



MINUTES
Bel Air-Beverly Crest Neighborhood Council
Planning & Land Use Committee Meeting
Tuesday January 9, 2024 7:00 P.M.

| Name | P | A | Name | P | A |
|---------------------------|---|---|-----------------------------------|---|---|
| Robert Schlesinger, Chair | X | | Stephanie Savage | | X |
| Robin Greenberg | X | | Nickie Miner | 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 | X | | Travis Longcore <i>ex officio</i> | X | |

Committee Chairman Robert Schlesinger called the meeting to order at 7:03 P.M., and read aloud information on joining the meeting virtually, on providing public comment, and all language pertaining to Senate Bill 411 at the top of the agenda. The salute to the flag was recited. Member Bayliss joined the meeting at 7:18 P.M. for a total of 13 present and 3 absent.

1. The January 9, 2024 Agenda was **approved** as moved by Stojka and Evans.
2. The December 12, 2023 Minutes (Attachment A) were **approved** with 10 yeses and 2 abstentions from Members Stojka and Spradlin, as moved by Greenberg and Evans.

At this time, Dr. Longcore took over as Chair Pro Tem to lead the meeting.

3. **General Public Comment:**
Steven Weinberg gave an update on Cedarbrook, noting that the court set a date for a hearing because the City reexamined and re-scrutinized all the permits and decided that they had expired before the COVID stay. The City has responded to a law suit by Mr. Hadid; hearing is tomorrow.
4. **Chair Report:** Chair Robert Schlesinger noted that he'd like to form a Hillside Construction Regulations subcommittee and instead of hounding everyone at CD5 put together a comprehensive HCR report to send to Councilwoman Yaroslavsky. This will be agendized for a future date.
5. **Vice-Chair Report:** Vice Chair Jamie Hall was not present.

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

At this point, Chair Schlesinger resumed his leading of the meeting.

6. **Motion to Suspend the Rules and Reconsider**

1261 N Tower Grove Drive ZA-2022-9453-ZAD-ZAA ENV-2022-9454-EAF

Project Description: Remodel of existing 2-story single-family dwelling into a 1-story, 6,755 sq ft single-family dwelling including additions to the existing footprint; new 2,330 sq ft accessory living quarters; and haul route request in the RE20-1-H-HCR Zone.

Applicant: 1261 Tower Grove, LLC / **Representative:** Benjamin Eshaghian [Crest Real Estate]

See Initial Submittal Docs at: <https://planning.lacity.org/pdiscaseinfo/caseid/MjYzODEy0>

Background: The September PLU motion was to continue this for further information, and, due to scheduling issues, the applicants returned to the full board on November 15th, when they provided further information. Following discussion, a motion was approved by the Board stating **that we take no objection to the side yard setback; however we do not believe that the project can be approved/ permitted because it fails to meet State Fire Safety Regulations of 20' Continuous Paved Roadway.** This motion is now agendized for reconsideration.

Discussion and possible action to amend previously adopted position to reflect that State Fire Code does *not* preclude building at an already developed parcel. (Code only applied to new construction *not* associated with an existing dwelling.)

Board President Longcore, gave background on this, that after the November 15th position was taken by the Board, Member Templeton looked at the Code as to State Regulations about fire in detail and found that the prohibition on building applies to new structures not to anything associated with an existing structure. He noted that our letter said that we didn't think they could do this because of State Fire Regulations, which is *not* accurate. He thought it would be best to bring this back for reconsideration and suspend the rules...Dr. Longcore noted that this has already had a position taken by the Board, and would ask to agree to suspend the rules part of the motion. He'd like it to say it doesn't meet fire standards but take out the part that says you cannot develop a house here... He expressed appreciation for Templeton for bringing this to his attention and thinks it is right to try to make it right. He would recommend to the Board that we amend the letter so that it is precise within the Fire Regulations.

Motion 1: To suspend the rules and reconsider the position previously adopted on 1261 Tower Gove (requires 2/3rds vote) and **recommend to the board to amend the letter so that it is precise within the fire regulations** was **moved** by Stojka and **seconded** by Spradlin.

He explained the two-motion process. Dr. Longcore was granted permission to continue leading this part of the meeting. He then invited the applicant's representatives, Steven Somers and Benjamin Eshaghian with Crest Real Estate, to respond to the reconsideration motion. Steven asked for clarification, which Longcore responded to, trying to clean up an understanding of the regulations. He recommends a 2/3rds vote on reconsideration motion. There was then **no objection to reconsidering this item, which passed unanimously.**

This item was placed back on the table beginning with the applicant's representative, Steven Somers, giving some background on the project. He shared his screen and gave a brief overview, showing the project on a flag lot with an existing two-story dwelling in this location. The project proposed would remove the second floor of the dwelling, complete some minor additions in two locations (pointing), and would add an elevated deck with a swimming pool and detached ALQ (pointing). He noted that the accessory building is at a lower level... than the main level of the house, and that the deck extension which was completed in the last five years is similar to that on an adjacent property. He explained that the rear yard is parallel to the street frontage, and the ZA request with respect to yards is to continue the 19' 11" rear yard setback, and, for the accessory building, which he noted was the one that the NC committee seemed not to object to the accessory building. In addition, he

noted that they have a ZAD not for their frontage, as they have a 20-foot paved roadway in front, but to waive the requirement to continue the CPR all the way to the boundary of the hillside area. He referred to the Hillside Referral Form, showing the adjacent roadway that does not need a ZAD but the CPR is *not* at least 20' wide. Following further discussion, comments and questions, Dr. Longcore noted that this triggers the need for the findings in the future, though not at this time.

Motion #2 that the board take no objection to the proposed rear yard setback proposed for 1261 Tower Grove, and to express strong concern over ongoing approval of homes on streets that fail to meet the State's Fire Safe Regulations was **moved** by Miner and Levinson. There was no further discussion, and the motion **passed** by **unanimous consent** to take this back to the board.

7. **9171 W THRASHER AVE 90069** **ZA-2023-5121-F** **ENV-2023-5122-CE**
9181 W THRASHER AVE 90069

Filed: 07/27/23 Assigned/Staff: 09/12/23. Yasmin Diaz

Project Description: SFD with over-in-height fence.

Construction of a 6-ft tall fence and gate along the front property line for approximately 131 feet long. Lot Area: 17,914 sq ft. A new 6,851 sf SFD w/ 2-car garage in the process of being constructed. This is in lieu of max height of 3' 5" allowed in the front yard setback area. LAMC Section 12.21-C, 1 (g)

Applicant: Elliot Aryeh [Elliot Aryeh Living Trust]

Representative: Chloe Parker [Company: Pacific Crest Consultants] 818-591-9309

Permanent Link: <https://planning.lacity.org/pdiscaseinfo/caseid/MjY5MTU00>

Chris Parker of Pacific Crest Consultants gave a Power Point Presentation. He noted that this is the entirety of the project site (pointing); that it would be mostly fence, vehicle gate, pedestrian gate and second vehicle gate. The purpose of the fence is for privacy and security and safety, in line with the neighborhood. Most of the lots in this area are developed with over-in-height fences, gates and fences, along the front property line as they are requesting. He noted many others in the area, on Thrasher and on the Bird Streets, are six more, all at least six feet, most greater, e.g., on Nightingale from 7 up to 8 feet... on Robin for gates up to 10'8" tall. Dr. Longcore brought up the site on Google Earth, for a better view of the other hedges and fences. A lot of very tall over six-foot solid hedges and some walls and some gates were observed.

Member Grey noted from the submittal documents, as to the street dedication, that they are building their fence closer to the street, encroaching... the proposed fence is between the dedication line and the property line. The applicant's representative noted that he was checking, didn't think that was the case but he agreed, that they are proposing to place it in front of the dedication line. Grey noted that the next applicant to build on the street will come to us and say we allowed this and they want the same, and it will never end, as occurs with the CPR, because people refer to previously approved cases which continues the problem. She would want the opportunity to improve them, at least as a first step. Chris would agree to come back next month... Shawn Bayliss dovetailed on what Stella was asking, that the current property line is about 2-3 feet after the curb, and asked where the wall is supposed to be, how far off the curb. Chris noted that they're proposing to put the fence curb cut, once the curb cut is straightened out, they'll put it behind the rounded curb cut, approximately 3' off the current curb; pretty much at the current property line.

Member Evans noted concern about piece-mealing. It was noted that the City is timid about taking away anything within the dedication; they probably wouldn't take down the fence to widen the road, and would have a hard time supporting this project. Member Bayliss asked if there is a difficulty or problem creating for the proposed over-height wall at the new property line so it would be 6-7 feet off the curb. Chris noted that the required parking is taking up every last inch so they couldn't put the fence there without impacting the depth of the parking spaces... Dr. Longcore asked if the relevant home owner group, DSPNA, has taken a position taken or provided advice. Evans noted that they haven't reviewed the project, to which Longcore noted discomfort from the approach.

Motion: Deny the project consistent with the look of the neighborhood and recommend that the over height fence not be granted was **moved** by Stojka and **seconded** by Evans, adding that the objection to the fence is its location in the dedication and apparent piece-mealing of the project.

The motion clarified to recommend that the Zoning Administrator *not* grant the request for an over-height wall/fence because of its location within the street dedication area and because it was not considered as part of the original permit application and should have been because it would have triggered review of the project design so that the street dedication area could have been protected **passed** by **10 yeases** from Members Bayliss, Greenberg, Weisberg, Evans, Levinson, Stojka, Grey, Spradlin, Loze, and Miner, **1 no** from Member Weinberg, and **2 abstentions** from Dr. Longcore & Chair Schlesinger.

8. **Proposed CEQA Thresholds Update**

Discussion & Possible Motion: To approve the draft letter for the Noise and Vibration CEQA Update (Attachment B). Also see comment on Historical Resources Thresholds (Attachment C) was **moved** by Member Stojka and **seconded** by Member Spradlin.

Dr. Longcore related that he learned from an email on 12-05-2023 that City Planning would like input on draft CEQA Threshold Guidelines for construction noise and vibration and historic resources by December 20th, which didn't set well and Ellen was so good enough to reach out CD4, who reached out to Planning who said there will be a hearing on 12-20 but we can get comments in by January 19th. He knows about noise and vibration because this is the kind of thing he occasionally does as a consultant, but not for developers. He had a number of concerns including but not limited to the process, which lacked transparency. Feedback was provided to the letter. Member Loze noted that the letter is in the hands of the Deputy of the Mayor, and includes strong comments as to the lack of transparency and oversight which has been buried in the three whole city departments to support developers and that the letter with regard to comments should be reflect that there is a lack of transparency and oversight which is at the basis of his objection. He noted that this is a newspaper story. He would like this letter to be sent to the Planning Department as well as the Mayor. He mentioned sending it to the Times or City Watch if approved. Dr. Longcore noted that this letter has to be from the PLU Committee at this time as the neighborhood council has not had a meeting prior to the deadline. It was noted that WRAC has sent a letter about the process.

The motion **passed unanimously by all 10 present and voting**. (Member Loze just dropped off).

The meeting adjourned at 8:25 P.M. in honor of Jamie Hall whose birthday it is today.

Next Meeting: February 13, 2024 at 7:00 P.M.