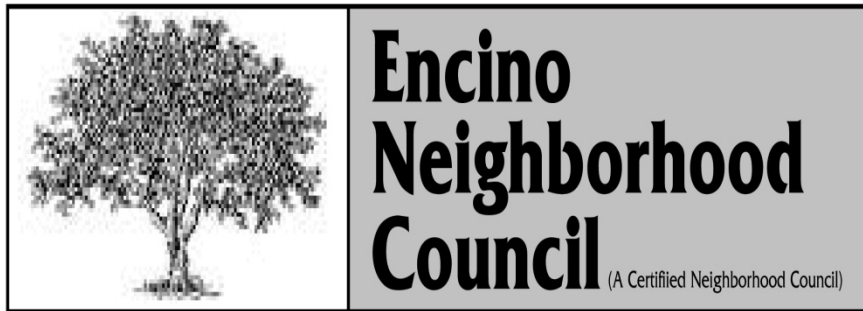


CITY OF
LOS ANGELES



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MINUTES

Planning & Land Use Committee

Thursday Jan. 8, '09 - 7:00PM
Encino Chamber of Commerce
4935 Balboa Blvd.

LIST OF VOTING PLU COMMITTEE MEMBERS and ALTERNATES: (Total 15)
ENC Board Members (5): Nareg Kitsinian, Louis Krokover, Peter Noce, Diane Rosen, Gerald Silver.

Alternate ENC Board Members (3): Greg Martayan, Laurie Kelson, Jesse Woods
Stakeholder Members (4): John Arnstein, Michel Kaufman, Norma Landau, Paul Kelson

Alternate Stakeholder Members (3): Bill Cartwright, Al Mass, Sue Tuberman

(Jan. 8, 09, Agenda Items are listed in numerical order)

CALL TO ORDER, ROLL CALL, and DETERMINATION OF A QUORUM.

CHAIR REQUESTED THAT ALL CELL PHONES BE TURNED OFF.

VOTING MEMBERS: Total of 9 voting members; (no more than 5 ENC Board members).

Item #1 -- The PLU Committee was called to order at 7:02 PM by the Committee Chair Diane Rosen. The committee sign-in sheet was passed and determined a quorum was present. (5 Voting Members represent a quorum.)

1. COMMITTEE MEMBERS PRESENT:

ENC Board Members (5): Nareg Kitsinian, Diane Rosen, Gerald Silver.

Alternate ENC Board Members (3): Laurie Kelson, Jesse Woods

Stakeholder Members (4): Michel Kaufman, Paul Kelson

Alternate Stakeholder Members (3): Bill Cartwright, Al Mass,

EXCUSED COMMITTEE MEMBERS: Greg Martayan, Norma Landau, Louis Krokover, Sue Tuberman, John Arnstein

UNEXCUSED COMMITTEE MEMBERS: None.

The guest sign-in sheet was also passed around as well as speaker card.

GUESTS PRESENT: Matthew Hayden of Mark Brown Associates, Jerry Springer

Copies of the ENC-PLU Committee Rules & Procedures were available and passed out to visitors upon request.

2. APPROVAL OF MINUTES

A. Committee approved the minutes as written for Dec. 11, 2008.

Motion by: Laurie Kelson 2nd by: Gerald Silver

3. APPROVAL OF NEXT MEETING DATE:

A. Thursday – Feb. 5, 2009 (1st Thursday of month)

4. PRESENTATION:

A. 5015-45 Balboa: Mathew Hayden with Perry Stone

MITIGATED NEGATIVE DECLARATION – 562-08-PL: ENV-2008-1954, 5015-5041 N. BALBOA BLVD.; ENCINO-TARZANA Council District No. 5 Demolition of 4 single family dwellings, removal and replacement of 3 protected trees and 15 non-protected trees, and construction of: approx. 74,435 sq. ft., 4-story, approx, 45-ft. in height (excluding rooftop structures), 42-dwelling units structure, with 105 parking spaces in a 2-level subterranean garage, including 2 parking spaces for each unit totaling 84 spaces, and 21 guest parking spaces.

Mathew Hayden (see attached developer's Mitigation Discussion List):

Types of mitigation that is appropriate for development (issue raised in Sept.).

"Mitigation Discussion List" provided by Hayden (to be made a part of these minutes -see pages 6, 7, 8, & 9below):

- **8 foot masonry wall to be put in.**
- **27 Trees will be placed to provide screening within property boundaries and grow to 30 feet high and this would be placed in the CCR to run with the land.**
 - **Oak trees: 3 exist on site, concern of loss of these trees. Potential solution would be relocation- but an expert determined that the trees are not fit to be relocated.**

Jesse Woods:

***Suggested to investigate if on Oak #1 (18 inch) the wall could be brought down in order to move the Oak. Woods wants a call into Jack Weiss' office to see if we can get an arborist to look into this.**

Cartwright:

- **Will developer, pending city approval, work to plant Oaks in parkway?**
 - **Hayden will look into the matter.**

- There will be plan on irrigation and trees that will look to long term survival of these trees. Hayden states Oaks will be planted by a landscape plan prepared by a Landscape architect.

Signage: stated contact info 24/7.

Traffic signage for safety

Dust barrier between school and project will be placed.

Perry Stone:

- No start date as of yet. Aware of neighboring concerns and will act accordingly re demolition.

Silver:

- Since you will be hauling 6,000 sq feet, there will be a hauling hearing.
 - Stone: doesn't believe it will ever be necessary to haul through residential areas.
- Haul route:
 - Will minimize residential, and during school time.
- Subterranean parking:
 - Will be low level system.
- Compliance:
 - Re height and zoning, maximum height will be capped at 45 feet to be zoned as R3.

MOTION #1 by: Jesse Woods 2nd By: Laurie Kelson

“Move to approve mitigation list based on the requested revision as discussed during the PLU Committee.”

VOTE: Unanimous: send to consent calendar

NOTE: See “Mitigation Discussion List” given to PLU Committee Members below.

The Balboa
MITIGATION DISCUSSION LIST
5015 – 5041 N. Balboa Boulevard

ELEMENTARY SCHOOL LANDSCAPING/SCREENING:
(along westerly property line – adjacent Encino Elementary School)

- The applicant will install an 8 foot in height solid decorative masonry wall along with a landscape buffer as indicated on the Landscape plans (dated September 17, 2008) and described below:
 - Type of tree – podocarpus gracilior (fern pine).
 - Size of tree – 36 inch box.
 - Location – planted along subject property westerly property line.
- Applicant will plant approximately 27 landscape buffer trees after pouring of subterranean garage and prior to completion of building as soon as reasonably determined during construction process.
- Landscape buffer trees will be maintained no less than approximately 30 feet in height at full growth.
- Applicant will identify maintenance of the landscape barrier tree height requirement to prospective condominium owners in the Covenants, Conditions and Restrictions (CC&R's).

OAK TREES:

- Potential relocation of three existing oak trees on subject property.
 - Applicant's Arborist opinion that the existing oak trees are not eligible for relocation (see attached Tree Report amendment).
- Applicant will replace three existing on-site oak trees on a two for one basis, totaling six new trees, as described below:
 - Type of tree – quercus agrifolia (coast live oak).
 - Size of tree – 48 inch box.
 - Location – planted along subject property easterly (Balboa Boulevard) frontage.

CONSTRUCTION:

- In addition to mitigation measures listed in the proposed Mitigated Negative Declaration (ENV-2008-1954-MND), the applicant will:
 - Post signage with 24-hour contact information.
 - Install appropriate traffic signage around the site to ensure pedestrian and vehicle safety.
 - Create a dust barrier between construction site and Encino Elementary School during grading operations.

- Schedule haul route sequencing to minimize conflicts with pedestrians, Encino Elementary School buses, and cars at the arrival and dismissal times of the Encino Elementary School day.
- There will be no staging or parking of construction vehicles, including vehicles to transport workers, on any of the residential streets adjacent to the Encino Elementary School.
- No construction vehicles or haul trucks will be staged or idled on any of the residential streets adjacent to the Encino Elementary School during school hours.
- Temporary fencing will be constructed around the site to minimize trespassing, vandalism, and nuisances.
- Applicant and contractors for the applicant will maintain ongoing contact with the administrator of Encino Elementary school. The administrative offices will be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. Applicant will obtain school walk and bus routes to the school from either the administrators or from the Los Angeles Unified School District's Transportation Branch (323-342-1400) and work to maintain safe and convenient pedestrian and bus routes to the school.

SUBTERRANEAN PARKING FACILITY VENTILATION:

- Any ventilation system will be a low-level noise system designed to activate only on demand.

CODE COMPLIANCE:

- To ensure the development is consistent with the City's standard requirements for R3 zoned property, the development will comply with the following:
 - Building Height – Maximum building height of 45 feet (exclusive of allowed rooftop structures).
 - Parking – Provide Deputy Advisory Agency condominium parking policy standard of 2 parking spaces per unit and .5 guest parking spaces.
 - School/Park Fees – Payment of fees pursuant to mitigation measures contained in ENV-2008-1954-MND.

11/10/2008 13:33 3102304576
 11/06/2008 21:05 8055776707

FERRY STONE CONSTR
 TREE LIFE CONCERN

PAGE 02
 PAGE 02



"Dedicated to the Protection and Preservation of Trees"

November 2, 2008

Perry Stone Construction
 834 Bienvenida Avenue
 Pacific Palisades, CA 90272
 Attn: Mr. Perry Stone

RE: Three Oak Removals at 5015 & 5141 Balboa - Condominium Project, Encino, CA
 (Note: There are three oak trees on this site)

The three oak trees that I inspected on October 28th, 2008 are not transplantable. I had previously inspected and described one oak (listed #8) at 5041 Balboa Avenue while preparing an Oak Tree Report (dated 9-29-05). This tree was recommended for removal at that time due to its location. A second Protected Tree Report was prepared on 3-5-08 for the 5015 Balboa Avenue portion of the project. There are two oak trees (#'s 1 & 5) on that site. Each was listed for removal for construction purposes. Neither were transplantable or a recommendation for relocation might have been advised.

Oak #1 (5015) - This 16" diameter oak tree is growing within one foot of an eight-foot block wall which surrounds an adjacent fire station. The grade at the fire station is approximately 18" higher than the grade of the oak tree. There is not enough room to excavate this oak with the necessary root ball to ensure its survival. It is not possible for this oak to be relocated.

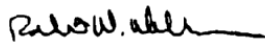
Oak # 5 (5015) - - This 18" diameter oak tree is growing within one foot from a six-foot block wall which borders an adjacent school playground. The grade of the playground is approximately 24" higher than the grade of the oak tree. There is not enough room to excavate this oak with the necessary root ball to ensure its survival. It is not possible for this oak to be relocated.

Oak #8 (5041) - This 21" diameter oak is growing tightly against the foundation of the existing home at this address. The root buttress against the house has been constricted and deformed calling into question the stability of this oak without the support and of the house foundation (once the house has been demolished and/or removed). Additionally, this oak is exhibiting signs of Bleeding Canker Disease (*Phytophthora cactorum*). This disease is a slow killer of oak trees and is difficult to control, if not impossible in many cases.

11/10/2008	13:33	3182384576	PERRY STONE CONSTR	PAGE 03
11/06/2008	21:05	8855776787	TREE LIFE CONCERN	PAGE 03

Oak #8 (5041) (Cont'd)

The size of this oak also restricts it from possible relocation to anywhere other than an on-site location. This oak is not a reasonable candidate for relocation.



Robert W. Wallace
Registered Consulting Arborist

The Balboa
VOLUNTEERED MITIGATION LIST
5015 – 5041 N. Balboa Boulevard

ELEMENTARY SCHOOL LANDSCAPING/SCREENING:
(along westerly property line – adjacent Encino Elementary School)

- The applicant will install an 8 foot in height solid decorative masonry wall along with a landscape buffer as indicated on the landscape plans (dated September 17, 2008) and described below:
 - Type of tree – podocarpus gracilior (fern pine).
 - Size of tree – 36 inch box.
 - Location – planted along subject property westerly property line.
- Applicant will plant approximately 27 landscape buffer trees after pouring of subterranean garage and prior to completion of building as soon as reasonably determined during construction process.
- Landscape buffer trees will be maintained no less than approximately 30 feet in height at full growth.
- Applicant will identify maintenance of the landscape barrier tree height requirement to prospective condominium owners in the Covenants, Conditions and Restrictions (CC&R's).

OAK TREES:

- Potential relocation of three existing oak trees on subject property.
 - Applicant's Arborist opinion that the existing oak trees are not eligible for relocation (see attached Tree Report amendment). However, the applicant will further review the potential to relocate Oak Tree #1 (16" diameter tree located at 5015 N. Balboa Boulevard).
- Applicant will replace three existing on-site oak trees on a two for one basis, totaling six new trees, as described below:
 - Type of tree – quercus agrifolia (coast live oak).
 - Size of tree – 48 inch box.
 - Location – planted along subject property easterly (Balboa Boulevard) frontage.
 - The replacement oak trees will be planted in accordance with a landscape plan prepared by a certified Landscape Architect.
- Applicant will contact the Bureau of Street Services Urban Forestry Division regarding the potential selection of oaks trees for any street trees required to be planted in the public right-of-way as a condition of approval for the development.

CONSTRUCTION:

- In addition to mitigation measures listed in the proposed Mitigated Negative Declaration (ENV-2008-1954-MND), the applicant will:
 - Post signage with 24-hour contact information.
 - Install appropriate traffic signage around the site to ensure pedestrian and vehicle safety.
 - Create a dust barrier between construction site and Encino Elementary School during grading operations.
 - Schedule haul route sequencing to minimize conflicts with pedestrians, Encino Elementary School buses, and cars at the arrival and dismissal times of the Encino Elementary School day.
 - There will be no staging or parking of construction vehicles, including vehicles to transport workers, on any of the residential streets adjacent to the Encino Elementary School.
 - No construction vehicles or haul trucks will be staged or idled on any of the residential streets adjacent to the Encino Elementary School during school hours.
 - Temporary fencing will be constructed around the site to minimize trespassing, vandalism, and nuisances.
 - Applicant and contractors for the applicant will maintain ongoing contact with the administrator of Encino Elementary school. The administrative offices will be contacted when demolition, grading and construction activity begin on the project site so that students and their parents will know when such activities are to occur. Applicant will obtain school walk and bus routes to the school from either the administrators or from the Los Angeles Unified School District's Transportation Branch (323-342-1400) and work to maintain safe and convenient pedestrian and bus routes to the school.

SUBTERRANEAN PARKING FACILITY VENTILATION:

- Any ventilation system will be a low-level noise system designed to activate only on demand.

CODE COMPLIANCE:

- To ensure the development is consistent with the City's standard requirements for R3 zoned property, the development will comply with the following:
 - Building Height – Maximum building height of 45 feet (exclusive of allowed rooftop structures).
 - Parking – Provide Deputy Advisory Agency condominium parking policy standard of 2 parking spaces per unit and .5 guest parking spaces.
 - School/Park Fees – Payment of fees pursuant to mitigation measures contained in ENV-2008-1954-MND.

5. CHAIR'S "PIPELINE UP-DATE "

A 15739 Ventura Blvd. Valley Beth Shalom status.

MOTION by: Jesse Woods

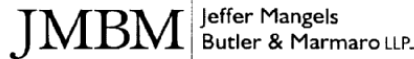
Motions that we follow our last recommendation until the parties have mediated as noted in the prior minutes.

Various committee members discussed the VBS situation. Neighbors have indicated that they have or are in the process of obtaining counsel. The neighbors asked the PLU not to place on agenda VBS matter during this meeting due to conflicts in schedule to give them an opportunity to obtain counsel. As such, PLU removed the matter from its agenda and moved to continue to PLU Committee meeting on February 5.

MOTION #2 by: Jesse Woods 2nd: Diane Rosen

"Motion to continue VBS Temple Expansion Plans to PLU Committee meeting, February 5."

VOTE: UNANIMOUS- Goes to consent calendar.



Benjamin M. Reznik
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Los Angeles, California 90067-4308
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www.jmbm.com
67642-0001

TEMPLE VALLEY BETH SHALOM PROJECT HIGHLIGHTS

Project Description

- Expand nursery school and toddler/infant program from 240 to 348
- Expand day school from 420 to 462
- Expand Hebrew School from 400 to 750, with a maximum of 300 students on campus at any one time
- Expand Sanctuary from 472 fixed seats to 688 fixed seats

Construction

- Renovate existing Sanctuary and Glaser Social Hall
- Demolish Malkin Hall, Burdorf Hall, Winer Chapel and the Sandler Educational Building and construct new social hall building
- Construct open space Community Court Garden along Ventura Boulevard and a substantial open space landscaped Entry Court on Densmore
- Construct single story four-classroom nursery school building (14' in height) set back from adjoining home to the north ranging from 10' to 17'

Parking

- Construct 578 space three level parking garage on Densmore with one subterranean level, grade level, second floor and rooftop parking; height of parking structure 12' on Gloria Avenue and 24' at Densmore Avenue (site slopes from Gloria down to Densmore); plant substantial landscaping all along Moorpark Street to screen parking structure

Rooftop

- To be used as a play deck for day school; no weddings or bar mitzvah parties to be held on rooftop

Henry Eshelman/Victoria Miller
15857 Moorpark Street
Encino, CA 91346

January 7, 2009 (Via email and US Postal Service)

Encino Neighborhood Council
Planning and Land Use Committee
PO Box 260439
Encino, CA 91426-0439

To the Encino PLU,

We reside adjacent to property owned by Valley Beth Shalom (VBS).

Over the last nine months we have been speaking before the PLU to convey our opposition to the proposed VBS expansion. In summary, VBS intends to expand all programs—worship, education, after school programs, special events and others—by between 40-50%. It intends to increase square footage under roof by over 80%. And finally, it intends to increase parking by over 100% and concentrate all of it in front of our homes.

This letter is to summarize and enumerate our concerns as adjacent homeowners and neighborhood residents. We feel the neighborhood cannot accommodate expansion on this scale without severe negative impact on the homeowners, residents and neighborhood. We vigorously oppose the expansion in its entirety on the following grounds. The VBS expansion program will, among other things:

- Negatively affect our quality of life
- Reduce the value of our homes
- Create unnecessary and disturbing noise
- Generate massive increases in tailpipe emissions and pollution
- Negatively affect our physical and mental health
- Impede our freedom of movement
- Vastly increase neighborhood traffic and traffic on our street
- Create safety issues at crosswalks
- Result in years of very early morning into late evening construction noise
- Pump drainage water onto our street for months or even years
- Increase litter and debris (VBS does a poor job of this even now)
- Displace current parking into our neighborhood during two years of construction
- Replace our current view of mature trees on a greensward with a view of a parking garage (in the case of one nearby homeowner, replace an adjacent single family home with a school building)

VBS has been aggressive in promoting this expansion to its own stakeholders, but they have been very poor at communicating with us and only acceded to meet with us under pressure from the PLU. We are not aware that they have:

- Performed an environmental impact study (this may be required by law)
- Presented a traffic mitigation plan
- Polled their membership on their desire for this expansion
- Presented their membership with any alternatives to this plan, for example, acquiring the commercial land to the east of the temple for a garage

We have read their application to the City Planning Commission very carefully. They have misstated their position relative to this document repeatedly before the Board. While not under oath, they have dissembled on the record. A 40-50% increase in size of an enterprise on the scale of VBS is of great concern to us. Several elements of it—aside from the fact of living our daily lives by the synagogue timetable for two years and beyond as the structures are built and operated—deserve special concern by the PLU.

1. The synagogue intends to use the roof deck (the fourth level) of the proposed garage for both daily playground events and paid evening events “until 11PM weeknights and 1AM weekends.” That means VBS will aggressively market the roof for large, noisy, night-lit events that will continually and negatively affect the serenity of the neighborhood.
2. Moving all parking to the garage—in addition to being in front of our homes—concentrates all human traffic crossing Densmore to access VBS—greatly increasing the traffic and potential fatal accidents.
3. They claim that denial of their proposed zone variances—harder to get than an amendment to a Conditional Use Permit—“denies them the full ‘economic benefit’ of the grade level parking lot site, which was envisioned in the 1980’s by the City as a buffer from the commercial activity of the Fujita Building to the south of the lot. They claim it would cause them “unnecessary hardship.”

They have argued before the PLU VBS’s position is that an 8’ wall and ornamental landscaping is sufficient to mitigate homeowner concerns over this vast expansion project. We as homeowners are amazed and dismayed.

When VBS in an unprecedented step tore down the nine homes across our street, they crafted their Conditional Use to accommodate all future growth, and the City granted it stating the ground level parking lot “a buffer against further commercial development” of the neighborhood. Now they’d like to tear up that document and have free reign to over-develop this property at the expense of adjacent and nearby residents. It dwarfs almost any development issue that has come before the PLU. It is too much for the neighborhood and too much for the homeowners. We urge the PLU to vote against it.

Sincerely,

Henry Eshelman and Victoria Miller

- B 4726 Petit – small lot subdivision Report by: Nareg Kitsinian:
 - Development team sent email stating due to filing periods with City, they went ahead and filed project papers in order to not delay the project.
 - Will work with PLU to accommodate concerns.
 - Nareg will inquire as to when they can come back and provide its updates post filing to the PLU Committee.
 - Residents will be informed.
 - C LANCC, DWPC, SLAP (Ron Kaye), Measure B Report: Diane Rosen
 - Ron Kaye will be the Guest Speaker at the Jan 28, ENC Gen Meeting and address this issue.
 - Jesse states that Jack Humperville went to court against Prop. B cause DWP was pro Prop B.
 - DWP rushed this to ballot via City Council and it was found there was no infrastructure or design that was studied in advance of being put on the ballot.
 - D Los Encinos Historic State Park '09 plans Report: Diane Rosen
 - They would like to have a festive day.
 - Re Ventura plan, we should be informed about it in general
 - We are concerned with the development of the boulevard.
6. OLD BUSINESS:
- A. “Encino Commons Gateway Sign” Report : Jesse Woods
 - No discussions with BID.
 - Glushon and Woods have looked into options.
 - Conceivably it doesn’t seem feasible to bring the entire sign down however perhaps we can change some items and they may be receptive.
 - Need to meet again on this matter.
 - Will be presented next Gen. Meeting to come back to the PLU.
 - Based on the Ventura/Cahuenga Plan, the Planning Department was supposed to be involved in the planning of this sign and they were not-though they have a building permit. Planning Department will now send all such matters to PLU for a decision (a matter which the ENC will look into further).
 - B. 15963 Valley Vista. Report: None
 - C. Oak Park down-zoning. Status Report: None
 - D. Establish “*Encino Design Review Board*” Report: Michael Kaufman:
 - Establishing ad-hoc committee.
 - Create a mechanism to deal with uniformity.
- Kaufman:
- We’re establishing an ad-hoc sub-committee (Kaufman, Kitsinian and Cartwright)
 - We will look into what will be involved. This will be a slow process.
 - Plan to develop design standards that are advisory.
 - Proposed review form that other NC’s are using that is now advisory and not mandatory.
7. NEW BUSINESS: None
8. PUBLIC COMMENTS: Comments from the public on non-agenda items within the Board’s jurisdiction: None

9. BOARD MEMBER COMMENTS: Comments from the Board on subject matters within the Board's jurisdiction.

Jesse Woods:

- **ENC should not fuel responses by responding to ethical attacks (re discussion of VBS matter and resident allegation of supposed Board Member(s) support of project and request for conflict check).**

Gerald Silver:

- **We have been requested as the Home Owners of Encino to take a position on the VBS. We have not. We provide the facts and solicit comments from both sides and print them unedited. We have found that this gets the parties to meet being fully informed.**

Laurie Kelson:

- **The home Owners should make publicly available to all members letters submitted. In addition, she will bring up at Executive**

Bill Cartright:

- **What should we do when it comes to debated issues with regard to NC's?**

Kelson:

- **In the past we have played a role successfully so that parties work together- but when you get parties that have hard line decisions it's hard.**

Gerald Silver:

- **Under the Brown Act, you can have your own judgment and viewpoint and communicate to anyone as your own view. What you can't do is share your view with 51% of the voting members.**
- **View on energy matters: Problem of windmills and solar energy methods is that there are no storage capabilities. Thus, hydrocarbons, natural gas and nuclear energy are the three only methods to store energy.**

Nareg Kitsinian- to contact Thomas SOONG of DONE and request material and potentially a seminar to the ENC regarding Brown Act.

10. Meeting adjourned at: 9:15 PM

Respectfully Submitted,

**Nareg Kitsinian
Secretary Pro-Tem**