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May 14, 2019

VIA EMAIL (emails listed below) AND US MAIL

Vince Bertoni, Director of Planning
Kevin Keller, Deputy Director of Planning
Los Angeles City Planning Department
200 N. Spring Street
Los Angeles, CA 90012

Frank Bush, LADBS Superintendent
Victor Cuevas, Assist. Dep. Supervisor
Chon Chio Kuo, Struc. Eng. Assoc. III
Niloofer Mehrain, Struc. Eng. Assoc. II
Los Angeles Department of Building & Safety
6262 Van Nuys Boulevard, Room #200
Van Nuys, CA 91401

Re: **2070 Nichols Canyon Road Project**
Request for Discretionary Approval and Oversight,
Including Proper Environmental Review
(Plancheck No. B194N02182)

Dear Director Bertoni, Superintendent Bush, and City officials:

The Federation of Hillside and Canyon Associations was founded in 1952 and represents 42 resident and homeowners associations spanning the Santa Monica Mountains, including the Nichols Canyon and Upper Nichols Canyon Neighborhood Associations. At our March 2019 meeting, members of those associations and others presented information regarding an allegedly “by-right” project proposed for 2070 Nichols Canyon Road currently being processed by the Department of Building and Safety.

Based on the substantial evidence provided at that meeting, our experience evaluating similar oversized development projects in the City’s hillside areas, and letters submitted to your departments by the Mountains Recreation and Conservation Authority (“MRCA”) and Silverstein Law Firm on behalf of concerned neighbors of the proposed project, the Federation respectfully requests the City cease processing any by-right applications currently pending for the project, and urges the City to require the project applicant to instead seek appropriate discretionary approvals, including thorough environmental review to ensure the obvious potentially

Argyle Civic Assn.
Beachwood Canyon NA
Bel-Air Assn.
Bel-Air Hills Assn.
Bel Air Knolls Property Owners
Bel Air Skycrest Property Owners
Benedict Canyon Association
Brentwood Hills Homeowners
Brentwood Residents Coalition
Cahuenga Pass Property Owners
Canyon Back Alliance
Crests Neighborhood Assn.
Doheny-Sunset Plaza NA
Franklin Ave./Hollywood Bl. West
Franklin Hills Residents Assn.
Highlands Owners Assn.
Hollywood Dell Civic Assn.
Hollywood Heights Assn.
Holmby Hills Homeowners Assn.
Kagel Canyon Civic Assn.
Lake Hollywood HOA
Laurel Canyon Assn.
LFIA (Los Feliz)
Mt. Olympus Property Owners
Mt. Washington Homeowners All.
Nichols Canyon NA
N. Beverly Dr./Franklin Canyon
Oak Forest Canyon HOA
Oaks Homeowners Assn.
Outpost Estates HOA
Residents of Beverly Glen
Save Coldwater Canyon!
Shadow Hills POA
Sherman Oaks HOA
Silver Lake Heritage Trust
Studio City Residents Assn.
Sunset Hills HOA
Tarzana POA
Torreyson Flynn Assn.
Upper Mandeville Canyon Assn.
Upper Nichols Canyon NA

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Polly Ward

significant environmental impacts associated with the project are fully identified and adequately mitigated before any project permits are issued.

Information provided by community members and their representatives at our March 19, 2019 meeting raised the following issues, among numerous others, associated with the project site and proposed development that require greater investigation and decisionmaker discretion than are provided through ordinary by-right processing:¹

- At 15,000 square feet and six stories in height, the project is grossly oversized relative to development of nearby properties.
- The project site is extremely steep, including almost vertical slopes, on a substantial portion of the lot. Site development will thus require substantial grading. The grading permit application calls for 999 total cubic yards of grading export, precisely one cubic yard less than an amount that would trigger the requirement of a discretionary haul route approval and environmental review. This fact alone raises significant red flags that the project is not appropriately considered a by-right project.
- The project site is located directly adjacent to the Trebek Open Space. The currently undeveloped lot includes significant wildlife habitat, and development impacts on wildlife movement and habitat, including impacts due to required brush clearance and potential installation of fencing, lighting, and other development features associated with the project, are cause for great concern and constitute an unusual circumstance. A categorical exemption is thus an inappropriate environmental clearance for the project.²
- The project site is adjacent to the Castair Drive public trail within the Trebek Open Space, and the proposed development would thus adversely affect use of a public trail resource, also strongly supporting that a categorical exemption is inappropriate due to potentially significant environmental impacts to the trail and its users.³
- The proposed project appears to exceed the Los Angeles Municipal Code (“LAMC”) limit for number of retaining walls.
- Substantial evidence supports that the hillside roadway leading to the project site is substandard (improved to a width of less than twenty feet in several locations), thus requiring a discretionary Zoning Administrator waiver (triggering environmental review). Alternately, the applicant could construct the required roadway improvements, which

¹ The Federation incorporates by reference all letters objecting to the proposed project submitted by community members and their representatives, as well as a letter from Paul Edelman, MRCA Chief of Natural Resources and Planning, letter to Niloofar Mehrain, LADBS (March 22, 2019) (“Edelman letter”). In particular, the Federation adopts any and all comments with respect to the inadequacy of the project’s environmental review.

² See Edelman letter.

³ *Ibid.*

would cause additional grading and other impacts and perhaps require installation of additional retaining structures (also triggering environmental review).

Based on all of the above, the Federation urges the City to cease processing the proposed project as a by-right project and instead undertake appropriate discretionary review of the project, including thorough environmental review.

Sincerely,



Charley Mims

By email to:

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