

The Sherman Oaks Neighborhood Council Land Use Committee meeting was called to order by Chair Ron Ziff at the Sherman Oaks Library on October 17, 2013 at 6:32 p.m. Craig Buck was appointed Secretary for the meeting.

Ron called the roll. Present were Ron Ziff, Jeff Kalban, Alicia Bartley, Craig Buck, Jackie Campbell, Jackie Diamond, Art Fields, Mikie Maloney and Sue Steinberg, constituting a quorum. Minutes from the September 20, 2013 meeting were unanimously approved.

There were no public comments on nonagenda items.

Ron gave the President's report, noting that the Center BMW project had been approved. Jonathan Brand, from Councilperson Tom LaBonge's office, gave a presentation on the Mansionization Ordinance and how lot area and square footage are measured differently by Building and Safety, the Planning Dept. and realtors.

Below are Jonathan's bullet points:

- Planning and Building and Safety measure square footage differently since the implementation of the BMO and BHO.
 - o I have received several inquiries from Sherman Oaks residents about difference.
 - o LADBS measurement is posted on the permit.
- Building code definition does not have exceptions
 - o Anything covered by a roof is considered floor area except exterior walls, mechanical area, stairways, and elevator shafts.
 - o A covered porch is included
 - o Basements are included
 - o LADBS does not double ding high ceilings over 14'
- Planning Code as part of the BMO and BHO measures square footage differently to limit the appearance of massing and bulkiness from the exterior.
 - o Not counted is the first 400 square feet of garage space, 250 square feet of covered patio, 200 square foot detached accessory building, and basements.
 - o Counted are area of stairwells, attics with ceiling height of more than 7',
 - o Ceilings of 14' or higher are double dinged after the first 100 square feet.
- These differences sometimes result in a larger square footage measured by LADBS than by Planning and sometimes visa versa.
 - o When Planning square footage is larger than LADBS we do not get complaints because what is posted on the permit is below maximum allowed under the SMO/SHO.
 - o Complaints arise when someone builds a covered patio, accessory building, and/or basement and square footage shows up larger than the maximum under the SMO/SHO.
 - o No permits are issued before Planning measurements are calculated.
 - o On MLS realtors always use whatever figure is larger as a major calculation of value includes square footage,

The Committee heard a presentation from Marc Levun and Michael Gonzales (Gonzales Law Group), attorneys for a restaurant/bar project (Hyper Lounge, LLC) seeking approval of a CUB for 13625 Ventura Blvd.

Property owner Edith Hugo had agreed at the previous month's LUC meeting to provide the

Committee with a parking lease agreement, but the agreement submitted between the Parking Operator and Vespa of Sherman Oaks was insufficient and inadequately detailed. Ron questioned whether the lease should be in property owner's name, but this turned out to be irrelevant because it would be part of the CUB and a CUB violation could result in loss of the restaurant's ABC liquor license, which should be a heavy enough incentive to assure compliance. Applicant agreed to send the Committee a properly detailed and executed lease agreement plus facade drawings.

Neighbors Aline Bicheret, Deirdre Wagner, David Hechter and Karen Furno all voiced concerns about noise, safety, speeding valets, and patron and employee parking on Ventura Canyon. The Committee heard a presentation from Marc Levun and Michael Gonzales (Gonzales Law Group), attorneys for a restaurant/bar project (Berkshire Tavern) at 13615 Ventura Blvd. The committee was concerned

about applicant's plan to put a patio (seating for 18) in the rear on the alley across from residential properties. This would create a potential noise issue and reduce existing parking (by two spaces). Applicant argued that the loss of two spaces was insignificant since he was planning to secure parking offsite

for 150 patrons. The committee urged applicant to abandon rear patio but applicant suggested reduced hours on that patio instead. The committee questioned who would enforce restricted hours. Other concerns included parking, security, handicapped access to an upstairs office and game area, and increased capacity from previous 104 to 157. Jeff noted that applicant had not supplied elevations, facade drawings, signage and material samples. Applicant agreed to come back with requested materials (front and rear), a parking lease agreement, a proposal for the rear patio, and further information.

Neighbors Aline Bicheret, Deirdre Wagner, David Hechter and Karen Furno all voiced concerns about noise, safety, and speeding valets. They noted that there had been several incidents of alcohol related violence at the location in the past and urged the committee to check with the police.

Jeff reported that the Sherman Oaks Master Plan had been approved by the NC and the Master Plan Committee was now an Ad Hoc committee. He wanted subcommittees to be formed and called for volunteers.

Ron adjourned the meeting at 7:48 p.m. A pleasant time was had by all.