

M O T I O N

Following the initiation of a General Plan Amendment to change the land use designation for properties located at 9704-9712 West Oak Pass Road, 9800, 9801-9815 West Wanda Park Drive, 2534 North Hutton Drive from Very Low I Residential, Very Low II Residential, and Minimum Residential to High-Medium Residential by the Director of Planning, in March 2018, the Applicant submitted case materials for the Retreat at Benedict Canyon Project (Project) (Case Nos. CPC-2018-1506-GPA-VZC-SP-SPP-SPR, CPC-2018-1507-DA, and VTT-74908). In November 2020, the Initial Study was released for the Project. The Initial Study found potentially significant impacts related to air quality, biological resources, cultural resources, energy, geology/soils, Greenhouse Gas emissions, land use / planning, noise, public services, transportation, tribal cultural resources, and wildfire as a result of the Project, and thus required an Environmental Impact Report (EIR).

The Project described in the Initial Study proposes a 59-room hotel and eight single-family homes on an approximately 32.67-acre property in Benedict Canyon. The hotel portion of the site would consist of a total of 18 hotel buildings, totaling 59 guest rooms, a standalone parking structure, a funicular railway, and a main hotel building including outdoor amenities, commercial space, and subterranean parking. The hotel use could include special events and would have approximately 90 full time equivalent staff. The residential portion of the site would contain eight single-family homes, ranging between 12,000 and 48,000 square feet of residential floor area with associated garage parking. Development of the overall site would also include the removal of existing trees (including protected trees) and vegetation and the installation of new landscaping, pathways, exterior decks, and other outdoor amenities. Preliminary site grading would require approximately 117,230 cubic yards of total grading and result in the off-site export of approximately 950 cubic yards of soil, while the remaining 116,280 cubic yards of cut would be balanced on-site. Maximum excavation depths would be approximately 62 feet below the existing grade. In addition to protected trees, the subject site is and has the potential to be habitat for candidate, sensitive, or special-status species, such as Branton's milkvetch, coast live oak, and mountain lion, as identified by the California Department of Fish and Wildlife.

The discretionary entitlements, reviews, permits, and approvals required to implement the Project include the following: General Plan Amendment; Vesting Zone Change (VZC) to change the site zoning to the Benedict Canyon Specific Plan zone; Specific Plan to establish allowable uses, development standards, and design guidelines for the development of the hotel and residential uses on-site; Vesting Tentative Tract Map for the merger and subdivision of the site into nine lots; and other discretionary and ministerial permits and approvals that may be deemed necessary, including, but not limited to, temporary street closure permits, haul route, grading permits, excavation permits, foundation permits, building permits, and sign permits.

Since the General Plan Amendment initiation, case filing, and publishing of the Initial Study, details related to the project have been brought to the attention of the City Council. The proposed six-star hotel will strain infrastructure in a community otherwise planned and developed for low-density, single-family development. The City has sufficient lands zoned for hotels with adequate infrastructure within fully urbanized areas. The secluded hillside location is isolated from other business, public transportation, public services and other cultural amenities which underscores the unessential nature of the project as it relates to the community, city, and region. Due to the remote hillside location and other reasons mentioned above, the project will not enhance the built environment in the surrounding neighborhood or perform a function or provide a service that is essential or beneficial to the community, city, or region.

Events such as weddings, corporate functions, dinners, and film screenings are proposed as part of hotel operations. The scale of such events would be inconsistent with the typical overall intensity of activity in the surrounding community, degrading the community with additional noise from patrons and amplified music, automobile trips, and impacts commensurate with the service of alcoholic beverages and live entertainment. The

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unique geography and topography of the location will further challenge the operator to maintain compliance with the Los Angeles Municipal Code Citywide Noise Ordinance, and typical noise control measures within the property such as noise barriers, sound absorbers, and buffer zones will be less effective. As such, the project's hillside location, size, height, operations, and other significant features will not be compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood, and public health, welfare, and safety.

Since the Initial Study was released in 2020, major new reports have highlighted the importance of protecting wildlife habitat and open space. The City has also advanced significant policies to direct development away from hillsides and undeveloped properties. These policies further implement General Plan Framework Policies supporting conservation areas. In February 2021, the Department of City Planning published the Protection Areas for Wildlife (PAWs) evaluation to identify important habitats for sustaining wildlife and connectivity within the City. In June 2022, the Los Angeles Sanitation and Environment Department published the LA Biodiversity Index Baseline Report, which highlighted the key role Los Angeles' municipal government must play in preserving biodiversity and the critical importance of preserving LA's unique ecosystem and place within the California floristic province, one of only 36 globally-recognized biodiversity hotspots.

On November 22, 2022, the City Council adopted a resolution directing the City (i) to treat the Santa Monica Mountains Conservancy (SMMC) as a trustee agency for California Environmental Quality Act (CEQA) for any project within the Santa Monica Mountains Zone and (ii) the Planning Department and other City Departments to consider the SMMC Eastern Santa Monica Mountains Natural Resources Protection Plan, adopted in December of 2021, in future CEQA actions and work with SMMC on all future habitat maps.

On November 29, 2021, the City Council adopted an update to the Safety Element to address wildfire risk, among other State requirements. The update to the Safety Element found:

Due to climate change the region today is subject to more frequent and severe wildfires. As of 2020, eight of the ten largest fires in California history occurred during the past decade. The 2009 Station Fire is the largest wildfire on record in LA County, with 160,557 acres burned. The 2020 Bobcat Fire burned 115,796 acres and contributed to hazardous air quality across the region, a challenge compounded by the surging Covid-19 pandemic, which kept many from seeking relief in communal facilities.

Today the City's approach to preventing and mitigating wildfire risk includes building standards, brush clearance, roadway requirements, parking restrictions, zoning limitations, and many more interventions detailed below.

Among other policies, the Updated Safety Element added the following policy to reduce risks of wildfire:

1.1.8 Land Use. Consider hazard information and available mitigations when making decisions about future land use. Maintain existing low density and open space designations in Very High Fire Hazard Severity Zones. Ensure mitigations are incorporated for new development in hazard areas such as VFIFFISZs, landslide areas, flood zones and in other areas with limited adaptive capacity.

The Project is located in a Very High Fire Severity Zone. Wildfire risk is continually exacerbated by continuing and escalating climate change. The Project is not consistent with the Updated Safety Element to maintain existing low density residential and open space in such zones.

In December 2022, the City Planning Commission sent forward the Wildlife Ordinance to the City Council; upon adoption (expected shortly), this Ordinance will signal the strongest affirmation from the City that it is of the highest important to reduce cumulative development impacts on plants, animals and natural resources

while providing co-benefits related to climate resilience and public health. These significant new reports and policy changes, coupled with the continued prevalence of wildfires affecting communities at the wildland-urban interface (the 2018 Wolsey Fire, 2019 Getty Fire, and 2021 Palisades Fire to name a few), constitute substantial new evidence that must be considered by the Director of Planning as having some bearing on the General Plan Amendment initiation.

I THEREFORE MOVE that the Council request the Director of Planning to consider rescinding the initiation of a General Plan Amendment for the Retreat at Benedict Canyon Project, Case No. CPC-2018-1506-GPA-VZC-SP-SPP-SPR, located at 9704-9712 West Oak Pass Road, 9800, 9801-9815 West Wanda Park Drive, and 2534 North Hutton Drive, in the Bel Air-Beverly Crest Community Plan Area, inasmuch as the proposed amendment does not reflect the land use patterns, trends, uses, and environmental and safety concerns, and does not further the intent, purposes, and objectives of the General Plan, including the Community Plan, the Framework Element, and the Safety Element.

PRESENTED BY:


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Councilwoman, 5th District

SECONDED BY:



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