



- 4.3.2. Ms. King was not sure whether an apartment would be considered commercial or not in this instance.
- 4.4. Ms. Robinson passed on her time until the end.
- 4.5. Ms. Chelebian said she was curious what caused this to be brought up to the City Planning Department now. She wondered if it was lobbying and what kind of campaign occurred to get this ordinance. She went on to say there are pros and cons that affect neighbors and they should have a say in the matter. She feels it should not be an autonomous automatic process.
- 4.5.1. Mr. Popowich pointed out that we received the notice too late to adequately study the matter so they were limited to tonight's meeting to discuss it because it was up before the City PLUM on 11/17/04.
- 4.5.2. Ms. King asked for clarification on when we received it.
- 4.6. Mr. Valdez said he has been to a few hearings with this issue on the agenda. He has yet to see a request turned down. He pointed out that most cases are governed by Federal law and the City and State have no jurisdiction. He said that he has seen all the discussions about radiation and interference with other forms of communication and it's never been proved.
- 4.7. At this point Mr. Popowich apologized for not having explained to everyone in attendance about how the meetings are conducted. He took this time to explain the rules. He then advised the Committee that he would now go back around again for the 3 minute follow up.
- 4.8. Mr. Schulte said he doesn't like to take decisions away and would rather just let the people have their say. He went on to say that even if it was just to let them know what was going on.
- 4.9. Ms. Lamishaw said that in her experience when the City does decide to make something a by-right right, it's usually because of other laws that require it or experience showing that most of these requests are passed. She went on to say that she has used cell phones, and that cell phones are vital for emergencies, and have even been handed out during major disasters and this helps with reception. She felt this was a good ordinance.
- 4.10. Ms. Robinson said this was something that she had addressed while serving on former Councilwoman Laura Chick's Community Impact Committees. At the time they approved the by right option for commercial buildings.
- 4.11. Ms. Chelebian didn't have any further comments.
- 4.12. Mr. Valdez agreed with Ms. Lamishaw's statements.
- 4.13. Mr. Popowich took a moment to comment that he felt it was fine as long as the ordinance required the structures to fit into the surroundings, which this ordinance does require.
- 4.14. Mr. Popowich then opened it up to the stakeholders for comment. One stakeholder had a brief comment about this happening on an apartment building and it didn't bother him.
- 4.15. Since there were no further comments Mr. Popowich asked for a motion on this item.
- 4.16. Ms. Lamishaw made a motion to approve the ordinance as is with the suggestion that a hearing be required if it was next to a residential use property.
- 4.17. Ms. Robinson seconded the motion.
- 4.18. The Chair called roll and the motion passed 4 – 1 – 1 (Mr. Jurgenson was absent for the vote).

Mr. Popowich advised the Board that they would take a two minute break so that Mr. Svidler could set up and so that the Board could read the letters received on the next agenda item.

**5. Deferred from last meeting we will hold a discussion and possible action on a presentation by Herberto Svidler on a request for approval of a tentative tract map for an 8 unit condominium complex located at 20310 W. Keswick St, Winnetka, CA.**

5.1. Mr. Popowich introduced the next item and turned the floor over to Mr. Herberto Svidler of Piel Construction.

5.2. Mr. Svidler introduced himself and explained that they are building an 8 unit condominium complex close to the project discussed previously. He said the property is zoned for R3, which would allow him to build 10 units, while they have only proposed the 8 units. He went on to say that they are also trying to build it under the height limit.

Mr. Svidler referred to his artist's conception. He pointed out that the units are built town home style and that the stairs and mechanical equipment (i.e. air conditioning) are located in the center of the complex. He has tried to design a building that was not a shoe box.

He said there were two parking spaces for each unit. The parking is semi underground with access from the alley only. He is attempting to get approval from the city to create additional parking for two guest spaces in the front of the building.

5.3. Mr. Popowich thanked Mr. Svidler for his presentation and he opened the item up for discussion.

5.4. Mr. Schulte commented that he remembers the plans. He does like the design. He went on to say that from the letters the major concern is for parking issues. He asked who would screen the potential residents to make sure that they won't have more than the allowed number of people in the unit.

5.4.1. Mr. Svidler commented that they are only trying to sell to families. He went on to say that maybe they can do something in the CCR's to restrict it.

5.5. Ms. Lamishaw said that she likes the idea of only units as the developer and owner have the right to do more. She feels that home ownership does create pride and that will address the problems in the area. She pointed out the cost of the units would also be an effective screening process.

She reiterated that she would like to see two more parking spaces (per the variance request Mr. Svidler referred to). She pointed out that he is building under the height limit which is good. She said the design is attractive. She agreed that a limitation in the CCR's on the number of people in a unit would be a good idea.

5.6. Mr. Popowich agreed with those before him and suggested that the CCR's include a prohibition against sub-leasing. He referred to the condo units in his neighborhood which does sub-lease and that causes problems in the area. He also suggested that the maintenance agreement include the clean up of the grounds around the complex.

5.7. Ms. Robinson said her concern with the project is parking for parties and guests. She asked where they would park.

5.7.1. Mr. Svidler stated he knows this is a problem, but it's a problem all over the City.

5.8. Ms. Chelebian said her concern is the affect it would have on the homeowner's quality of life. She wanted to know what could be done to lessen the impact. She went on to say that the quality of people buying and the cost of the units would be factors. She wanted to know if this project fit with the quality of life. She would defer to the public's opinion.

5.8.1. Mr. Svidler said he thinks this will actually improve the area. He pointed out that the building next door which was an apartment building is very old and doesn't look so good.

5.8.2. Ms. Chelebian said she still feels there would be a quality of life impact.

5.8.3. Mr. Svidler pointed out that the private patios on the roof would bring a nice amenity for the potential owners. He feels this will be an advantage.

- 5.8.4. Ms. Chelebian asked who would manage the complex.
- 5.8.5. Mr. Svidler said the complex would be managed by the Homeowners Association (HA) which would be created and elected by the buyers. He went on to say that his company would be responsible for the units for the first 6 months after they are completed.
- 5.9. Mr. Jurgenson asked what was currently at that location.
- 5.9.1. Mr. Svidler responded that it is a single family house.
- 5.9.2. Mr. Jurgenson said that at the last summit held by the LAPD this area was pointed out as a high crime area, which the officers in attendance said was due to the high concentration of apartment buildings. He also said that he is very concerned with the traffic problems in the area.
- He went on to say that there simply isn't enough parking and it's a major issue. He feels this has to be addressed because two guest parking spaces are not enough. He concluded that in the way he likes to represent the neighbors he wants to maintain or raise the quality of life in an area.
- 5.9.2.1. Mr. Svidler said he respects what Mr. Jurgenson said. Still he said these will be owned units, which is better than a renter who doesn't have any respect for the property.
- 5.9.2.2. Mr. Jurgenson responded that in reality people do rent out rooms.
- 5.10. Mr. Valdez said that the location is already zoned for R3 and the developer has the right to develop the property. He commented that the design looked nice and agreed that owners will take better care of it.
- 5.10.1. Mr. Svidler pointed out that apartments would likely double the traffic problems because less parking is required for them.
- 5.10.2. Mr. Valdez suggested that the developer triple pane the windows to keep noise down.
- 5.10.3. Mr. Svidler said he would look into doing this.
- 5.11. Mr. Popowich announced the Committee would have an additional short period of time to ask questions per our by-laws.
- 5.12. Mr. Schulte said he noticed the letters submitted against this project mentioned low water pressure and asked the stakeholders in attendance if this was truly a problem.
- 5.12.1. Most stakeholders agreed with that statement.
- 5.12.2. Mr. Schulte also suggested that a petition be created to request permit parking.
- 5.12.3. A stakeholder said he had a DOT letter refusing to allow the parking. Mr. Popowich asked him to bring it to him so he can review it and see what he could do.
- 5.12.4. Mr. Schulte agrees that there is really nothing that can be done to prevent the project. He commented the design is good and it hides a lot of things. He does understand the communities concerns.
- 5.12.5. Mr. Svidler said his company would look into the water pressure.
- 5.13. Mr. Popowich asked everyone to be brief about their questions as he would like to hear from the public.
- 5.14. Ms. Lamishaw said she just wants to reiterate that it's zoned R3, and if he gets turned down then he or someone else can build a 10 – 12 unit apartment complex and then they don't need guest parking. She went on to say they won't benefit from the CC

& R's or owner pride. She understands what the stakeholders are talking about because she lives near apartments too and she has similar problems.

- 5.15. Ms. Robinson didn't have any further questions.
- 5.16. Ms. Chelebian said she is not a developer or contractor and she wants to know if it's a dead issue.
  - 5.16.1. Mr. Popowich said yes it is, unless the owner decides to do it out of the goodness of his heart.
  - 5.16.2. Ms. Chelebian said she felt that the alternative is something scarier and that this is just a scare tactic.
  - 5.16.3. Mr. Popowich disagreed and said at least he's here listening and that it's not a scare tactic.
- 5.17. Mr. Jurgenson said he's not a developer either, but wants to know if there is any possibility of the property being zoned for residential use.
- 5.18. Mr. Valdez recapped what Mr. Popowich said and appreciated the opportunity to show the stakeholders what the plan was and to make it better if possible. The only other thing that can happen is even worse. The only way it would ever be rezoned is if the stakeholders bought the property and changed it.
- 5.19. A stakeholder commented that as a resident of the area it is a problem with parking. The city shouldn't allow it to get so congested.
- 5.20. A stakeholder asked when it was rezoned R3.
  - 5.20.1. Ms. Lamishaw said it probably happened in the 80's.
  - 5.20.2. The stakeholder wanted to know if it (R3 zoning) went all the way down the block. He said they currently have a re-hab house that has 16 cars and it's a juvenile delinquent house. Also they have had problems with drug houses which took a long time to correct. The stakeholder went on to say that parking is horrible and the apartments on the block don't use their own parking. The quality of life in the area is poor. The stakeholder also pointed out that their street has never been resurfaced, while those around it have been done at least 3 times.
  - 5.20.3. Ms. Lamishaw suggested that they petition the Councilman's office for street cleaning and no parking signs.
- 5.21. A stakeholder stated parking, trash, and density are problems and they just don't need more people in the area. The stakeholder commented that some apartments already there were originally supposed to have been condos. We are just tired of it. The stakeholder stated they have to put out their trash cans to save parking and they are afraid they will get a ticket for doing that.
- 5.22. A stakeholder agreed that parking is a huge problem. This stakeholder was also concerned about the curve in the road which causes it to narrow. They also have problems with double parking. The stakeholder says the LAPD doesn't even patrol the alley or won't even drive down the alley. The stakeholder said they need to have permit parking.
- 5.23. A stakeholder said that it's a wonderful drawing, but if you take out the greenery for more parking it's going to be just parking. The stakeholder doesn't think the CC & R's will be in effect because there won't be a Board big enough to enforce it.
- 5.24. A stakeholder asked if there was some way to get on the agenda.
- 5.25. Mr. Popowich commented that if they are seeing non operational vehicles in the a building he believes it's a Building and Safety issue and if they see it the residents can call it in, and they will come out investigate and cite until it's corrected.

5.26. A stakeholder asked if why they had never gotten a notice for the rezoning, even if it happened years ago.

5.27. Mr. Popowich apologized for that. He went on to say that's why the Neighborhood Councils were created to give people a chance to be involved. He said that now that the WNC is here that they stakeholders would know what is going on in their neighborhood and have a chance to address the issues.

5.28. A stakeholder commented that this is just a chance to say anything, and they have no impact. They felt this was all for nothing.

5.28.1. Mr. Popowich commented that at least we can document the problems and let the City know about the issues.

5.29. A stakeholder asked what's to stop him from turning them into apartments.

5.29.1. Mr. Popowich commented that it's extremely unlikely. He pointed out that with today's prices it doesn't make any sense. The owner can build the units, sell them for \$250,000 each and probably walk away with a half million dollars free and clear. If he had an apartment there he would have to rent it, maintain it, and that's costly. He went on to say that's why we don't see a lot of apartments being built now.

5.30. Mr. Jurgenson said he would like to make a motion to require the developer to study traffic and parking congestion problems and come back and submit the results to the PLUM Committee.

5.31. Ms. Chelebian said that she would like to have the opportunity to respond back to the stakeholders and ask additional questions and have time to ask the public questions.

5.32. Mr. Popowich responded that they didn't have enough time. We have already gone around the table twice per the by-laws.

5.33. Mr. Popowich read the motion back to Mr. Jurgenson and asked for a second.

5.34. No second was made.

5.35. Mr. Popowich stated that he would like to make a motion. He read the motion as he wrote it down:

“The WNC PLUM Committee recommends the full Board approve the request for a tentative tract map change for the property located at 20310 Keswick with the following Stipulations:

1) The developer submits the CC & R's to the WNC PLUM for approval, and that the CC & R's include the following:

- a. Time limits on parties held on the patios.
- b. A limit on the number of people residing in each particular unit which does not exceed the number allowed by Los Angeles Municipal codes and any applicable State laws.
- c. A restriction against leasing or sub-letting the units.
- d. Restriction against owners/residents from using the on site guest parking along with a monetary fine for violations.
- e. Detailed description and enforcement measures for violation of the CC & R's.

2) The Developer must file for a variance to allow two additional guest parking spaces in the front of the complex (making a total of 4 guest parking spaces).”

5.36. Ms. Lamishaw asked for another line in the CC & R's requirements (represented above by item e.)

5.37. Mr. Popowich agreed to add her request. He re-read the entire motion to the Committee.

5.38. Mr. Schulte seconded the motion.

5.39. Mr. Popowich called roll and the motion passed 5 – 2.

**6. Update on Forest Glen condominium project. (Popowich)**

6.1. Mr. Popowich let everyone know that he has heard from Millennium Enterprises and they have decided that the street privatization they promised was too expensive, as was the elevator. He reminded everyone that they had given their support to the project with those stipulations and asked everyone to let him know before the next meeting if they wanted to discuss withdrawing their support.

**7. Public Comments – Comments from the public on non-agenda items within the Committee’s subject matter jurisdiction.**

7.1. None.

**7. Committee Business –**

- A. Comments on Committee Member’s own activities/ Brief announcements.**
- B. Brief response to statements made or questions posed by persons exercising their general public comment rights.**
- C. Introduction of any new issues for consideration by the Committee at its next meeting/request that the item be placed on the next meeting’s agenda.**

- Mr. Schulte requested that we add an item on the agenda for the next meeting to discuss permit parking on Keswick St.

- Mr. Popowich agreed. He said this is something he wanted to talk about as well. He announced that he would work on putting together a Town hall meeting on parking with the Department of Transportation, Parking Enforcement, and the Council offices that cover the WNC.

He went on to say that this is part of his goal of working on a master plan for Winnetka. He said he is not an expert and is learning as he goes but this is a good place to start.

- D. Requests for Committee Members to research issues and report back to the Committee at a future time.**

**Meeting Adjourned**