



Planning & Land Use Committee Meeting Minutes
Tuesday, December 11, 2018 7:00 pm to 9:00 pm
American Jewish University
15600 Mulholland Drive, 2nd Floor, Room 223 Bel Air 90077

1. **Call to Order – Committee Member Roll Call:** 10 were present at roll, one arrived shortly thereafter for a total of 11 present and 1 absent.

Name		P	A	Name	P	A
Robert Schlesinger, Chair		X		Stephanie Savage, Vice Chair	X	
Robin Greenberg		X		Nickie Miner	X	
Michael Kemp		X		Jamie Hall	X	
Don Loze		X		Jason Spradlin	X	
Maureen Levinson			X	Leslie Weisberg	X	
Stephen Twining		X		Yves Mieszala	X	

2. **Approval of the December 11, 2018 Agenda**

Moved by Robert; **seconded** by Michael; **10 yes; 0 no; 0 abstentions; passed.**

3. **Approval of October 9, 2018 Minutes** (circulated with agenda) (Nov. meeting was cancelled.)

Moved by Leslie; **seconded** by Jason; **9 yes; 0 no; 1 abstention; Mike K; passed.**

4. **Public Comments:** **Steve Twining** related that for the fifth time there were mud flows onto Roscomare from below the retaining walls of 1400 Linda Flora Drive to behind houses on the 1500 Block of Roscomare Road. The latest was waist deep. He and his neighbors would like to know if the two fire hydrants that they were supposed to install have been installed and when will the total project will be complete. He noted that it has been over 10 years and it appears construction on the house has not yet been started; there is constant grading daily except Sunday; the noise reverberates through the Roscomare Valley. He'd like an update from the Councilman's office or B&S regarding this project.

5. **Chair Report:** Robert Schlesinger – No report

6. **Vice-Chair Report:** Stephanie Savage related that Navigate LA is updating their system but in the process they have eliminated certain items, including those pertaining to fire hazards; she will write to them. Leslie expressed appreciation for the fire hydrant that helped with a fire in Stone Canyon.

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

7. **457 N Cuesta Way • ZA-2017-1992-ZAD** ZA Hearing, (10/11/18 2 days after PLU)
ENV-2017-1993-EAF August & October PLU Tabled subject to Bel Air Determination
 (Hrng Date 9/14/17 WLA 10a KWA SOLD 9/11/17)

Project description: Construction of a new single family residence, fronting on an existing substandard street.

Requested entitlement: Pursuant to LAMC 12.24x28, Zoning Administrator's Determination, to allow the demolition of a single family residence and the construction of a new single family residence which fronts on a substandard limited hillside street that is improved to a roadway width of less than 20 feet.

BAA (Lot 1.32 ac, 57,893 sf) RE-20-1-H-HCR, Demo an existing 7,457 sf res & const a SFD w/3 levels above basement w/in 30 ft envelope. Reg by BHO & add pool/spa on a site w/exist substandard street. FAR 27,700 total, bldg. f/p 15.2%, paving/hardscape 29.1, Landscape 55.7% Prop: (Protected Trees, 8 Oak, SoCal Blk Walnut, West Sycamore, CA Bay 0 removed Tree Rept Req) (Top map for slope req.) This is a request to construct a new 27,700 square feet with an FAR of 15,650 square foot single-family residence at a height of 30 feet, comprised of three-levels over a basement, seven garage parking stalls and a vehicular bridge providing access from Bel Air Road. ENV REVIEW?

App: Cuesta Way LLC. Maria & Lloyd Lander (New York, NY)

Tony Russo tony@crestrealestate.com 408.655.0998

Filed: 5/18/17 Assign: 5/23/17 Jason Chan jason.chan@lacity.org 213.978.1320

David Weintraub david.weintraub@lacity.org (213) 978-3094

Zuriel Espinosa zuriel.espinosa@lacity.com 213.202.5474

[At the August 14, 2018 PLU Committee meeting, this was tabled until we receive what Bel Air Association intends to do, and noted that we can request that they have an EIR; the item was again continued at the October 9, 2018 PLU Committee meeting until getting word from Bel Air Association.]

- Tony Russo presented; he passed out responses to the letter the BABCNC sent out and the site plan. He noted that this is the third time that he is here. Issues he has addressed include but were not limited to:
- Staging and construction parking on Bel Air Road: They will have a temporary access road from Bel Air Road into tennis court, which will be a massive staging area.
- Parking will be separate from onsite: All workers will be shuttled; he will make sure that's a condition of any approval of the ZA.
- Fires: Two hydrants: one on Cuesta 75 feet away and one 60 feet away on Bel Air Road; plans approved by LAFD, subject to brush clearance regulations.
- Roof deck: Will abide by all regulations and Hillside ordinance. Discussed distances. No AC equipment proposed to be on the roof.
- Road improvement: Tony related that John is willing to slurry coat from Bel Air Road northern tip to intersection of Bel Air and Copa D'Oro; they are working with BAA on a separate agreement.
- Access bridge: He related that it's allowed by code, B&S. No major corrections.
- Interior/Exterior lighting: Lighting designer is present to answer questions.
- Review by BAA: He read from an email from Shawn Bayliss sent to Bob earlier on this date, showing that they're working together, finalizing agreement.
- Stephanie asked about concrete trucks going up there, to which Tony noted that they've discussed with a neighbor and agreed to not pump from Cuesta. As to the depth of the 17 piles, Tony noted that they've accounted for all grading associated with those.
- Jamie asked which type of turf for tennis court and golf Tee, which Tony will find out about. Robert noted that there is a problem with artificial grass for animals & wildlife corridors but he also wants to know the answer. Water capture issues were discussed.
- Mike asked about the temporary access plan, specifically temporary shoring. Per Tony, they'll probably leave the piles in place; he doubts that they'd dig it back up; will cut piles flush with hillside; will not use that area for flat yard in the back. Mike asked about new 5'6" minimum height wall, not retaining, along the property line; maximum height. Tony thinks it's a typo; will change from "minimum" to "maximum."
- Nickie asked about the bridge issue from previous meeting to which Tony related that they reviewed it with the city departments; it provides access to wider street than Cuesta. He knows lighting on the bridge is an issue; says that the bridge will be shielded with trees and landscaping, etc.
- Don asked who has the view shown on the printout, to which Tony noted that looking on the street you'll only see the fence due to steep drop-off into a valley, and may see the top floor of the house. Stephanie noted height levels, Don noted that we'll see a 60-foot structure; he noted the smallness of the tennis court.

- Per Tony, they are asking for relief from widening the tiny piece of Amapola and from widening the continuous paved roadway. Tony noted the guest house is 2,500 sq feet.
- Lighting person, Mark Raysin (sic?) introduced himself, noting that all lighting is with LEDs, with low wattage, glare control; deep baffled recessed lighting. 3” not 8” in diameter; will have lots of recessed lights in ceilings, all dimmable; on bridge surface 1-foot candle; not sure about tennis court; will control. Don noted that there could be a condition on this lighting. Leslie Weisberg expressed concern about potential colored lights as architectural or artistic elements that affect others, to which he replied that none are planned; described a lighting overhang, small plate 2” from the ceiling, spaced 15-20 feet apart; warm white; no color.
- Mark will provide a list of his projects in the area.
- Robin asked about kitchen for staff, to which Tony noted that you’re allowed a lounge area.
- Jamie brought up issue of environmental review – to which he pointed out EAF is submitted, Jamie asked about size: 27,000 HRC Zone applies to 17,500 or larger. Bob proposed that we draw Shawn’s attention to this issue.
- Stephanie asked about grading, they are planning on exporting 1,500 cy.

Motion: Subject to Bel Air’s final letter, will hold this in abeyance. Tony won’t have to come back until Shawn addresses **moved** by Bob; **seconded** by Mike.

New Motion: To approve project pending final approval of BAA **moved** by Leslie, **seconded** by Bob; **8 yes; 3 no; 0 abstentions; passed.**

[Robin left at 7:57 pm]

8. 8424 & 8426 W Brier Dr. • ZA-2018-2920-ZAD ENV-2018-2916-EAF
 90046 ZA-2018-2917-ZAD Construction Limits 8416-8430 Brier St Frontage

Project Description: New 4,477 sq. ft. SFD

Requested Entitlement: Pursuant to 12.24x28 to allow the construction of a new SFD on a lot that abuts a street with a paved roadway width of less than 20’ and that has a CPR of less than 20’ from the driveway apron to the boundary of the hillside area in lieu of LAMC 12.21C10(I)(2,3).

Non-protected trees 7 for 7 repl, 1 protected tree to remain.

(All addresses map: 8430, 8416, 8426, 8320, 8424 Brier - 8374, 8378, 8372 Barnes. 8410 Walnut.)

(Project includes a Lot Line Adjustment between the lots resulting in three (3) parcels and construction of two (2) (N) SFD’s on 2 lots, (leaving the 3rd lot undeveloped); a haul route of 4,200 cy Export.

36,456.6 sf of Vacant Lot. Slope: less than 10% - 15, 10-15% - 15, over 15% - 70).

Owner/Applicant: Brad Sobel sobeldevelopment@earthlink.net 310.277.4697

[Co: Brier Hill Development LLC c/o Sobel Development]

Rep: Tony Russo tony@crestrealestate.com 408.655.0998 Kelley Kane 310.614.6599 (Crest R/E)

Filed: 5/18/18 Assign/Staff: 5/23/18 Amanda Briones

Permanent Link: <http://planning.lacity.org/pdiscaseinfo/CaseId/MjIxMjQ30>

- Prior to the start of the presentation, Board Member Jamie Hall gave notice that, per the authorization of the Los Angeles City Attorney, he will be speaking as an individual since he lives within 135 feet this property and that, under City and State’s ethics standards, he will be disqualifying himself in the deliberations. He noted that the City Attorney’s office told him he is allowed to speak as a member of the public when his primary residence is affected, per 18702.4b1a.

- Tony Russo, presented the project. He related that there are eight lots that they will be tying together and doing a lot-line adjustment resulting in three lots, of which two will be developed as part of the project, and the third may be developed in the future; though they are not discussing that possibility at this time.

- They have two new SFDs off end of Brier Drive; the lots front paper streets Brier, Walnut and Barnes; they will be gaining access only on Brier as Walnut and Barnes are extremely steep slopes. They will be

cutting off access to Walnut per B-Permits per BOE. They propose building two 5,000 square foot homes; full roadway improvement, widening to 20 feet; LAFD turnaround at the start, on lot #1, and a community driveway 20 feet wide, from lot one through lot one into lot two.

- They will be removing illegal concrete structure; will have significant grading; requesting haul route 4,200 cy for 3,772;
- Sewer: On septic. - Fire: 190 feet from 8447 Brier; new LAFD turnaround;
- Storm drain and drainage: Existing built by city across Brier and paper-street wraps around lot, goes down to Kirkwood. Neighbors are concerned about the storm drain.
- As to storm water, all new area for both lots will have capture and reuse system; emergency overflow will let out to existing storm drain system and not onto natural slopes. If overflow, will go down roadway into existing storm drain.
- Outreach: They had a couple meetings with neighbors, some with Stephanie, Jamie and Janus, worked out somewhat of an agreement as to construction issues, considering the narrow streets; proposed multiple mitigation measures. Tony continued they also had an onsite meeting with greater neighbors.
- Robert explained to the people in attendance the process and opened the floor to public comment.

Public Comment: The following public comments below are encapsulated and not entirely verbatim.

Jamie Hall, Member of the BABCNC board and PLU Committee, reiterated the facts that he explained above, as learned from the office of the City Attorney, per 18702.4b1a. Jamie acknowledged that he met with Tony, Jonas and Stephanie and made it very clear that this was just an initial conversation; the neighbors would have to opine and decide if this was what they want to do. They've had three meetings with the neighbors in addition to the original meeting. He noted that the main concern not resolved is regarding storm water and that the neighbors cannot accept that regulatory will resolve issues because they've been through this before with catastrophic results. They want a specific report on the issue of storm water recapture. They want to see the mitigated negative declaration (MND) which hasn't been published yet, which will show the impacts and mitigation measures. Jamie noted that the third item is home size: Though somewhat compliant with BHO, this house will be roughly 5,000 square feet. He recommends the PLUC continue this matter to allow continued dialogue. Jamie then removed himself from the table and from the room, and did not return.

John Frischman (sic?) asked if this complies with BHO. Tony noted that the only requests are for relief from continuous paved roadway and for the haul route. He noted that remedial grading is exempted but counted and included in the haul route approval. As to the 20-foot height retaining wall, in Section A, Tony noted that it could be a wall for the house. Architect representative noted it's a structural wall.

Alex Rader stated that he is 100% opposed to the project. His written public comment card notes that he lives on Brier Drive; he is totally against this project; says that it will cause major problems for the neighborhood. He opined that the builder is bad; many on the street have paid big money because of Jack's shabby work. Alex noted that his house leaks and it's not the roof. He doesn't want traffic and his tiny street to be overrun with construction. It will be a major inconvenience for those of us who appreciate the quiet of Brier Drive. He is also concerned with the impact to wildlife and the geology of the hill.

Anisha Pattanaik expressed concerns, including that she lives across street from development, expressed extreme worry about noise, dust and the duration of construction, from three to five years, about damage to the road (Brier Dr.), parking from construction and threats to wildlife, possible landslides from the scope of the projects. She is concerned about the proposed retaining wall which will be on the borderline of her property, and about damage to the trees lining her property. She is also worried about damage to the trees that will line the proposed road. She has kids and is worried about noise and impact upon their ability to study She is 100% against the development and would like it to be stopped.

- Tony responded they haven't come to any official agreement yet; hope to review these issues and propose certain things to alleviate their issues.
- With regard to dust, Tony noted that they'll have a designated laborer on site to water down;
- They'll have provisions in document that the developer is willing to address damage to the road.

Contractor will have to address issues as they come up. With parking they've put forth that they wouldn't have construction vehicles in the area; people will be shuttled.

- Possible landslides: The City issued a review letter, by the Grading Department. They are proposing a wildlife corridor without fencing, hardscape, lighting in that area.
- They have a tree report; got an A permit to evaluate the root structure of an oak; protecting those trees.
- As to child safety... Bob asked Tony to provide a phone number on the fence so if there's a problem somebody can call somebody.
- As to the wall, "it's not on her property."
- They're doing a B permit for the street improvement.
- The neighbors will see the full design of the roadway, impacts to the existing structures, utilities, etc. by BOE, DPW, etc.

At this point, Robert pointed out that we can hear public comments but will not have any interchange with the presenters, as per guidelines on public comment.

Susan Maxwell: Her house abuts Barnes Lane; she's on Kirkwood. The two houses will be just above her. She asks why developer wants to build such big houses there. She strenuously protests this proposal.

Jool Thurm lives at Oak and Brier and is opposed to the project; feels it is a ridiculous project that will destroy the character of the street. He noted that there has been an influx on the street. He has lived through trucks for 3-4 years for the other projects. Trucks get stopped at the turn around. The last time water pipes placed, he asked why pipes break on the street, and was told massive trucks on the street destroy water pipes below.

Rob Marohn lives on Brier; is opposed to the project; he reported that he had spent five years trying to get the city to repave the street, it was just repaved. Fire hydrant got hit on Grand View. He is concerned about impact to street and infrastructure which is not set up for these houses and concerned about environmental impacts. Expects damage to street from hauling by 550 trucks.

Jonas Von Studnitz, an architect, lives below on Ridpath. He showed photos and discussed catastrophic damage and cumulative impact from houses built sequentially previously. He noted that the water you're capturing, the overflow is going into the storm drain which system doesn't work. He noted that the pipe is corrugated plastic, under the weight of trucks, and recommends permanent underground storm drain to deal with all the water. He promised they won't back down as a neighborhood as this is a "life and death" issue.

Jody St. Michael has been living in the canyon since 1985, chose to live in Kirkwood Bowl, noting that this is not a legal issue but is amazed at the houses that don't belong in that area. It's a special community.

Rand Weatherwax is concerned about dump trucks, and how will they turn around, beeping in reverse and doing multiple maneuvers to turn around. He is opposed to this project.

Koren Salajka stated that she agrees with what has been said. Her public comment card states that she does not believe we have enough information regarding environmental impact as well as impact to life; asks what is this neighborhood becoming? A development area or a neighborhood? How much continual construction can there be?

Blanche De Souza is opposed to this project.

Rikki Poulos is opposed; lives on the other side of the canyon on Yucca Trail; house faces the project; stated that there is no way to mitigate the noise. "Some of us work out of our homes; it's impossible to work. It's a bowl."

Nancy Redmond is opposed to the project; asked who will maintain the paper streets for fire clearance.

Jackie Canbas (sic?) lives on Walnut, expressed concern about the trucks; asked how they will maneuver getting from Oak to Kirkwood. No access. **Barbara Canbas (sic?)** lives on Walnut, asked about construction route, told it has to go through Brier, not to Walnut. **Kasaundra Canbas (sic?)** lives on Walnut, expressed opposition to the project

Dmitriy Kolegayev lives on Ridpath, described the area as gorgeous; a wildlife habitat now; has small kids and is concerned about the sound & dust, agrees with what was said, feels project does not belong there.

Joyce Deep agrees with what has been said tonight. Stated that at the beginning, the existing structure is not an eyesore, though it has been portrayed as extremely dangerous. She has been there 20 years and nothing has ever happened there; however, opines that the proposed project is extremely dangerous.

Susan Townes expressed opposition to the project on a public comment card, which noted that she is troubled by the one-lane street, Oak, which trucks hauling earth will be using, and about the radical change that a house of this size will have on the character of the neighborhood, as well as the water runoff that was previously the subject of two law suits against the city, which the city lost.

Tony Russo responded to the above, noting that he appreciates the comments, acknowledged that there are unanswered questions which will take time to provide answers for. He will talk to the engineers and other consultants to ensure that these issues are addressed.

Motion: To continue **moved** by Stephanie & **seconded** by Mike; **10 yes; 0 opposed; 0 abstained; 1 recusal**: Jamie Hall; **passed**.

9. Update – Appearance Not Necessary: 2545 Bowmont Dr. DIR-2018-328-DRB-SPP-MS (Residents’ best forum is the BABCNC PLU Committee; *MDRB previously confirmed*) Bob noted that Amy Adelson and he have been working on this; not going well.

10. Update – Appearance Not Necessary: 131/141 No. Delfern Dr. NPH ZA WLA 8/17/17 9:00a A+C 10/20/17 Before David Weintraub, ZA. Bob related that per Jason, regarding over height fence, the height of the fence is not uncommon and is not an issue.

11. Update – Appearance Not Necessary: 1152 N Sunset Vale Ave • ZA-2018-2605-ZAA-ZAD ENV-2018-2606-EAF DSPNA 90069 *This project was approved by the PLUM committee and the full board under the condition that the record a covenant that runs with the land, stating that they will not use the ADU for short-term transient occupancy. The client understands the reason for this request, but is not comfortable with recording such a document against their property. They believe their history of owning the property for over 23 years and the support of their adjacent neighbors corroborate their trustworthiness. They state they have no intention of Airbnb’ing their own property, regardless, but respectively are not comfortable with burdening their property. The client therefore requests that the letter sent to the ZA includes language that the BABCNC has no issue with the requests for relief from the code, but is not supporting the project solely because the owners were not willing to record a covenant that runs with the land in perpetuity stating that they will not use the ADU for short term transient occupancy.*

- Bob noted that the client is not in favor of imposing the burden of the covenant. Don responded that they agreed to it at the time.

12. Discussion Only – Appearance Not Necessary: 9650 Cedarbrook & 9650 Royalton

AA-2017-3406 COC for a SFD COC issued 4/11/2018

Applicant: Mishel Munayyer (Treetop Development) Rep: Jaime Massey (Permits Unlimited)

<http://planning.lacity.org/pdiscaseinfo/CaseId/MjE1NjQz0>

9650 Cedarbrook: Case Summary & Documents

Certificate Of Compliance, Permit Inspection Report, Parcel Profile Report

9650 Royalton: Permit Inspection Report

Parcel Profile Report, Code Enforcement Report
Bob related that he has learned that these back-to-back properties are owned by Mohammed Hadid.

Follow-up, Discussion & Possible Action on other Projects:

13. Update on Ridgeline Ordinance – Loze **Council File #11-1441-S1**
PLUM Committee Report relative to the feasibility of updating the Ridgeline Ordinance was approved at City Council on November 22, 2017 and finalized on November 27, 2017. There is no change in the Council File since 03/01/2018 when we submitted our 2nd CIS supporting the original motion.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=11-1441-S1>

Don gave brief update that the department is doing some analysis; it may be that after the first of the year they will have the beginning of something.

14. Update on Proposed Protected Tree Code Amendment – Levinson **Council File #03-1459-S3**
There are presently **13** Community Impact Statements in the Council File; Koretz motion referred to the Public Works Gang Reduction Committee, and has not yet been scheduled.

<https://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=03-1459-S3>

14.a. Alan Kishbau, RE: MDRB: Bob added public comment on the need to be able **to enforce cumulative impact**, and that when it comes to MDRB, no one is looking at it. Bob has discussed this with Don and wants to send it to all the Council Districts in the hillsides, City Attorney, etc.

Current Case Updates by PLUC Members on pending projects: **See Project Tracking List**

15. New Packages Received: See Project Tracking List

16. Certified Neighborhood Council (CNC) Reporting Review of New Projects Submitted

17. Upcoming Hearings: See Project Tracking List (Subject to discussion & action)

18. Determination Letters Received: See Project Tracking List

19. Pending Haul Routes (Update by any PLU Committee members)

Stella Gray with Doheny Sunset-Plaza Neighborhood Association came to report their recent success at the BBSC hearing for haul routes regarding three properties represented by Crest. She noted that the goal of CD4 is to come up with solution to limit number of trips; that two hearings ago, Crest challenged a 24-hour cap. BBSC agreed to postpone the decision to February 26th to hopefully come up with some solutions to be replicated in different areas.

Bob noted that the Overlay put in March 2017 is all that exists at this point, all else has fallen by the wayside. He spoke to Hagu last night and would like to put something together with Emma on that. He noted that since we're on the same page, including S3 and S4, feels they'll come up with an S6, altogether with the same overlay. Don noted that many were at the outreach meeting a couple weeks ago, with Jonathan Hershey, and six people from the Planning Department. He related that our goal is to get a motion on the floor which tells the Planning Department what they need to do. Bob added that we are on the same page with Shawn's eight points but wants to get a result.

20. Proactive Tracking, Tasks & Projects (Update, Discussion & Possible Action)

21. Adjournment: **Moved** by Don, **seconded** by Mike and the meeting adjourned at **9:03 pm**.

Next BABCNC PLU Cmte. Meeting: Tuesday January 8, 2019

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 ADMINISTRATOR
ZAA – ZONING ADMINISTRATOR'S ADJUSTMENT
ZAD – ZONING ADMINISTRATOR'S DETERMINATION
ZV – ZONING VARIANCE