



PLANNING & LAND USE COMMITTEE **DRAFT MINUTES**
REGULAR MEETING

Tuesday, March 14, 2017 7:00 pm to 9:00 pm

American Jewish University

15600 Mulholland Drive, 2nd Floor, Room 223 Bel Air, CA 90077

[Accessible from the west side of Casiano Road. Park at lower parking (Lot 1)]

Public Comment: The public is welcome to speak. Meeting is being audiotaped. Though not mandatory, we request that you fill out a Speaker Card to address the Council on any item on the Agenda, with or without contact information. Comments from the public on matters not appearing on the Agenda will be heard during the Public Comment period. Public comment is limited to 3 minutes per speaker unless waived by the presiding officer.

Note to all BABCNC Committee Members: Before, during and after the Planning & Land Use Meetings, members are cautioned to not discuss Board business or issues.

1. Call to Order – Committee Member Roll Call (Mike arrived at 8:02pm and Maureen left at 8:06pm.)

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

2. Approval of March 14, 2017 Agenda: Moved by Leslie; seconded by Robin; approved.

3. Approval of February 16, 2017 Minutes (circulated with agenda) Steve commented that under 9812 W. Portola, 20’ width (not height); moved by Steve; seconded by Robin; approved as amended.

4. Public Comments On non-agendized Planning & Land Use items only

5. Chair Report: Robert Schlesinger - Bob noted that 10580 Selkirk & 10101 Angelo View will be discussed. He hopes Faisal will be here tonight. Bob noted that Stephanie will be changed from Co-Chair to Vice Chair; Stephanie will speak about substandard streets and Navigate LA.

CASES TO BE CONSIDERED:
NOTE: ALL CASES ARE SUBJECT TO MOTIONS

6. Projects & Items Scheduled for Presentation, Discussion & Possible Action

- A. 9810 W. Portola Dr. ZA-2016-4639-ZAD ENV-2016-4640-CE (BCA) ZA Hearing 3/23/17.**
 Lot line adjustment in 2014. New SFD on lot fronting a Substandard Hillside St, not having a veh access route from st imp w/min 20 ft wide continuous paved roadway from driveway apron that prov

access to the main residence to the boundary of the Hillside Area; in lieu of the requirements of LAMC.
Applicant: Oleg Koteinikov
Rep: John Parker, Pacific Consultants: jparker@PCCLA.com 805.388.3356 &
Chris Parker Chris@PCCLA.com 805.216.7900
Filed: 12/06/16 Assgn: 12/7/2016, ZA: Jae Kim H jae.h.kim@lacity.org 213.978.1322
Assign: ENV: Debbie Lawrence Debbie.lawrence@lacity.org 213.978.1163
Michael Allan Eldridge Architecture + Design studio@maearchdesign.com 310-822-3188

Mr. Michael Allan Eldridge, Architect, returned to answer further questions on this project. [This was heard last month, with understanding that BCA would take a look at it before we could approve it.] Jamie noted that the bond needs to be increased. Nickie noted the community is at risk from this project. Steve is concerned that this will be precedent setting for these streets and super narrow streets. Don asked about the friendly design, to which Mr. Eldridge noted that they are stepped with the hill. This is less than 28 feet off the contour of the ground; stepped up. Stephanie mentioned the stair in the toe of the slope. She mentioned the two retaining walls. He noted that the debris wall is 6' tall.

Public Comments: Linda & Vince Mangiapane: Vince explained a frightening experience in the past with mud slide which buried him, broke through the kitchen, with mud into his living room. He is afraid that the other side will come down; said it took 15 guys five days to clean it up. He mentioned a 26 foot sliver of a lot between his home and the proposed project, noted that half of the bowl area came down on his house, and that the other side is waiting to come down. He is worried about garbage delivery because they couldn't turn around on several occasions recently. The third thing is the parking. Asked who paid for the remediation, he paid for it himself at \$11,000, which he noted could have been worse.

Joe and Christine Nell: Joe explained that there is no way that this is 15 feet; that the cul-de-sac is a legal turn around for emergency vehicles; no one is allowed to park there. Christine explained their other concern that it would not allow an emergency vehicle to get up, and what will they do with the dirt that's excavated, there would be no room for the containers for the dirt to be hauled away.

Robert D. Graham: Robert lives catty-corner to site, and would like to maintain the quality of life in the hills. He has lived on four streets over 30 years, doesn't feel every space should be built upon, and is concerned about fire vehicles. Was told by firemen from Station #99 that they can't turn around there. He is concerned that there will be two houses, with two families, increasing population of the street and was told they have to be sold together. Robert noted that if it's by right they can do what they want, but we want to be sure that it is done right. Jamie noted that this is not by right; it is discretionary. The City has the discretion to say "no" especially if it jeopardizes public safety and welfare. If they can't mitigate, the City has a right to deny it.

Ken Haber of BCA stated that the biggest point is the narrowness of the street; any delivery causes blockages, big trucks will effectively close their street and create a safety issue. Safety is key concern.

Robin asked if this went before BCA. Robert noted that Michael Chasteen reviewed it, as an architect only, and said that architecturally it's buildable; however, there is no letter. Mr. Eldridge related that the very first thing they're going to do is open the cul-de-sac. Jamie noted that we need the general contractor here at the building to talk to the neighbors, and answer all the questions, as this project requires a lot of attention to detail, which has not yet been provided. As the hearing is March 23rd, Don asked if he could postpone the hearing, and Gary stressed that he needs to come back with a contractor.

Motion: To deny the project; need get a bigger bond; **moved** by Jamie; **seconded** by Nickie; vote was taken with **11 yes; 0 no; 0 abstentions; passed and project is denied.**

- B. **9812 W Portola Dr. ZA-2016-4641-ZAD ENV-2016-4642-CE (BCA) ZA Hearing 3/23/17.** New SFD w/651 sf of basement, requires a ZAS because it fronts a st that doesn't have veh access route from st imp w/min 20 ft wide to boundary of Hillside area.
 Applicant: Oleg Koteinikov
 Rep: John Parker, Pacific Consultants: jparker@PCCLA.com 805.388.3356 & Chris Parker Chris@PCCLA.com 805.216.7900
 Filed: 12/06/16 Assgn: 12/7/2016, ZA: Jae Kim H jae.h.kim@lacity.org 213.978.1322
 Assign: ENV: Debbie Lawrence Debbie.lawrence@lacity.org 213.978.1163
 Michael Allan Eldridge Architecture + Design studio@maearchdesign.com 310-822-3188
Taken along with Item 6A: Motion: To deny the project; need get a bigger bond; moved by Jamie; seconded by Nickie; vote was taken with 11 yes; 0 no; 0 abstentions; passed and project is denied.
- C. **15210 Antelo Pl DIR-2016-3262-DRB-SPP-MSP, ENV-2016-3263-CE (RVA/BAHA) Hearing 11/17/16 90077 Mulholland Scenic Parkway, DIR-2015-4662-DRB-SPP-MSP, ENV-2015-4663-CE** 3-Story, 2,964 sq ft 3 story, 30 ft high Guest House* w/access bridge to a 16,516 sf, 3 story, SFD on 139,476 sq ft lot. Owner: John Buoymaster – Trustee Rec'd 8/31. Rep: Rosemary Medal, KW&A rosemary@kwhattam.com 213.228.5303 Arch: Bridgwater Cons Grp, Clive Bridgwater clive@bridgwaterconsulting.com 435.333.4580 As per telephone call from Rosemary, on 02-13-2017, they would be submitting the following change in the next week from then: **To a 2-story Accessory Living Quarter* not a guest house anymore -- Continued until being heard by BAHA (formerly RVA).**
- D. **8500 W Franklin Ave ZA-2016-3023-ZAD ENV-2016-3024-CE Hearing Date: 12/06/16 O/H.** Lot: 8,692.3 sf R1, SFR, 2nd & 3rd stry add and remodel. Allow 0 frt yd setback in lieu of 5', proposed add to exc 81sf, max allowed 4,258, add 20% increase fr req 24' to 33' max. (Using 3 Slope Bands) Owner-Appl: Randal Haworth 818.262.6593 Agent/Rep: Amilcar Hosterail: 310.452.5444 amilcar@briannoteware.com, Brian Noteware A.I.A. brian@briannoteware.com 310.452.6500 Filed: 8/16/16 Assign: 10/03/16 Azeen Khanmalek azeen.khanmalek@lacity.org 213.978.1336

[Mike Kemp arrived at 8:02 pm.]

Mr. Amilcar Hosterail gave the presentation on this project, representing the architect, Brian Noteware. Subject to a 5 foot setback; they have a lot that slopes towards the back. They want to exceed the height limit. 1300 square feet added for a master bedroom, master bath and deck, and a space to store and display his artwork. Jamie noted that they are seeking a 0 yard setback, more square footage, and to exceed the height limit, and asked why he didn't design this to not need the two items; why didn't he design it to comply with code. Mr. Hosterail related that this was to avoid expenses related to adding an expensive foundation system, and to utilize the existing foundation system. Jamie noted that it's really the attic that's causing the problem. There needs to be something unique about the property that causes a special burden, not just because you want something; and asked, other than the fact that he wants an attic? Mr. Hosterail responded that in relation to the rest of the other homes around there, the cost of the land merits what he's trying to do. As to the variance, Bob noted that there are five findings for the variance; the ZA wants to know the reason for the variance. Mr. Hosterail noted that the design was granted previously, and he wasn't able to do it in 2011. Bob noted that since that time things have changed and Stephanie noted that Navigate LA shows different information.

[Maureen Levinson had to leave at 8:06 pm.] Don noted that this qualifies as a self-imposed hardship, and is not entitled for a variance.

Motion: To deny the application. **Moved** by Don; **seconded** by Nickie. Don noted that it is our obligation to observe the code and pass it or deny it based on what's in front of us. Jamie noted exceeding the height limit didn't have a good justification. Mike asked, and they did want to build over the existing garage; Mike noted he will have to do some grading and make it a 2 or 3 story foundation. Vote taken: **10 yes to deny; 0 opposed; 0 abstentions; 1 absent**: Maureen. **Passed/project denied.**

E. **9362-9368 W Sierra Mar Dr. ZA-2017-107-ZV-ZAD ENV-2017-108-CE NDA ZA-2014-0149-ZAA** Lots 46&47, RE11-1 Zone, variance to comb total area 8,121 sf in lieu of 11,000 req. 192 sf new, add 1,425 sf to join 2 houses to form 1 SFD w/lot tie. 564 sf of existing basement to be converted into habitable basement and add 1,009 sf of habitable basement space. Conv 400 sf of habitable space to garage. Parking: 3 spaces in lieu of 5 spaces req for 5,471 sf home. S side yd: 5'10" remain in lieu of 9' req for 2 story home. N side yd 4' remain in lieu of 9' req. Front yd arch foot proj 57" into 60", 1.25" prev set back in lieu of 30"max. Ht hor roof exceeds 30 ft, max ht 8' in lieu of 5', 10'9" in lieu of 5'.: Req a Zone Var allow a floor area 3,898 in lieu of 2,516 sf allowed by slope analysis in RE11 zone for 8,121 sf. Gregory Williams alastair01@gmail.com 323.560.7040 Owner: Seijitsu Capital, LTD, Cape Town S.A. alastair01@gmail.com 310.980.7212. Other Architect, Engineer, CEQA Cons.etc. Mass Architecture & Design greg@mass-arch.com 323.660.7040 Rep: Nichole Smith, Horizon + Entitlement. Nichole.Smith@HORIZONworks.net 323.528.7674 Staff: 1/17/17 Assign: Nuri Cho nuri.cho@lacity.org 213.978.1177

Mr. Gregory Williams, Architect, and Ms. Nichole Smith, Entitlement Consultant with the project, introduced themselves. Photographs providing an overview of the project were provided. Currently, there are two single family homes; project will be to join two homes to form one single family home; with the same basement and different usage. Request for parking: Allowing three (3) parking spaces to serve the single family residence, in lieu of five (5). They're getting a net increase but the 3 doesn't meet the 5. They are converting space to create a garage to cover that. Height 3 more feet on the northern side and 5 feet on the southern side. Zone variance is requested. The Architect Mr. Williams, explained the history of the merging of the two houses, having halted construction on the one house, that was previously under construction, when the owner purchased the house next door. Nickie asked about two kitchens. He replied that they went back and redesigned the first floor to address the second kitchen. The levels are not in line. Using side yards for circulation. There's an 18 inch difference; they turned some of the habitable space into a two-car garage. Discussed setbacks. Stephanie asked if they waived additional dedication. It is 45 feet from ground floor to roof. Discussed the roof overhang; they are allowed 5 foot overhang; they are at 10 feet on one side and 8 feet on the other side.

Asked about construction parking and staging, Mr. Williams noted most of the foundation work has been done with the first house; not much work needed on the second house. "Currently now you can get two cars, possibly three cars at the front yard." If there are more than four cars, general contractor will have to make provision. Stephanie noted that all the staging has to be coordinated and they'll have to provide a plan. Stephanie mentioned need for A or B permit; and mentioned the various projects in the area. Bob mentioned the cumulative effect of multiple projects. Mr. Williams noted that they coordinate. Don noted concern of piece-meal actions of the 45 foot height and converting basements into habitable areas. Mr. Williams noted that building is keeping within lot-area coverage, to not expand beyond the footprint of the house; however, Don wonders how code allows this. Michael Kemp didn't think that this was piece meal on the basement since it was already there. The new habitable space is in the void between the two houses. Nickie asked if they could make the garage for three cars; however, they don't want to increase the footprint. Jamie explained about nonconforming homes that are being expanded for a family. Jamie went through the variances.

Motion: To approve, highlighting that the unique circumstances associated with this project warrant the variances, specifically the fact that two pre-existing nonconforming homes are being merged within the foot print of the original structures. **Moved** by Leslie; **seconded** by Nickie; Jamie called the question; **9 yes; 1 no** from Don; **1 abstention** from Stephanie; **1 absent:** Maureen; **passed.**

7. Current Case Updates by PLUC Members on pending projects

- a. **See Project Tracking List:** (Subject to discussion & action)

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

- a. **Update on 11007 Bellagio Place ENV-2016-1784-MND – Maureen Levinson** Variance request to remove 34 protected trees for retaining walls to a renovation of a SFD See MND prepared, signed and pre-dated for the removal of 24 Coast Live Oak Trees and 10 Southern California Black Walnut trees from a property located in Bel-Air at 11007 Bellagio Place. Update on the meetings with CD5 and Tim Tyson, Director of Urban Forestry, DPW.
- b. **Update on Public Hearing on Proposed Protected Tree Code Amendment (CPC-2016-4520-CA) that took place January 20, 2017 at 10 am in Room 1050 of City Hall (200 N. Spring Street).** To see PDF with Hearing Notice, Q&A sheet & Proposed Ordinance online via this link: <http://planning.lacity.org/documents/codeStudies/ProtectedTreeCA.pdf> Send questions or written comments on proposed Code amendment to Shannon.ryan@lacity.org Robin noted that Linda Whitford spoke to the Hillside Federation.
- c. **Update RE: ZA-2011-1424-ZAD-ZAA - 10580 Selkirk Lane** (Discussion) ZA-2011-1424-ZAD-ZAA-1A (the 1A is new) ENV-2011-1425-MND-REC1 (the REC-1 is new) This was heard previously at BABCNC possibly back in 2009. It is coming back. Staff Assigned: 12/30/16 Kenton Trinh 213-978-1290 kenton.trinh@lacity.org No hearing date yet.

Bob attended the meeting, noted that it was in Dan Palmer's neighborhood and it was approved.

- d. **Update on Bel Air Beverly Crest Overlay:** A CIS was submitted to the Council File February 7th. <http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=16-1472-s1> For CIS, see: http://clkrep.lacity.org/onlinedocs/2016/16-1472-s1_cis_2-7-17.pdf

Bob noted that this is coming up for a hearing this month and that the overlay is flawed in numerous ways. Noted that Jamie and Stephanie have done an excellent job of providing a list of things that should be included in it, all of which have been ignored. The CM has said that they would address those items with an amendment immediately. Don noted that Faisal was invited to tonight and at BCA last night, and Jamie noted that we rarely if ever have representation from CD4's office. Don would like us to get through to the CM's office, and make our positions known. One item is that parking and staging plans should be on the planning department's checklist when they submit. Bob suggested that LCA, BCA, Bel Air and the NC needs to sit down and iron this out and hash this out quickly so we could present the bullet points to Faisal. Robin and Bob mentioned the need to have all this together.

- e. **Update on 1400 Linda Flora:** Status of previously proposed letter. Steve noted that 95% of the walls have been landscaped. He noted that near the John Thomas Dye School, there's a major slope at the corner of Linda Flora and Chalon, 11000 Chalon. Leslie noted that this was approved.

- g. **Update on 2471 Nalin Drive –** Jamie Hall related that MRCA was always interested in this property; they supported the appeal and will be buying the property at Hoag Canyon. Jamie noted how he is a better advocate because of his being here on this board. Robin thanked Jamie publicly for taking on projects and that he is successful.

<http://cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=15-1497>

- 9. New Packages Received See Project Tracking List for 8 thru 12 below
- 10. Certified Neighborhood Council Reporting Review of New Projects submitted
- 11. Upcoming Hearings See Project Tracking List (Subject to discussion & action)
- 12. Determination Letters Received
- 13. Pending Haul Routes (Update by any PLU Committee members)
- 14. Proactive Tracking, Tasks & Projects (Update, Discussion & Possible Action)

Regarding 10101 Angelo View, Robert noted that a truck had to back down Angelo View; there was a digger behind the fence; there were four construction cars parked on the street. It's a cul de sac. He took pictures of all of it.

- 15. **Adjournment** Robert moved; seconded by Leslie; meeting adjourned at 9:22 pm.

Next BABCNC PLUC Meeting will be held on the 1st Tuesday (not the 2nd Tuesday in April):

April 4th 2016 7:00 pm @ AJU

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 ADJUSMENT
 ZAD – ZONING ADMINISTRATOR’S DETERMINATION
 ZV – ZONING VARIANCE