Chair Hall introduced the item, and introduced Arvin Shirinyans. Arvin noted that they have adjusted the project based on comments from our previous meeting in November and provided a review, beginning that the nature of the project has more or less stayed the same as to the two retaining walls that they are planning to build; demo the one built incorrectly and not up to code, and in the process provide enough landscaping and vegetation to meet both fire codes and the MDRB aesthetic requirements. He noted that the main items that they have worked on are as to fire safety concerns, for which they have provided new landscape set, in the last four sheets of the document 35, 36, 37 and 38. He began his presentation, to have only one tree (olive) and made sure drip line falls outside of dash-line of 10-foot requirement. They have toned down the trees on the left (pointing) reduced number of Toyon to two trees only; provided 20-foot distance between them, and canopies 10 feet apart; changed planting between the retaining walls as ground covers rather than shrubs, for safety codes, planted low-2-3' high at the highest. He noted that the existing ficus hedge was not in compliance but adjusted that to meet fire code. They don't have any prohibited species of plants and are covering the retaining walls with creeping ficus vines. These main changes were made to comply with both Fire Safety Code and Mulholland Specific Plan requirements.

Arvin noted that they have chosen the website that Travis suggested for material to be covering the glass railing, which won't be visible to human eyes but to birds and will prevent them from flying into it. They revised elevations, only one olive tree in the front; two have been removed. They added notes for the railing to have FeatherFriendly material on both ends of the property, the sideline and frontline. They toned down shrubbery for fire safety... and he provided examples of Feather Friendly product to go over the glass railings.

Committee questions were asked and answered. Dr. Longcore noted that we are seeing this because it is within the MDR area, and not because there is any entitlement other than that. Asked why this is not a by right project, Arvin noted that the first submission was approved, an appeal letter was received later on. He was referred by City Planning Department, Jude Hernandez, to go through this process, to obtain a DRB approval to construct these two additional (Hall) retaining walls. He noted that Jude sent an email asking him to replace the BTC since the LADBS contract has ended with the BTC company... the application submitted, they have all the drawings; and he is just waiting to make sure it is good on this end before continuing on with the City.

**Public Comment was provided by Mr. Steve Weaver**, who noted that he represents the adjacent neighbor, at 8430 Edwin, noting that they have had some concerns about this. They are hoping there would be no demolition because of the slope and he is confused as to what is illegal about the wall as is and why it wasn't permitted in 2018 as is because it is such a steep slope. If they can verify that the structures are sound and get the city to sign off on it. The other request is as to the very tall redwood on Mr. Berry's property, that is over 35 feet, a fire resistant tree, if it could stay that would be great but they are mostly concerned about the demo; why relocating the wall is necessary and why new wall is not as viable above the issue as the current wall. Arvin responded that his client is doing this because these walls were built without permits, and to obtain permits they have to meet some building and zoning standards which ends up shaping the project in this case, something they have come to agreement with Grading & Building. He agreed that they have a portion of the wall that they have the opportunity to reconstruct, and will demo it to meet the building and zoning standards... and the portion that is almost impossible to do so will stay and be underpinned to the bedrock.

*(As to whether the redwood stays, Rafael Berry, who was muted and would be asked when he became available; however, this question was not answered.)*

Mr. Weaver had a follow-up question, in terms of history, when the project was constructed without permits, Mr. Berry's team submitted plans afterwards to the MDRB in around 2018; they approved the project as built, which he challenged, as they built part of it on their land... they went and retroactively permitted the wall that existed. What is strange to him is that they did pursue a MDRB hearing successfully on the existing structures and maybe B&S is unaware of that, he doesn't understand why.

Vice Chair Hall asked, restating Mr. Weaver's question, while MDRB may have approved it as built after the fact, that LADBS is not able to do that? Arvin noted that that they did originally get it approved and it was appealed after; that if they had not gotten an appeal they would have moved on with the approval. Mr. Weaver asked perhaps it would be easier... with no demo required... to which Arvin pointed to a portion of his presentation where they explained that regarding the side slopes back to natural grade is not possible and the only solution is to provide properly designed retaining walls that are sensitive to the neighborhood scale and provide specifically planned landscaping to visual minimize visual wall exposure.

**Public Comment was provided by CJ** who noted that in their settlement agreement it was clearly stated... and they settled the dispute under terms that dictated that the walls that exist on the boundaries of their properties be brought into compliance; they didn't sign onto grading and demo and reconstruction. He noted that they (he) brought the wall into compliance, and he spent \$28,000 having the wall bored through, the soil analyzed, having pits dug, and everything they can to be in compliance. He noted that the applicant can do the same thing on his property; expensive and invasive... "Bring these walls into compliance as they exist because nothing else will be accepted by me." Public comment for this was closed.

The floor was opened back up to deliberation amongst committee members. Vice Chair Hall then opened the floor back up to public comment.

**Nechama Alkobi**, a realtor, related that it sounds like the first resolution they had was appealed, but if the first plan could be passed, the neighbor would be okay if they could just permit it without all the demolition.

**Mr. Berry** noted that the pool and the property are permitted; the pool was already built when they bought the property. Public comment was closed.

Further committee discussion was held as to whether or not this is feasible. Member Grey would ask the neighbor why he is convinced it is feasible to do leave the walls and underpin them do everything possible without demolition, and where is his information coming from, what is the source of this conviction, to which CJ noted that this statement comes from a conversation he has had with B&S and also with the Mulholland Scenic people: the issue is two retaining walls are the maximum allowed on any property and must be at least 3' apart. The issue is the RW on his and the RW on their property are less than 1' apart or about a foot apart, which typically B&S would not approve; however, if a variance could be agreed to between the two parties, the variance would be between him and the owners of 8414, saying that we accept that these two RWs are too close together, we however are confident, and after soils and structural engineering has been done to prove that the wall at 8414 is structurally sound, that we enter into that variance. He said that yes, B&S will sign off on it providing the wall on the Berry's property is found to be structurally secure, and the wall on his property which they have already spent tens of thousands of dollars having proved that it is structurally sound, they need to do the same thing on their side, and once that is done, a variance needs to be signed off on and B&S will sign off on it.

Vice Chair Hall suggested that our letter could say that we reviewed the landscape plans, we were concerned that they were not compliant with existing fire code regulations, and that the applicant modified the plans accordingly and we support the modifications; we expressed concern about the glass, and the applicant

modified the project to include bird-safe glass and we support that; and that the committee heard significant testimony from both the applicant and the adjacent neighbors regarding the necessity of the proposed demolition and whether or not the existing walls could be retained and brought into conformance with the code, and that the committee would support bringing the retaining walls into conformance without the proposed demolition if that was determined to be feasible by LADBS and the Grading Division.

Vice Chair Hall noted that we do not have enough information to make an opinion whether or not this is or is not feasible. We are not an expert on this. We know what we heard, that the residents want one thing and the applicant says it's not possible, to which Member Grey recommend that both parties reach their agreement and we can look at the final. Hall noted that they have come back twice. Miner thinks the whole thing rests on whether they go forward to have existing wall examined by experts, and it a recommendation is contingent upon that. This is a major situation. If he can come back with a report from the experts and LADBS, and everyone else, that this RW is feasible to be underpinned and retained, we can go forward and vote. We currently have no information on it because it wasn't tested.

Member Savage agrees that we have reviewed the landscape and bird-safe glazing; that the retaining walls is an issue that is out of our purview and may be out of the purview of DRB. She thinks there are many things to consider with regard to the pool built, to retain a flat area, and there is no permit for that on LADBS. That this is where she thinks the problem is. She thinks this is very complicated. Weisberg thinks that pushing this forward will not help them to resolve this. Hall pressed the point that the DRB will make the decision.

Dr. Longcore wanted to zero into what the infeasibility is, asking Arvin why he thinks this is infeasible. If he could enter into and obtain a variance so they could be a foot away, is there any technical reason that it couldn't be feasible then? Arvin related, possibly, they'll still have to go through the departments for clearances and it is open ended. Dr. Longcore asked if there is a possibility that they leave the walls, pursue the variance... and Weisberg asked, to which Arvin noted that he did not ask B&S if they would allow for a variance. Dr. Longcore asked and Mr. Berry responded that he is open to that resolution, without demolishing the wall. Mr. Martin can give him the information on whom he spoke to. Mr. Martin is open and certain that that variance would be granted.

**Motion** to postpone to a time certain and until they come back, request that they please, in all good faith go forward and try to do this, just from an environmental perspective... **Amend:** Give them 60 days to come back, *(to the April meeting)* was moved by Weisberg and to ask Mr. Martin to share with Mr. Shirinians the details of whom he spoke with. Dr. Longcore would that they could get to that place together. The motion was **approved** by all but one recusal from Savage, as moved by moved by Longcore and seconded by Miner.

6. **110 N MAPLETON DR LLC. ZA-2024-5111-ADJ ENV-2024-5112-CE**

Filed: 08/12/2024. Assigned 08/21/2024. Staff: Esteban Martorell

Project Description: Addition of an accessory structure in the front yard setback to a lot improved with a single family dwelling.

App/Owner: Shlomi Simsolo [Firm: 110 N Mapleton Dr., LA CA 90077] 310.251-4001

shlomi@ysbuildings.com. Agent: Jake Malott & Liz Opholt, Whitestone 708-203-2559 liz@wsdci.com

Permanent Link <https://planning.lacity.gov/pdiscaseinfo/search/casenumbr/ZA-2024-5111-ADJ>

Liz Opholt shared her screen, spoke on 110 Mapleton Drive. Add 156 square foot guard house to an existing property. It is a 42,201 square foot lot, developed with a home and a pool, built in 1990, and this is the only addition that is proposed. They submitted this in August and in the process of research, pulling together records they realized that the front gate and fence of the property built with the house back in 1990 might not have been properly permitted. She noted that there are blueprints on file with the city from when the property was built that show the gate and fence stamped from B&S; so they were under the impression that everything was good; however, looking at the files, the fence and gate along the front and along the side and rear, looks

like the side and rear were the only parts of the fence that were actually properly permitted. The rest was built. They are also adding a request to legalize the front gate and fence that was built in 1990. They would hate to build the guardhouse and have to go back for the entitlement for the gate and fence, which could take another 6-12 months, etc. She showed images of the gate, fence, extending to side yard and rear. They are asking to legalize it, because it is unclear if it was properly permitted.

- 1) Because of the addition of the guardhouse they have to ask for a ZA adjustment to allow for a reduced front yard setback and
- 2) ZAA for an accessory building in the front half of the lot; (often they are in the rear of the lot)
- 3) the same request a ZAA for basically legalizing this fence and gate with max height of 9' for 35 years now.

The guardhouse will be constructed behind the existing fence and wall so there will be no changes in the frontage of the building. She noted, as a comparable for the exact same request, that a neighboring property requested a guardhouse, fence and gate. She showed the site plan of the property as it exists, and the guard house that they are proposing to build within the existing walls. She showed elevations, a floor plan that includes a rest room and elevations of the fence, which is existing for over 35 years, and from their research it is unclear where the city stands but out of an abundance of caution they are legalizing the existing front gate and fence. No other changes to the property.

The floor opened to committee questions: The guardhouse is new and will be built into the existing gate and front wall that is existing, and will be permitted. The 6'10" setback from the property line. Miner sees no problem with this. Stephanie thinks this is thought out and not an egregious ask however there are probably a gazillion projects along Sunset that probably have fences without entitlements when they were built; they exist; nobody is complaining about it; the guardhouse looks modest and they want to keep the ficuses and the canopy will remain; they are asking and thoughtful but she is concerned about opening the floodgates for people who built a lot of stuff without entitlements.

Member Spradlin lives probably 7 houses away and noted that he doesn't think that the neighbors have a problem with the fence at all. Asked how far back the guardhouse is. He also noted that there is a bad habit of people moving into the neighborhood and not abiding by parking signs. As long as there is parking within the gates for employees. If parking on the street, his neighborhood would shoot it down immediately.

Member Grey inquired about over-height fence around the house, and if they want to legalize it, should you apply separately? Jason noted that all the fences in the neighborhood are over height but what we want to talk about is the setback on the guardhouse and parking.

Vice Chair Hall noted that the gate doesn't look the same to which Ms. Optholt noted that what he was referring to is a rendering not an actual photo. He asked if there is any other remodeling, she noted no, just a guardhouse, 156-square foot, and within the process, it looked like the front gate was not properly permitted. Member Savage noted that the Google view shows a totally different fence design and rendering and wanted to make sure that the project complies with the rectilinear fence with some detail on the top but not an arc as now you are increasing its height. Ms. Optholt noted that they are *not* changing the fence or gate, if the rendering is off, it may be just the architects; the only difference is the guardhouse. Savage noted it is a totally different design. Dr. Longcore clarified that the existing gate is not the same as the rendering. Savage wants to be sure if you are asking entitlement for existing nonconforming to which Ms. Optholt noted that there are no changes being made to the gate or fence. Vice Chair Hall added because they are legalizing something that is existing, that whoever put together the simulation should change it as it is not consistent with what is there. Asked once the gate is open where will parking be, Ms. Optholt noted that there is a ton of space for cars to park and they are happy to a condition on parking. Miner thinks if this were to be grandfathered it, it would be advantageous to the neighborhood and that the guardhouse is a good thing.

Spradlin reiterated that 1) make sure the guardhouse stays on their property. Ms. Opholt said it is 6'10" from the property line, behind the existing gate, and 2) have a statement that staff parks onsite.

**Motion:** To approve the three Zoning Administrator's Adjustments for:

- a reduced front yard setback of 6'-1" in lieu of the required front yard setback (25'),
- the construction of a new accessory building (guardhouse) on the front half of a lot, and
- to allow for the continued use and maintenance of an over-in-height fence and gate with a maximum height of 9'-0" located in the required Front Yard Setback in lieu of the 3'-6" otherwise allowed.
- the condition that any staff park on site.

The motion **passed** by all but **two abstentions** from Member Savage and Dr. Longcore, as **moved** by Miner and **seconded** by Spradlin. Member Grey had recommended that all the conditions of approval be clearly displayed on the title sheet of the construction drawings with the Planning Department, to which Ms. Opholt noted that once the city issues the approval letter, they are required to include that.

**Good of the Order** - Vice Chair Hall related that, as everyone may know, longtime committee member Don Loze passed away unexpectedly; a lot of us were surprised; his funeral was last Monday and we had a good representation of our Neighborhood Council (NC). He noted that he learned a lot about Don and that this was a big part of his life. He loved the arts, and had three different big aspects of his life. He lived a really long life and was working to the end to get the Hillside Construction Regulations modifications passed, and that Don always liked us to understand the history of these things. Someone needs to remember the past to understand the deeper perspective.

Member Savage related that Don is the one who got her on the NC, because she kept showing up to complain about a neighbor so he invited her and she has been with us for almost 10 years. Savage noted that she always had a great appreciation for Don's honesty and that to her honesty is love. He is one of her favorite people that she ever met in her life.

Member Levinson related that Don was one of the kindest men she ever met. He was so passionate, especially about the Ridgeline Ordinance, and that it is devastating to her to lose him.

Member Miner related that Don was irreplaceable. He had the most logical, calm in-depth perspective on anything he talked about, particularly of our NC PLU committee and the board, and the BCA. She noted that he and she started the Hillside Ordinance together, and he went full speed forward and we have a Hillside Ordinance because of Don. He had concentrated on the Ridgeline Ordinance and everything was well thought out but for some reason it didn't happen. Then it was paired and then separated from the Wildlife Ordinance, which is kicked down the road and the Ridgeline ordinance appears to be in oblivion.

Member Grey noted that when Don speaks you listen, and she has very warm memories of Don. Member Weisberg noted how much he loved Ann; he also wanted to give to the City and to his community; a hallmark of him, to integrate so many passions. Member Greenberg noted that he loved being Jewish, studied the Torah every single Saturday, and was a member of Sinai Temple for 60 years. He commissioned wrote a piece of music for the shofar. His sister said at the funeral that he used to ride a horse in Cheyenne WY, and stood up for her. She concluded that we have so much to be thankful for from Don. Vice Chair Hall related that we will have more discussion of Don at our future meeting; we all wanted to reflect on his passing, what we learned at the funeral, how much we loved Don and how we will miss him.

The meeting adjourned at 8:53 PM to return on March 11, 2025 at 7:00 PM.