

Attachment "A"



Draft Minutes

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

Name	P	A	Name	P	A
Robert Schlesinger, Chair	X		Jamie Hall, Vice Chair	X	
Don Loze	X		Stephanie Savage	X	
Leslie Weisberg	X		Ellen Evans		X
Maureen Levinson	X		Stella Grey	X	
Patricia Templeton	X		Travis Longcore <i>ex officio</i>	X	

Chair Schlesinger called the meeting to order at 7:02 pm and led the salute to the flag, following which Vice-Chair Hall was handed the gavel to run this meeting. Vice Chair Hall called the roll with **9 present**.

1. **Approval of Agenda:** The agenda was **approved**, as **moved** by Levinson, (with correction of “June” to “July” as the meeting month)

2. Approval of Minutes:

The May 14, 2024 Minutes (**Attachment A**) were **approved** as **moved** by Savage.

The June 11, 2024 Minutes (**Attachment B**) were **approved**, as **moved** by Levinson.

3. General Public Comment:

Member Savage related that Leslie Monsour would be joining to give public comment about difficulty getting LAFD to address fireworks fired by an individual at Kew Drive on the 4th of July. **Leslie Monsour** arrived about 40 minutes in and gave public comment. She related that the matter is *not* about a party house but a residence, though they do have party houses. Some of her comments included that she was concerned about the response and enforcement issue on July 4th, which was very frightening with about 20 commercial-grade aerial rocket fireworks set off on Kew Drive above her, up on Stanley Hills Drive, showering embers into Oak, Pine and Eucalyptus trees, right above and alongside her house. When she called 911, she was transferred to LAPD, which she asked for. It took 40 minutes to get a response, by which time she was able to give the address to the Police, explained that they are in a very high fire danger zone. She noted that the LAFD station recording told them to call the Police as there was no fire and no wind and that they also filed a fireworks complaint on LAPD online. Ms. Mansour noted that one neighbor had the resident admit to doing this but to her knowledge there was never any response or follow up from LAPD, though they have her name and address as well as the address of the house. She noted that it turned out okay and understands that on July 4th that the LAPD is stretched very thin but worries about enforcement all the time as there are all sorts of things that are never enforced. Vice-Chair Hall noted that we have a new SLO who came to our last meeting and invited her to come to our next meeting on July 24th, when she’ll have an opportunity to tell our new SLO about this. *[Attention was turned back to #7.]*

4. **Chair Report:** Robert Schlesinger, Chair, related that he sent out two attachments on the HCR and additions recommended on this evening's agenda below.
5. **Vice-Chair Report:** Vice-Chair Jamie Hall pointed out that we have a reduced number of members on this committee, per the Brown Act (*as of the last Board meeting when standing committees were reconstituted.*)

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

6. **9785 W DRAKE LANE DIR-2024-2489-DRB-SPPC-MSP-HCA ENV-2024-2490-EAF**
Los Angeles 90210 Lot Area: 51,940 sf. **(Continued from the June 11, 2024 PLU Committee meeting)**
Project Description: New 2 story Single Family Residence totaling 11,999 sf & basement covering 7,312 sf., w/ 30' hit. Project is in the Outer Corridor downslope not visible from Mulholland Dr., is subject to the requirements of the Baseline Hillside Ord and is not within the Girard Tract. Property is not visible to Mulholland Drive, does not penetrate view shed and does alter access onto the Mulholland right-of way. Greystone Eng. Group, 11022 Santa Monica Blvd., Suite 440, Los Angeles, CA 90025. (310) 405-2341. Email: info@greystoneeng.com Soheil Moeini info@greystoneeng.com
Applicant: Kevin Tanna Kevin@kacapital.com
Representative: Tara Harrison Permits@taraharrison.LA
Permanent Link: <https://planning.lacity.gov/pdiscaseinfo/caseid/Mjc1MjY10>

PLU Committee Chairman Robert Schlesinger provided a brief update since the last June PLU Committee meeting, at which time the project was continued by the committee to allow the applicant to have a conversation with Benedict Canyon Association (BCA) that had not previously happened. Chair Schlesinger reported having gone to see the property, found no problem regarding traffic with Deep Canyon below it. He saw the two homes referenced at the last meeting, one to the left and one to the right, both gated, and saw no problem there. He had a discussion with Claire Garafalo of BCA, whom he noted represents three communities in Benedict, and whom he noted said they have no problem with the project as it stands now.

This evening, the applicant, Mr. Tanna, returned, this time accompanied by his Project Representative, Ms. Tara Harrison, and he concurred with the comments above. Vice-Chair Jamie Hall, who was not present at the June PLU meeting, asked for some information on the project. Some comments provided by Mr. Tanna included that there was a suggestion by the committee for glass mitigations for birds. They are still going to present to the Mulholland Design Review Board (MDRB) and are not at the stage to be reviewed by the Planning Department as to whether the project complies with the BHO. The roadway is 40' wide and the street becomes a private road. No protected significant trees will be removed; most of the trees are located in the hillsides which they are not disturbing. They are keeping an oak by the entrance where the driveway is, and the entire design was done to avoid interrupting the tree in any way. As regards fencing, the parcel is 51,000 square feet; they have fencing laid out, protective tree fencing provided by the arborist, with wildlife able to access the entire property. There is an inherited fence that is slowly being removed as part of the project. Wildlife will not be inhibited in any way.

Vice-Chair Hall mentioned the need for a compatibility study, when they go before the MDRB, to determine consistency and compatibility, to which Mr. Tanna noted that they've done what they could to make it appear smaller and fit into the neighborhood more. They've been through three rounds of approvals but do *not yet* have a hearing while the Planning Commission is preloading the information provided thus far. He pointed out that the number of lots able to accommodate a house like this are few, relative to the total, and this is a unique lot that would allow them to build a house of this size within the parameters of code. He believes they are compliant in every way. Project Representative, Ms. Tara Harrison, reported that she does a lot of Mulholland hearings, and they're awaiting a hearing date. They have spent many months on this, the submission is in process for which Director Katie, has already approved the geo referral form and Mulholland referral form, before going to hearing. She noted that the compatibility study has also been preapproved by the director.

Questions were asked and answered, with some comments including from Member Loze who noted that the roadway that comes off the house, that comes off of Benedict, Hutton to Deep Canyon, is fairly narrow when cars are parked there, and at the moment there is a lot of construction on Hutton. He asked Kevin how long it will take to do what he is planning to do and whether he'll have flagmen or someone there making sure that roadway doesn't get clogged up because of this project. Mr. Tanna responded that the route wouldn't include Benedict Canyon; they'd be coming from 405 to Mulholland down Deep Canyon, to Hutton, down north side of Hutton to the property. The project on their tail end is on the southern portion of Hutton. They are standard roads, not small hillside roadways. Member Savage noted that she would not be voting tonight as she'll be working on it at MDRB, but asked if they are required to have a private fire hydrant as a neighborhood safety issue. Mr. Tanna thinks that a fire truck will be able to do a turnaround there to which Savage noted that anything over 350 feet gets into a gray zone. Ms. Harrison stated that during Plan Check they'll be dealing with those issues with the LAFD.

Motion that our position is that we have no problems or objection to the project as described was moved by Templeton and seconded by Weisberg, who noted that because of its unique placement it would be difficult to say no to the project. There was no Public Comment.

Proposed Amendment: Vice-Chair Hall would say "no objection" but suggest that the DRB carefully consider the project's compatibility with nearby homes due to their size. Templeton opined that adding that indicates we have a problem with it. Dr. Longcore noted that this lot has a very large flat buildable area; they are staying completely out of the hillside, the slope has the trees, Mr. Tanna comes to us willing to protect the trees, add friendly glass where possible, and Mulholland will do it anyway. As long as we have rules that allow buildable square feet, he wouldn't want to stand in the way of doing the right thing and it wasn't on a prominent ridgeline. Member Hall **withdrew his friendly amendment.**

Member Levinson asked if there is concern about setting precedent where you have out of scale and then someone else building on the hillside that doesn't have such a flat platform; being able to say that Drake Lane has it, to which Weisberg noted that this project falls within legitimate guidelines...has unique landscaping... and as someone who is normally not an advocate of building out of scale, it seems to her to be a unique project with the applicant willing to accommodate.

To address Levinson's concern, Hall would state in writing why objectively it would appear to be on first blush incompatible, just add a paragraph say a couple of things, summarizing what Levinson and Longcore said, that goes into our letter for posterity.

Amending motion to provide a narrative explanation before they come back before the Board of why we chose to have no objection to this project was moved by Templeton and seconded by Levinson. Between now and then, synthesize the argument from the minutes and draft, that we've considered this and this is why we take no objection to this. Member Templeton noted that it is helpful for the Board to include our reasoning, and thinks we should do it for all items. The motion was to include a description of why we chose to have no objection to this project for the reasons stated above. Levinson had already seconded. None were opposed, with 6 yeases, 3 abstentions from Loze, Savage and Dr. Longcore, and the motion **passed.**

[At this point, approximately 40 minutes into the meeting, attention was returned to Agenda item #3, to reopen General Public Comment to hear from Leslie Mansour.]

[Approximately 45 minutes into the meeting, attention was turned back to #7 and #8 below.]

7. Discussion and Possible Motion regarding identification and careful enumeration of all of the **haul route issues** that should be considered. (*Discussed below, under Item #8.*)
8. Discussion and Possible Motion regarding creation of a prioritized list of desired **amendments to the HCRs** excluding haul route issues.

BABCNC President Travis Longcore gave background that the Board voted earlier this year to send a delegation of people to speak with CD5. We had that meeting, brought up a set of points, and the Councilmember said yes, they'll work with us on these issues. Dr. Longcore noted that he attempted to schedule a follow-up meeting with the Planning deputy in CD5 and eventually emailed Haley asking for the follow-up meeting, which they got, and asked to get an update on the progress on what they said they'd do. They said they didn't realize they had to come with progress, and told him that they'd worked on a motion with CD11 around haul routes, and were eager and willing to get input from our most expert haul route people on this haul route motion relative to safety and other issues. He noted that Item #2 was regarding HCR hillside construction regulations, at which they asked us to make a prioritized list of things that need to be changed in the HCRs. He reminded us that we had a letter, and at this most recent meeting, it was requested that the list be shorter with prioritizations. He noted that we also had a letter on the interpretation of the retaining wall ordinance to grandfather in non-permitted retaining walls that we don't need to do anything on, and that he gave it to them again.

Dr. Longcore noted that the two issues we have homework from CD5 on are as to 1) haul routes: either enumerate or list the most important issues on haul routes or identify people on the NC or stakeholders who have the most expertise on haul routes who should have a haul route specific meeting with CD5, 11 and potentially 4, as they draft haul route revisions, and, as to 2) the prioritized list of HCR issues. These are on the agenda since we have a light agenda, so we can get some guidance to bring back to CD5.

Discussion was held on both of these items.

Vice-Chair Hall reflected ideas discussed, which included 1) Call a special meeting; 2) it would be helpful for us to see all the requests in one place in a single document; 3) maybe proceed with the same framework for the HCR item as for haul route item; 4) negotiate against ourselves and see if CD5 has the buy in with the Planning Department to do this. Hall proposed sharing the document on screen and working on it in real time, which would involve a lot of deliberation, and would be a two to three hour meeting. Grey recommended a subcommittee work on this.

Member Loze asked who has studied Travis's letter to former Councilmember Paul Koretz compared to our list of 28 items; the Ridgeline Ordinance, and issue of and retaining walls. He noted Member Savage's two issues, a) separate measurement of the roads, and, b) the buildings left up that no one is doing anything with, and just letting those buildings rot. He noted the need to get CD5's focus. Loze suggested we start with the 28 items. Hall thought to do that on a MS Word doc on the shared screen. Templeton recommended, to save time, get background info ahead of time, such as a history of the HCR's beginning and evolution. Hall asked that anyone who wants to provide background that is on our list, please submit it to Cathy for the attachment.

Member Loze explained that haul routes are more than the traveling of the trucks, that they are unregulated and obscure. Every single project that takes dirt out of the hills is creating a haul route. That interest should be a discretionary matter to begin with. The by right projects are taking out huge amounts and are not reviewed. We have to understand what causes the haul routes. He related that in 2016 in the approval of the BHO, when Paul Koretz addressed it, there had been a doubling of permitted dirt that can come out of a project for the zoning issue, from 3,000 to 6,000; the project presenter could go to DOT who had no notice of it until it came to the board. He noted that we have to have some way to say haul routes are discretionary and have to be reviewed until *released*. It's a very big issue.

Member Weisberg suggested that there be a preamble with a small primer being written for them. A paragraph or two could be sent to them in advance, she thinks that might be helpful, so they could understand the framework or where this delegation is coming from... Levinson is concerned about caisson dirt to be removed. Savage volunteered to help with the primer as an advisor but doesn't need to attend meetings.

Motion to appoint a delegation to interface with the CD office regarding haul route issues, **passed** unanimously, as **moved** by Weisberg and Levinson. **Nomination** to have **Members Grey, Schlesinger, Loze, Evans & Levinson** on the delegation **passed** unanimously, as **moved** by Grey and Levinson.

Dr. Longcore would write to Sergio, cc Haley that these are our five haul route experts; that we'd like to meet with you on haul route, and what is our next step. If we don't hear back in a week, he'll call Haley and say this is pending, and follow through on how to proceed. At this point, the delegation can speak with Longcore outside of this meeting, about next steps and talk to CD5, and even have a report back; **put it on the next agenda; for updates from the delegation.**

Motion to **agendize a special meeting to discuss revisions to the HCR Ordinance and to review the previously-suggested changes** was **moved** by Loze and Templeton.

Committee members are encouraged to circulate relevant background documents prior to the meeting, to be included as attachments to the agenda, meeting dates to be determined.

The meeting adjourned at 8:37 pm, to return virtually on August 13, 2024 at 7:00 PM.