

Application, Justification, and Supporting Documents submitted by

Appellant #2: Garret Weinstein, MRCA

Appeal Case No. APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD-1A

APPLICATIONS



APPEAL APPLICATION Instructions and Checklist

PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals use form CP13-7854.

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC) ☐ City Planning Commission (CPC) ☒ City Council
☐ Zoning Administrator (ZA)

CASE INFORMATION

Case Number: APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, ENV-2016-4180-EIR

APN: 5572-024-006

Project Address: 3003 North Runyon Canyon Road

Final Date to Appeal: October 18, 2024

APPELLANT

Check all that apply.

- ☒ Person, other than the Applicant, Owner or Operator claiming to be aggrieved
☐ Representative ☐ Property Owner ☐ Applicant ☐ Operator of the Use/Site

APPELLANT INFORMATION

Appellant Name: Garrett Weinstein

Company/Organization: Mountains Recreation and Conservation Authority

Mailing Address: 26800 Mulholland Highway

City: Calabasas State: CA Zip Code: 91302

Telephone: 310-589-3230 x124 E-mail: garrett.weinstein@mrca.ca.gov

Is the appeal being filed on your behalf or on behalf of another party, organization, or company?

☐ Self ☒ Other: Mountains Recreation and Conservation Authority

Is the appeal being filed to support the original applicant's position?

☐ YES

☒ NO

REPRESENTATIVE / AGENT INFORMATION

Name: _____

Company/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____ E-mail: _____

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?

☒ Entire

☐ Part

Are specific Conditions of Approval being appealed?

☐ YES

☒ NO

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true.

Appellant Signature: Garrett Weinstein Digitally signed by Garrett Weinstein
Date: 2024.10.07 15:03:17 -07'00' **Date:** 10/7/2024

GENERAL NOTES

A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

THIS SECTION FOR CITY PLANNING STAFF USE ONLY

Base Fee: \$172

Reviewed & Accepted by (DSC Planner): Jason Chan

Receipt No.: 200161082186 **Date:** 10/18/24

☐ Determination authority notified ☐ Original receipt and BTC receipt (if original applicant)

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our [Online Application System \(OAS\)](#).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

- ☐ Appeal Application
- ☐ Justification/Reason for Appeal

- ☐ Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- ☐ Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., “Appeal Form”, “Justification/Reason Statement”, or “Original Determination Letter”). No file should exceed 70 MB in size.

3. Appeal Fee

- ☐ *Original Applicant.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(a), or a fee equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.
- ☐ *Aggrieved Party.* The fee charged shall be in accordance with LAMC Section 19.01 B.1(b)

4. Noticing Requirements (Applicant Appeals Only)

- ☐ *Copy of Mailing Labels.* All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all Applicant appeals.
- ☐ *BTC Receipt.* Proof of payment by way of a BTC Receipt must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant to City Planning’s mailing contractor (BTC).

See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.

SPECIFIC CASE TYPES

ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to LAMC Section 13B.2.5. (Director Determination) of Chapter 1A or LAMC Section 13B.3.3. (Class 3 Conditional Use) of Chapter 1A as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.

- ☐ Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to LAMC Section 12.37 I of Chapter 1.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant LAMC Section 13B.7.3.G. of Chapter 1A.

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to LAMC Section 13B.6.2.G. of Chapter 1A. Nuisance Abatement/Revocations cases are only appealable to the City Council.

Appeal Fee

- ☐ *Applicant (Owner/Operator)*. The fee charged shall be in accordance with the LAMC Section 19.01 B.1(a) of Chapter 1.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under LAMC Section 19.01 B.1(a) of Chapter 1 shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

- ☐ *Aggrieved Party*. The fee charged shall be in accordance with the LAMC Section 19.01 B.1(b) of Chapter 1.



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

King Gillette Ranch
26800 Mulholland Highway
Calabasas, California 91302
PHONE (818) 878-0886

October 16, 2024

Los Angeles City Council
via Los Angeles City Clerk and Department of City Planning
City of Los Angeles
200 North Spring Street, Room 360
Los Angeles, California 90012

Justification for Appeal of APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, ENV-2016-4180-EIR, 3003 North Runyon Canyon Road

Honorable Councilmembers:

This appeal by the Mountains Recreation and Conservation Authority (MRCA) seeks to reverse the decision by the South Valley Area Planning Commission (SVAPC) approving Case Nos. APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD and ENV-2016-4180-EIR, made at the August 8, 2024 hearing, for the project located at 3003 North Runyon Canyon Road. This erroneous decision by the SVAPC permits multiple variances and deviations from Los Angeles Municipal Code, and a Specific Plan Exception to the Mulholland Scenic Parkway Specific Plan, all for the sake of allowing a second single-family residence to be constructed on an already developed property.

The MRCA is a local public agency exercising joint powers of the Santa Monica Mountains Conservancy, the Conejo Recreation & Park District, and the Rancho Simi Recreation & Park District pursuant to Section 6500 et seq. of the Government Code. The MRCA submitted multiple fair arguments before and during the August 8, 2024 SVAPC hearing regarding the subject project's unmitigable significant adverse biological and visual impacts to Runyon Canyon Park, and to the Mulholland Scenic Corridor. By reference we incorporate the arguments in our August 5, 2024 letter to the SVAPC, and from our July 1, 2020 letter to the Mulholland Design Review Board, respectively.

The Santa Monica Mountains Conservancy (Conservancy) likewise made multiple fair arguments regarding the significant adverse impacts of the subject proposed project in its letter from May 16, 2022 regarding the Final Environmental Impact Report (FEIR). The FEIR remains deficient and fatally flawed under the California Environmental Quality Act (CEQA) in multiple respects, and should not have been certified. The Conservancy is a California Environmental Quality Act (CEQA) Trustee Agency for projects potentially affecting natural resources in the precisely-mapped Santa Monica Mountains Zone, per the Conservancy Act (Public Resources Code (PRC) Section 33000, et seq).

These fair arguments were either ignored or disregarded with faulty justification and without analysis in the August 8, 2024 staff report provided to the SVAPC. The SVAPC

Los Angeles City Council
Justification for Appeal of APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD
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did not discuss or show any sign that they considered these fair arguments during the August 2024 hearing.

In particular, the FEIR's deficient analysis of alternative projects fails to analyze an adequate number of feasible alternatives which would not require the Zoning Administrator's Determination for excessive amounts of grading, or the Specific Plan Exception for construction on a Prominent Ridgeline. The approval of the Zoning Administrator's Determination to allow over 28,000 cubic yards of grading, combined with the Specific Plan Exception to allow grading and construction within 50 feet of a Prominent Ridgeline essentially makes a sham of the Baseline Hillside/Ridgeline Ordinances and the Mullholland Scenic Parkway Specific Plan, etc. This creates a dangerous precedent whereby the City will now have to justify denying similar requests to applicants in the future. The SVAPC's erroneous approval of the subject project erodes existing Hillside and Scenic Corridor protections. The development of the project as approved will greatly impact the thousands of Los Angeles community of park visitors (both during and post construction), as well as wildlife in the Runyon Canyon habitat block.

The City has no obligation to approve a discretionary project that significantly degrades public resources without offering significant public benefits in return. There is no public policy justification for approving such a gift of public resources for private gain.

If you have any questions or clarifications, please contact me at 310-589-3230, ext. 124, or by e-mail at garrett.weinstein@mrca.ca.gov. Paul Edelman, Chief of Natural Resources and Planning may also be contacted at 310-589-3230, ext. 128, or at edelman@mrca.ca.gov. Further correspondence regarding the subject project may also be sent to my attention at the above letterhead address. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Garrett Weinstein".

Garrett Weinstein
Project Analyst



MOUNTAINS RECREATION & CONSERVATION AUTHORITY
King Gillette Ranch
26800 Mulholland Highway
Calabasas, California 91302
PHONE (818) 878-0886

August 5, 2024

South Valley Area Planning Commission
c/o Ms. April M. Hood, Commission Executive Assistant
City of Los Angeles
6262 Van Nuys Boulevard, Room 430
Van Nuys, California 91401

**APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, ENV-2016-4180-EIR,
3003 Runyon Canyon Road**

Dear President Barraza and Commissioners:

The Mountains Recreation and Conservation Authority (MRCA) opposes the Specific Plan Exception sought by the applicant in connection with the subject proposed project at 3003 Runyon Canyon Road (Case Nos. APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, ENV-2016-4180-EIR), located in the single most visually prominent location in the most frequently visited natural public park in the City of Los Angeles. The subject project, which proposes to add a large second single-family residence onto a prominent ridgeline property, would result in unmitigable significant adverse biological and visual impacts to Runyon Canyon Park and the Mulholland Scenic Corridor.

The subject property is essentially an island of private property on a mountaintop surrounded by Runyon Canyon Park and the Runyon Canyon core wildlife habitat area. A highly used public trail wraps around this island. The applicant's submitted project Elevation Plans, contained in Exhibit A to the staff report (pages A3 through A3.4A), show how the looming new structure and permanent fuel modification zones would completely alter the visual experience in Runyon Canyon Park for the worse. A permanent three-acre fuel modification scar would stick out like a sore thumb in the chaparral environment in perpetuity.

The applicant has not gone the extra mile to propose a second house with the smallest possible visual and fuel modification zone footprints. Why vote to destroy the ambience of Runyon Canyon Park when the City is under no obligation to approve the subject discretionary project? It is that simple of an equation. The City has no obligation to approve a discretionary project that significantly degrades public resources without offering significant public benefits in return; and there is no public policy justification for approving such a gift of public resources for private gain. The applicant was fully aware of the subject property's limitation for further development when they acquired it. The argument of one luxury house that ruins a premier natural park helping with the housing crisis is a sad argument.

South Valley Area Planning Commission
c/o Ms. April M. Hood, Commission Executive Assistant
APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, ENV-2016-4180-EIR,
3003 Runyon Canyon Road
August 5, 2024
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The Santa Monica Mountains Conservancy addressed the multiple deficiencies of the Final Environmental Impact Report (FEIR) in its letter from May 16, 2022. Even with the recently proposed reduced size project, the FEIR remains deficient and fatally flawed under the California Environmental Quality Act (CEQA) in multiple respects and should not be certified. The deficiencies and flaws in the FEIR should pose questions as to whether each of the requested Discretionary Actions, especially the Specific Plan Exception to allow construction within 50 feet of a prominent ridge in the Mulholland Scenic Parkway, are necessary for the property owner to attain adequate use of a residential property which was already developed long ago.

If you have any questions or clarifications, I may be contacted at 310-589-3230, ext. 128, or by e-mail at edelman@smmc.ca.gov. Thank you for your time and consideration.

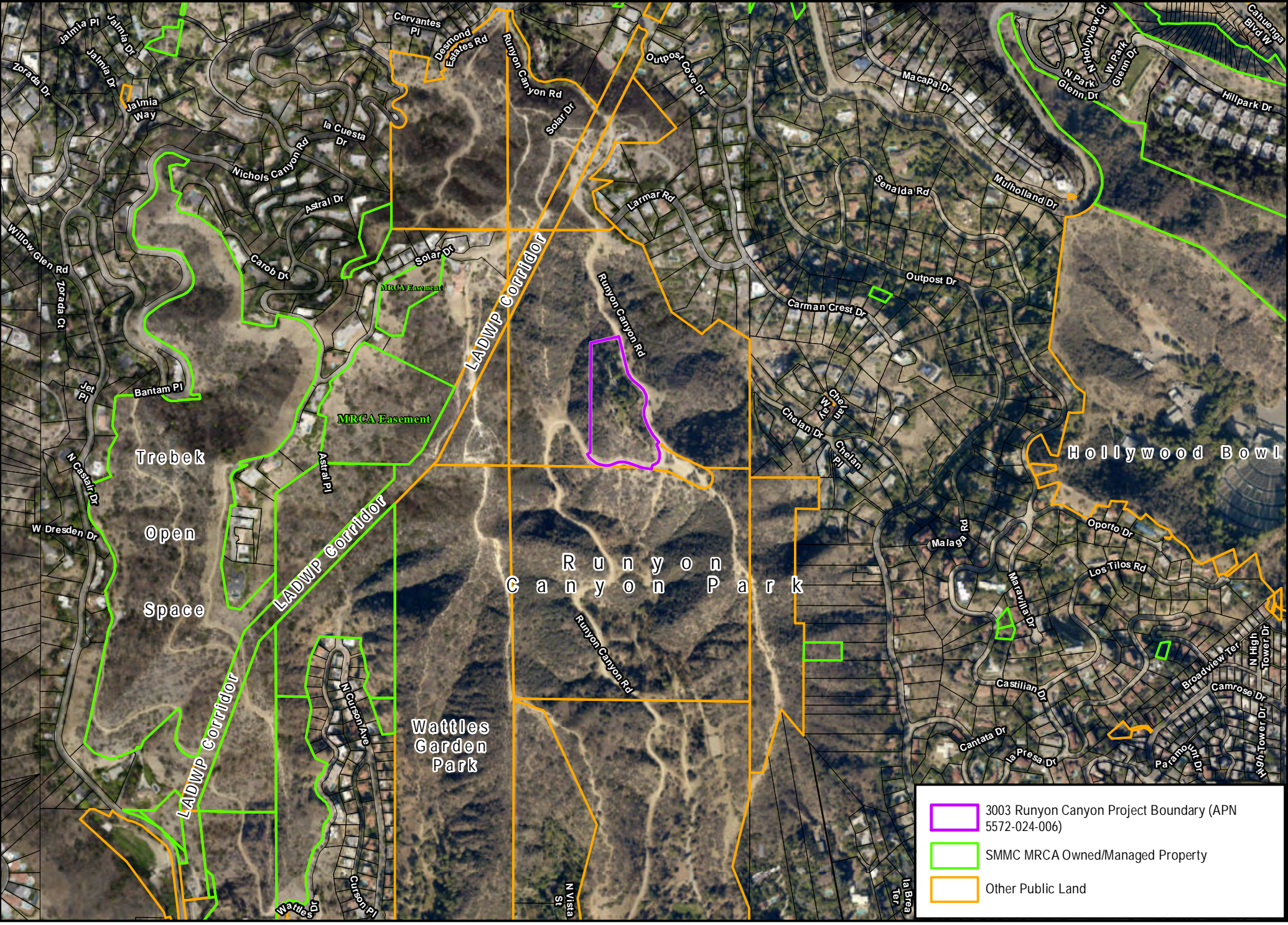
Sincerely,



Paul Edelman
Chief of Natural Resources and Planning

Attachments: A – Aerial Map of Subject Property and Surroundings
 B – Santa Monica Mountains Conservancy Letter on FEIR, May 16, 2022

cc: Katie Knudson, Department of City Planning



3003 Runyon Canyon Project Boundary (APN 5572-024-006)

SMMC MRCA Owned/Managed Property

Other Public Land

SANTA MONICA MOUNTAINS CONSERVANCY

LOS ANGELES RIVER CENTER & GARDENS
570 WEST AVENUE TWENTY-SIX, SUITE 100
LOS ANGELES, CALIFORNIA 90065
PHONE (323) 221-8900
FAX (323) 221-9001
WWW.SMMC.CA.GOV



May 16, 2022

Ms. Erin Strelch
Major Projects Section
Department of City Planning
City of Los Angeles
200 North Spring Street, Room 1350
Los Angeles, California 90012

ENV-2016-4180-EIR, SCH no. 2018041016, 3003 Runyon Canyon Road

Dear Ms. Strelch:

The Santa Monica Mountains Conservancy (Conservancy) provides comments and recommendations on the Final Environmental Impact Report (FEIR) for the subject proposed project at 3003 Runyon Canyon Road (ENV-2016-4180-EIR), located half a mile interior to Runyon Canyon Park. The Conservancy is a California Environmental Quality Act (CEQA) Trustee Agency for projects potentially affecting natural resources in the precisely-mapped Santa Monica Mountains Zone, per the Conservancy Act (Public Resources Code Section 33000, et seq). The Conservancy is also the principal State planning agency in the Santa Monica Mountains Zone, which includes Runyon Canyon Park where the subject property is located as a private in-holding.

The Conservancy previously submitted comments and recommendations on the Draft Environmental Impact Report (DEIR) for the subject project in our letter dated September 23, 2019. This letter is intended to complement that 2019 DEIR letter.

The FEIR remains deficient and fatally flawed under CEQA in multiple respects and should not be certified. The deficiencies and flaws in the FEIR should pose questions as to whether each of the requested Discretionary Actions, especially the Specific Plan Exception (SPE) to allow construction within 50 feet of a prominent ridge in the Mulholland Scenic Parkway, are necessary for the property owner to attain the full use of the already developed subject property.

As currently proposed, the significant adverse impacts from the subject project, even if mitigated, would result in offsite damage to public resources within Runyon Canyon Park. These damages would result from the aesthetic/visual impacts both from the

visibility of the project itself, and additional Fire Department-required fuel modification (brush clearance) on the surrounding parkland. Damages to biological resources would result from brush clearance on parkland, nighttime lighting impacts from the use of the additional residence on the subject property, and increased usage of Runyon Canyon Drive to access the subject property during and after construction. Damage to visual and biological resources within Runyon Canyon Park also equate to damage to recreational resources in the one of the City's most popular hiking locations. Why would the City grant discretionary approvals to a project that would damage the resources of one of its most iconic public parks?

Misleading Project Description Due to False Basement

The project plans for the proposed 5,511 square-foot "basement" clearly depict a section of floor-to-ceiling windows which would be visible exterior to the residence. This false basement makes the subject proposed project a three-story residence, and the 5,511 square-footage of the bottom-most floor is not included in the square-footage for project provided in the Description. This omission makes the Project Description in the FEIR wholly deficient for falsely describing the project as a two-story residence with 6,982 square-feet of living space.

Inadequate Range of Feasible Alternative Projects

The FEIR, like the DEIR, makes the misleading claim that Alternative B: Reduced Size Project, described as the "Environmentally Superior Alternative", would result in the same environmental impacts as the primary Project, despite reducing the square-footage of the residence by 30 percent. Alternative B remains a disingenuous feign of an attempt to provide decision makers with the appearance of a less damaging project. The 30 percent size reduction still only applies to the 8,990 square-foot residence and does not address reductions to the proposed 6,454 square-feet of covered patio area, 2,475 square-foot of mechanical/electrical area, and 5,207 square-feet of basement. Nor does it address the approximately one-acre fill slope and its parallel 300-foot-long and ten-foot-tall retaining walls.

What the FEIR continues to fail to address is whether a reduced size project could be located elsewhere within the subject property so as to 1) eliminate construction activities within 50 feet of the prominent ridgeline, and/or 2) eliminate the need for the three retaining walls requested as a Zoning Administrator's Determination (ZAD).

A true reduced-size project with alternate siting that conforms to the topography of the subject property could reduce the damages that would result to public resources in

Runyon Canyon Park from brush clearance, lighting impacts, increased usage of Runyon Canyon Road, and visual impacts from the proposed residence itself. The burden of proof that such a project alternative would not reduce these adverse impacts and limit damages to public parkland lies squarely with the applicant. The FEIR is deficient for omitting any consideration of a true reduced-size project with alternative siting.

In the response to the Conservancy's 2019 letter on the DEIR (Response to Comment A3-6), the FEIR attempts to deflect from this responsibility by claiming that the two project alternatives (B and C) analyzed in the DEIR represent a reasonable range of project alternatives. (Alternative A: The "No Project" Alternative, is simply the standard perfunctory analysis of not implementing any project on the subject property that is common to all Environmental Impact Reports.) A truly reasonable range of feasible alternative projects for an already developed property that is interior to public parkland within the City's premier Scenic Corridor (Mulholland) would include an alternative that avoids construction and soil work impacts within 50 feet of a prominent ridgeline and limits the number of required retaining walls.

If there is no feasible alternative that could meet those requirements, this must be demonstrated by detailed analysis in the FEIR. By omitting this analysis, the FEIR has failed to demonstrate that a less damaging project with reduced square-footage is not feasible.

Inadequate Drainage Plans and Unanalyzed Significant Impacts

The FEIR remains flawed because there is still no analysis of how the project's drainage and runoff will be handled when it contacts public parkland. There are multiple potential biological, geological, recreational, and visual impacts that could result from the handling of onsite runoff, and the full extent of the damage to public parkland from additional run-off cannot be gauged without this analysis. This was a major omission in the DEIR, and it is a critical deficiency in the FEIR.

In the Responses to Comments (B1-67), the FEIR provides only the vague answer that the project will comply with City requirements for drainage after the final engineering for the project is complete. If the City determines that drainage structures such as concrete V-ditches or energy dissipaters are required where run-off from the approximately one-acre fill slope contacts parkland, these are potentially significant adverse impacts that must be addressed in the FEIR.

Significant Impacts to Public Parkland from Lighting and Increased Road Usage

Both the subject proposed project and Alternative B would introduce a substantially greater total amount of light into the Runyon Canyon Park habitat area no matter how well a project of that size is mitigated shy of having no windows. In addition, cars and delivery vehicles potentially using high beams would use the public road through the park at night. There are no vehicle trip number or time limitations in either the day or nighttime. Although the park is closed at night, it is a public resource, and by permission, researchers and groups can take night hikes in the park. An area that is now quite dark would experience substantial irreversible change in night illumination and thus result in substantial dark sky impacts and nighttime enjoyment of the park. For the above reasons both the proposed project and all its development alternatives would result in unavoidable significant adverse visual impacts.

The FEIR remains deficient because it continues to base multiple impact analyses, including analysis of nighttime lighting impacts, on the premise that just one couple (the current owners) will permanently occupy both residences. The FEIR analysis on traffic relative to biological, visual, and recreation impacts does not address the probable scenario that the house will host larger families and large parties in the near term. All the mitigation measures and analyses in the FEIR that address impacts from lighting and traffic are flawed because the traffic and visitor volumes cannot be controlled or enforced by the lead agency. Some limits must be established to make impact analysis conclusions.

To ensure that North Runyon Canyon Road is never lit, the FEIR must include a mitigation measure that prohibits lighting of the road to benefit the proposed project property. Though no lighting of North Runyon Canyon Road is currently proposed, there would otherwise be no restrictions preventing future owners of the subject property from installing their own lighting fixtures without the need for permits or future discretionary actions by the City.

To reduce the adverse impacts of increased use of North Runyon Canyon, the Conservancy recommends that the FEIR include a mitigation measure limiting the total number of permanent residents permitted to live in the existing and subject proposed residences at 3003 Runyon Canyon Road.

Please send all correspondence regarding this project, including hearing notices, to the attention of Paul Edelman, Deputy Director of Natural Resources and Planning, at 26800 Mulholland Highway, Calabasas, California 91302, or by e-mail to

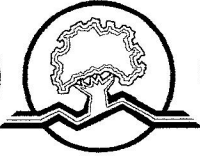
ENV-2016-4180-EIR, SCH no. 2018041016, 3003 Runyon Canyon Road
May 16, 2022
Page 5

edelman@smmc.ca.gov. Conservancy staff may submit additional comments on the FEIR to decision-makers in advance of future public hearings.

Sincerely,

A handwritten signature in black ink that reads "Linda Parks". The signature is fluid and cursive, with the first name "Linda" and last name "Parks" clearly legible.

LINDA PARKS
Chairperson



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

Ramirez Canyon Park
5810 Ramirez Canyon Road
Malibu, California 90265
Phone (310) 589-3230 Fax (310) 589-3237

July 1, 2020

Mulholland Design Review Board
c/o Mr. Dominick Ortiz
City of Los Angeles
6262 Van Nuys Boulevard, Suite 430
Van Nuys, California 91401

APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, 3003 Runyon Canyon Road

Dear Design Review Board Members:

The staff of the Mountains Recreation and Conservation Authority (MRCA) offers comments and recommendations on the subject proposed project at 3003 Runyon Canyon Road (APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD), surrounded by one of the City's most popular and iconic public parks. The construction of a second single-family residence on the already developed subject property will result in significant adverse environmental impacts to the prominent ridgeline that bisects the subject property, and to public parkland. We urge the Design Review Board (Board) and the applicant to minimize those adverse impacts to the greatest extent possible, which can be achieved most directly by reducing the size of the subject project.

At the August 15, 2015 preliminary hearing for the subject project, the Board recommended that the size of the project be reduced to 5,500 square-feet. MRCA staff recommends that the project be held to that number of square feet as a hard maximum for Residential Floor Area (RFA). Limiting the RFA would reduce a number of adverse impacts of the project, including the amount of grading and earthwork near the prominent ridgeline, the visual intrusion into the viewshed of Runyon Canyon Park's trails, and the impacts of nighttime lighting on wildlife movement.

A project of reduced size would also result in reduced Fire Department-required fuel modification (brush clearance). As proposed, the subject project would result in a brush clearance zone of approximately three acres, which would impact the chaparral habitat located both onsite, and on public parkland. Even that RFA of 5,500 square-feet should only be permitted for a project that demonstrates the optimum siting on the property for reducing the above-mentioned impacts to public resources.

The Santa Monica Mountains Conservancy (Conservancy) has previously commented on the multiple deficiencies of the subject project's Draft Environmental Impact Report (DEIR) in a letter dated September 23, 2019. While environmental review is typically outside the purview of the Board, the impacts of the subject project to the prominent

Mulholland Design Review Board
APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD, 3003 Runyon Canyon Road
July 1, 2020
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ridgeline and to public parkland are fully within the purview of the Mulholland Scenic Parkway Specific Plan, as described under sections 5B.1, 5B.3, and 6B.

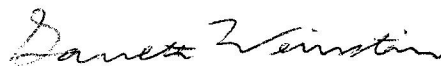
We incorporate by reference the comments from the Conservancy's September 23, 2019 letter regarding impacts to Runyon Canyon Park, the impacts to the prominent ridgeline, and the requested Specific Plan Exceptions. The applicant is responsible for demonstrating that the subject project makes every effort to minimize impacts to these public resources.

An approval of the subject proposed project would normally requires sets of findings for Prominent Ridgelines under Specific Plan sections 5B.1.a, 5B.1.b, and 6B. The applicant is seeking a Specific Plan Exception because those findings cannot be made for the subject project. The subject project, at its current proposed size, is an attempt to stretch the limits of living space on the already developed subject property beyond the site's environmental constraints. The project, as currently proposed, does not warrant a Specific Plan Exception.

An approval of the subject proposed project also requires findings for Projects Near Parklands under Sections 5B.3, and 6B of the Specific Plan. A finding for 5B.3.c "The project preserves the natural vegetation and the existing ecological balance" should not be made for a project adjacent parkland that would significantly, and unnecessarily, increase the amount of brush clearance on public parkland.

If you have any questions or clarifications, I may be contacted at 310-589-3230, ext. 124, or by e-mail at garrett.weinstein@mrca.ca.gov. Alternately, Paul Edelman, Chief of Natural Resources and Planning can be reached by e-mail at edelman@smmc.ca.gov. Thank you for your time and consideration.

Sincerely,



Garrett Weinstein
Project Analyst

Attachments: A – Aerial Map of Subject Property and Surroundings
 B – Letter from Santa Monica Mountains Conservancy, 9-23-2019

CC: Ms. Emma Howard, Director of Planning, Council District 4