

### 6342 Sister Elsie Drive – Project Negotiations with Project Applicant and Architect

Below is a summary of the two negotiation sessions held with the project applicant and architect regarding the Sister Elsie project. The purpose of these negotiating sessions was to try and arrive at a negotiated settlement of the issues pertaining to the project such that the pending Appeal of the case before the PLUM could be withdrawn. I have also included a recommendation at the end of this summary.

#### December 16, 2014 Meeting

A negotiation session was held in the offices of Steve Dahl, AIA, Dahl Architects, to get comments on the project from an independent architect, Steve Dahl, on the Sister Elsie house. I was there along with Steve, Claudia, Mr. Mahdi, and Asik Menachekanian, the project architect. The meeting went very well, I thought, with very open and cooperative discussions even after hearing Mr. Mahdi's often-stated complaints, mostly directed at the City rather than the neighbors.

Steve's review of the plans included the following recommendations:

1. Use of real river rock on the front façade of the residence facing the street as well as on the recessed lower portion of the building that would be visible from Day Street;
2. Providing greater building modulation on the east-facing (down slope) façade of the building;
3. Providing textural treatments of building walls;
4. Stacking exterior windows, using accent panels;
5. Modifying balconies including balcony railings;
6. Treating the retaining wall proposed along Sister Elsie drive with texture or plantings;
7. Include enhanced landscaping on the down slope portion (rear of the lot) to screen vertical elements of building.

The modifications discussed were recommended to upgrade the quality of the look of the structure as well as to minimize its visual impact (particularly from those looking upslope at the dwelling from a lower elevation (i.e. Day Street)).

The architect agreed to incorporate these changes into the building design and submitted back to us (as a group) these modifications. These plans were then re-distributed to the STA and the neighborhood on December 21, 2014. Claudia promised to help Mr. Mahdi get these revised plans approved without having him go through a whole new plan check process with Building and Safety and pay extra costs.

As indicated earlier, there was no give in regards to the overall size of the dwelling or the variances requested by the applicant. Steve pointed out that he understood why the architect developed the plans he did for the site as it is severely constrained by the condition and position of the road, the mandatory setback from the earthquake fault line, etc. Steve did not think that the size (square feet) of the dwelling was out of scale for the area but that the residence could be improved from a design/visual standpoint with the suggested changes and that the quality of the home could be enhanced to become an asset for the neighborhood rather than a liability.

## **January 7, 2014 Meeting**

A second negotiation meeting was held in the offices of Steve Dahl, AIA Dahl Architects, at the request of Claudia Rodriguez. I was there along with Steve, Claudia, Mr. Mahdi, and Asik Menachekanian, the project architect. The duration of this second meeting was an hour and a half. The following topics were discussed:

### Verifying Project Changes

The group went over the previous changes to the project and the revised plans to ensure that the new plans incorporated the recommended revisions (noted above). The revised plans did incorporate the recommended changes except for Numbers 2, 5, and 7. Number 7, project landscaping, is discussed below. The architect indicated that he had also added decorative railing atop the retaining wall which was not shown on the revised plans.

### Reactions of the STA and Neighbors

The applicant was informed of the STA's and neighborhood's disappointment that more substantial changes were not made to the project, particularly related to reducing the size (square-footage) of the dwelling and/or eliminating one or more of the variances being requested by the applicants.

### Discussion of Building Height

In regards to eliminating at least one variance, a discussion ensued on the building height (36-feet proposed; 30-feet allowed). It was determined that the actual visual height of the building will be 31.5 feet given that the lower portion of the building will be recessed (offset from upper building wall by approximately 6-feet); will be largely in shadow, and will be finished with river rock. The applicant agreed to provide the river rock on the skirt of the dwelling which would be real stone - this would be a 4-inch stone (half cut). Because of these factors, Steve felt the height perception of the building would be adequately mitigated.

### Discussion of Landscaping

There was a discussion of what type of landscaping will be provided at the front of the residence along Sister Elsie; as well as on the down slope portion of the lot where there is ample area to plant trees that will eventually grow tall and screen the dwelling from the lower elevations. Although the applicant was not willing to commit to a specific condition requiring such landscaping, Claudia pointed out that this would be a requirement of the Specific Plan, if not already included as a mitigation measure in the environmental. The applicant responded that he is not "tree adverse" and would provide suitable planting to screen the structure.

### Discussion of Infrastructure Improvements

There was a discussion infrastructure in the area and in particular the condition of Sister Elsie. It was learned that Sister Elsie will become a complete public street (it is now a paper street) and that it was the intention of Public works to widen the street further up the street from the project site to address safety concerns, including possibly providing a turn-around area for fire trucks. There was also a discussion as to when the City would pave Sister Elsie as the street is much deteriorated. Claudia was

going to check with the Streets Department to see if the street is on their lists of those that are scheduled for re-pavement.

### Discussion of PLUM Hearing

The PLUM is scheduled to hear the case on Tuesday, January 13<sup>th</sup>. There was a general discussion regarding the hearing. If the Appeal is withdrawn, only Claudia would need to attend the hearing to inform the PLUM that the Appeal is withdrawn. If the Appeal is not withdrawn, then both the Appellants and Applicants must appear to present their respective cases. Regardless of either scenario, the project applicant committed to keep the agreed-upon changes to the project plans that have resulted from the negotiating sessions.

### My Observations and Thoughts

As you know, and as I have expressed earlier, I'm not sure in my own mind if **you** feel that these kinds of changes are substantive enough to withdraw the appeal. They don't really address the heart of our argument in regards to compliance with the Baseline Hillside Mansionization Ordinance. A real reduction in floor area or stepping back the upper floors of the residence, however, is not being considered by the applicant mostly because of the costs involved and building constraints already evident on the site.

Throughout these negotiations, there are several "realizations" I have come to in regards to the project that I would like to share with you:

1. The applicant/architect has made a good-faith effort in these negotiations to modify the project in an effort to mitigate the visual impact of the project. He has been prompt in attendance at the meetings and responsive to suggestions for improvements.
2. There are unique circumstances pertaining to this project in that it was in the "pipe line" prior to the adoption of the Baseline Hillside Ordinance and the applicant was unduly delayed in obtaining a building permit by the City.
3. Steve carefully inspected the building plans and the project site and concluded that the project architect has done a lot to improve its appearance but other requested modifications, including those not incorporated into the building design (and noted above) would have improved the dwelling. They could have, for example, upgraded their railing detailing at all of the balconies and enhanced the building exterior materials, etc. to further mitigate its visual impacts. The applicant, however, resisted significant structural modifications as these would be too costly and require the resubmittal of plans and the payment of new fees to Building and Safety. Overall, it was felt that the size of the house is not out of scale with residences in the area and that the proposed changes will help. Steve also understood the unique characteristics of the project site and its constraints and why the variances are necessary. This includes the location of the on-site earthquake fault that severely limits the developable area of the lot. This situation is unique to this lot and, therefore, not of a precedent setting nature.
4. Both Steve and I agree that, even with the agreed-upon changes, the underlying issues of the appeal are not being addressed. Still, with the modifications, the structure is unlikely to impose

significant visual impacts on surrounding properties (i.e. it has a flat roof, sits below the elevation of Sister Elsie, will be screened by landscaping, etc.).

5. The Sister Elsie and Day/Pali streets neighborhood is an area in transition. Not only is there development pressure on Sister Elsie itself, but the proposed Villa Nova development (if approved) will include single-family dwellings along Day Street (and one home proposed directly adjacent and below 6342 Sister Elsie) that will be large size homes - 30-foot high (2-story) dwellings with 4,000 sq ft and above. Once constructed, these homes would effectively block views of the 6342 Sister Elsie project from Day Street.

### **Recommendation**

After much thought, and given the discussions that have been held and their results, the observations of Mr. Dahl on the constraints presented to the project architects and the responsiveness of the project applicants in making design modifications to the building and to provide screening landscaping, I recommend that the STA withdraw the Appeal pending before PLUM, however, with the following procedural change on how the Planning Department reviews and processes such cases in the future:

That the Department of City Planning's Zoning Code Manual and Commentary be amended to include a new procedure requiring project applicants in the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Planning Area seeking land use entitlements for hillside residential projects not conforming to the City's Baseline Hillside Ordinance be immediately referred by City Planning to the Council District Office for review and comment prior to the acceptance of such applications by City Planning. Said review shall consist of the project's compliance with existing regulations, the structure's compatibility with the scale and character of existing residences in the area, and recommendations for design modifications to eliminate the need for variances.

Of course, I will support whatever decision you make in regards to the Appeal as I am committed (as you are) to the enforcement and implementation of the Baseline Hillside Mansionization Ordinance and the orderly development of hillside properties in Sunland-Tujunga.

Dean.