

## Communication from Public

**Name:**

**Date Submitted:** 02/05/2025 04:09 PM

**Council File No:** 24-1371

**Comments for Public Posting:** To the Los Angeles City Council, My name is Monty Soladay, and I am writing to express my strong support for the Valencia family's proposed development. My relationship to the family stems from being friends and roommates with Clinton Valencia 3 years ago. Extending my visit to meet his family at his home, I found the Valencias to be kind and generous, and ever since I've known them they've always been welcoming. Objectively, The Valencia's proposed project would not harm the environment nor disturb the atmosphere of the park. It's important to consider objectivity in this matter, especially because past comments about the proposed project have targeted the family rather than the home. While the new home will be built on private property, Mr. Valencia is fully aware of the potential impact on the public and has taken thoughtful steps to mitigate any issues. Being a hiker myself, I disagree that the proposed project would greatly affect the daily livelihood of walkers. The Valencia's have demonstrated considerable responsiveness to the feedback from both the board and the community. They have revised the original plans because they genuinely care of the concerns of the community. The Valencias' willingness to delay and modify the project repeatedly is a clear indication of his respect for others and his dedication to finding a solution that benefits everyone. Thank you for considering my perspective. I hope you will support Mr. Valencia and his family in moving forward with their project. Sincerely, Monty Soladay

## Communication from Public

**Name:** Chris Parker

**Date Submitted:** 02/04/2025 11:48 AM

**Council File No:** 24-1371

**Comments for Public Posting:** More than 120 nearby residents support this project. See attached.

January 6, 2020

City of Los Angeles Planning Department  
Councilman David Ryu, District 4  
Mulholland Design Review Board  
200 N Main Street Room 425  
Los Angeles, CA 90012

Dear All,

This letter is to show my support for the proposed project located at 3003 Runyon Canyon. My family has owned a condo on Camino Palmero for many years and we often hike Runyon Canyon. The proposed project is an incredible design, and the location is less impactful to our community than if the house were on top of the hill. I do not see any downside to the approval of this project and I support it entirely.

Howard Brenner

1730 Camino Palmero  
Los Angeles, 90046

July 24, 2024

South Valley Area Planning Commission

Case Number: ENV-2016-4180-EIR

RE: APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD; DIR-2015-1419-DRB-MSP-P; 3003 N. Runyon Canyon Road, RE40-1-H, (CD 4), APN: 5572024006

Dear Commissioners,

I am John Randal Kleiser, a neighbor of Mr. Manny Valencia. I have known Mr. Valencia and his family for many years. Throughout the project of their new house, the Valencias have demonstrated great sensitivity and respect for the ecological and historical value of Runyon Canyon Park.

Mr. Valencia has consistently kept me informed of any progress with the project and has always been open to my questions, concerns, and suggestions. His dedication and effort to design a house that is respectful to the environment and the Park's natural landscape have been commendable.

I truly believe that the Valencias have found the ideal design for their home – an elegant and modern house that will perfectly blend with the mountain and its surroundings. I am happy to say that I fully support the construction of this new house.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Kleiser', with a stylized flourish at the end.

John Randal Kleiser

July 24, 2024

South Valley Area Planning Commission

Case Number: ENV-2016-4180-EIR

RE: APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD; DIR-2015-1419-DRB-MSP-P; 3003 N. Runyon Canyon Road, RE40-1-H, (CD 4), APN: 5572024006

Dear Commissioners,

I work for the Valencias' neighbor, John Randal Kleiser, and have known Mr. Valencia and his family for many years.

Since they began the project of their new house, the Valencias have shown great sensitivity and respect for protecting the ecological and historical value of the Runyon Canyon Park.

Mr. Valencia has personally informed us of any progress with the project and has always been open to our questions, concerns, and suggestions. His dedication and effort to design a house that was respectful to the environment and the Park's natural landscape have been praiseworthy.

I truly believe that the Valencias have found the ideal design for their home. An elegant and modern house that will perfectly blend with the mountain and its surroundings.

I'm happy to say that I fully support the construction of this new house.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mani', with a stylized flourish extending to the right.

Mani Perezcarro



## Support email for 3003 N Runyon Canyon Rd Agenda. APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD Case number ENV-2016-4180-EIR

Tracey Pence <traceysellsLA@gmail.com>

Mon, Jul 22, 2024 at 11:31 AM

To: apcsouthvalley@lacity.org, Blake.Lamb@lacity.org, Claudia.Rodriguez@lacity.org, Katie.Knudson@lacity.org

Cc: Manny Valencia <clintonhomesluxury@hotmail.com>

April Hood, Blake Lamb, Claudia Rodriguez, Katie Knudson and South Valley APC Council Members,

My name is Tracey Pence and I am writing this in support of the project at [3003 N Runyon Canyon Rd](#). It has been several years since Mr. Valencia and his family have first proposed this addition to his property. Over the years I have seen firsthand on my daily hikes how he has improved the subject property as well as the park itself. For years prior to his ownership the hillside was in disarray and eroding. His considerate stewardship to keeping the property maintained and thus improving the environment of the park cannot be discounted. I am sure he will maintain this type of respect for his property and the park with all decisions re: the new structure.

As you know he has pared down the original plan considerably. He listened and took into consideration the board and community notes in all revisions. His home is on private property but he is well aware that his changes may affect the public. His thoughtful actions and consideration of others is clearly shown by his many years of delay and adjustments to the plans. I feel his intentions are for the good of all and I propose we allow he and his family to move forward with building their new home.

I apologize in advance that because of a scheduling conflict I may not be able to attend the meeting on Thursday, August 8<sup>th</sup> in person. However, I welcome any follow up questions please feel free to call me at 323-309-4585

Sincerely,

Tracey Pence



Tracey Pence

CEO • REALTOR®

323.309.4585

TraceySellsLA@gmail.com

www.TraceySellsLA.com

118 N Larchmont Blvd. Los Angeles, CA 90004

DRE # 01725418



April Hood <april.hood@lacity.org>

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**Re: 3003 Runyon Canyon Road - APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD**

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nicholas kirkwood <nk01email@gmail.com>

Fri, Aug 2, 2024 at 10:45 PM

To: "april.hood@lacity.org" <april.hood@lacity.org>, "blake.lamb@lacity.org" <blake.lamb@lacity.org>, "claudia.rodriguez@lacity.org" <claudia.rodriguez@lacity.org>, "Katie.Knudson@lacity.org" <Katie.Knudson@lacity.org>, "clintonhomesluxury@hotmail.com" <clintonhomesluxury@hotmail.com>

Dear South Valley Area Planning Commission,

My name is Nicholas Kirkwood and my property is on Laurelmont Drive in Laurel Canyon, but i used to live on Solar Drive overlooking the property of the Valencia family.

I am writing today to express my strong support for the Valencia family's home project. I particularly commend the property owners for their 10-year commitment to conducting and submitting comprehensive studies to the City to secure approval for their home.

They have gone way and beyond in making sure the home doesn't impact the community nor environment. In addition this project has been approved by Mulholland Design Review Board ensuring it meets all the requirements. I fully support this project and ask for your approval.

Thank you and best regards,

Nicholas

Sent from [Outlook for iOS](#)



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Georgia Dozier** <georgiajdozier@gmail.com>

Mon, Jul 29, 2024 at 11:40 PM

To: "apcsouthvalley@lacity.org" <apcsouthvalley@lacity.org>, "blake.lamb@lacity.org" <blake.lamb@lacity.org>, "claudia.rodriguez@lacity.org" <claudia.rodriguez@lacity.org>, "Katie.Knudson@lacity.org" <Katie.Knudson@lacity.org>, "clintonhomesluxury@hotmail.com" <clintonhomesluxury@hotmail.com>, "stacey@brennerconsultinggroup.com" <stacey@brennerconsultinggroup.com>

Dear South Valley Area Planning Commission,

My name is Georgia Dozier, and I am a resident of Larchmont and a lover of Runyon Canyon Park. I am writing to express my strong support for the Valencia Family's home project. I particularly commend the property owners for their nearly ten-year commitment to conducting and submitting comprehensive studies to the City to secure approval for their development. Please consider this email as an affirmation of my support.

Best,

Georgia Dozier





Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Joie Roe** <joieroe@gmail.com>

Mon, Jul 29, 2024 at 10:52 AM

To: apcsouthvalley@lacity.org

Cc: kidsact2@live.com

My name is Joie and I'm from the LA area. I enjoy walking Runyon Canyon Park with my dog Nobu. The proposed home to be built, would blend in with the landscape.

The owner of the property has gone to great length to meet all the requirements to build the home. He is conscious of the environment, and the property will have a beautiful designed home.

I'm happy to support this project.



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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Kevin Forbath <kevinforbath@gmail.com>

Mon, Jul 29, 2024 at 7:40 PM

To: "apcsouthvalley@lacity.org" <apcsouthvalley@lacity.org>

Cc: Katie.Knudson@lacity.org, blake.lamb@lacity.org, Claudia.Rodriguez@lacity.org

South Valley Area Planning Commission,

My name is Kevin Forbath, and I am writing to express my strong support for the Valencia family's proposed project. Regrettably, I am unable to attend in person, but I hope this letter conveys my trust in their vision.

As an enthusiast of real estate, I was immediately struck by the Valencia family's dedication to preserving the natural beauty of their property. From the moment I first visited their home, I was impressed by how seamlessly it blends into the surrounding park. Manuel Valencia and his family have shown a deep commitment to maintaining the ambiance of Runyon Canyon, ensuring that their project respects and enhances the environment. This house will be a cornerstone for generations of the family to come.

The Valencia family's approach to this project is characterized by humility and a genuine desire to put the park's well-being above all else. Their intentions are pure, aiming to minimize environmental impact while creating a home that complements the natural landscape. Knowing the challenges they have faced in getting this project approved, I can attest to their resilience and dedication.

Every visit to their home has reinforced my admiration for the Valencias. They have always welcomed me with open arms, treating me like one of their own. Their generosity, warmth, and authenticity are evident in every interaction. Above all, their love for the park is unparalleled. The last thing they would want is to disrupt the peace and harmony of the community with their project.

I endorse the approval of this project. The Valencias have consistently demonstrated respect and care for both the environment and the community. Their proposed home is thoughtfully designed to integrate seamlessly with the natural surroundings, and I am confident it will be a positive addition to the area.

Sincerely,  
Kevin Forbath



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Leah Pardo** <leahpardo1@gmail.com>

Mon, Jul 29, 2024 at 9:58 PM

To: apcsouthvalley@lacity.org

Cc: Blake.Lamb@lacity.org, Claudia.Rodriguez@lacity.org, Katie.Knudson@lacity.org

Hello my name is Leah Pardo, and I am a resident of Los Feliz and an avid hiker of Runyon Canyon Park. Consider this my letter of support for the Valencia family's proposed plans for 3003 Runyon. They have gone to great lengths to create a non-invasive construction plan that respects hikers and surrounding neighbors. They have also spent eight years revising their plans to meet the requirements of the city. The Valencia family's commitment to preserving the natural beauty of the area is evident in their meticulous planning and thoughtful design. This project deserves to be approved.

Thank you for your time and consideration,  
Leah Pardo



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Lynn Yasuda** <lynn.yasuda@gmail.com>

Wed, Jul 31, 2024 at 1:43 AM

To: apcsouthvalley@lacity.org, Blake.Lamb@lacity.org, Claudia.Rodriguez@lacity.org, Katie.Knudson@lacity.org, clintonhomesluxury@hotmail.com, Stacey@brennerconsultinggroup.com

Dear South Valley Area Planning Commission,

My name is Lynn Yasuda. I am writing to express my strong support for the Valencia Family's home project. The property owners have spent almost a decade compiling and submitting detailed studies to the City in their quest for development approval. Supporting such initiatives not only enhances our neighborhood but also encourages responsible development practices.

Best,  
Lynn



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Nick Graessle** <nicholastgraessle@gmail.com>

Mon, Jul 29, 2024 at 4:42 PM

To: apcsouthvalley@lacity.org

Cc: Blake.Lamb@lacity.org, Katie.Knudson@lacity.org, Claudia.Rodriguez@lacity.org

South Valley Area Planning Commission,

I am Nick Graessle, and I am writing to express my strong support for the Valencia family's proposed development. Being a premed college student, I've been fortunate enough to receive an education at UCLA where my leadership activities have been diverse and oriented in community engagement. One of these involvements is Camp Kesem, an organization set to help kids whose life has been affected by cancer. This experience has given me perspective, and truly bestowed a great deal of humility and appreciation for life. Thus I feel confident in saying since I've known the Valencias, all I've witnessed is a genuine humbleness and care for the Runyon Canyon community.

From my first visit to their home, I was impressed by how harmoniously it integrates with the surrounding parkland. Manuel Valencia and his family have shown a profound dedication to maintaining Runyon Canyon's atmosphere – even making their own additions to the property which have only enhanced the park. This home is poised to become a cherished legacy for future generations of the Valencia family to come, and their family deserves this after the dedication and care they've put in.

The Valencia family's approach to this project is marked by a sincere desire to prioritize the well-being of the park above all else. Their intentions are genuinely focused on minimizing environmental impact while creating a residence that complements the natural landscape. Despite the challenges they have encountered in seeking approval for this project, you must admit that their resilience is beyond commendable. The Valencias have always welcomed me warmly, and made me feel like part of their family. Their generosity, warmth, and authenticity are evident in every interaction. Above all, their unparalleled love for the park shines through. Therefore I strongly advocate for the approval of this project. The Valencias have consistently demonstrated their respect and care for both the environment and the community.

Sincerely,  
Nick Graessle



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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Alexander Barinsky <sasha.barinsky@gmail.com>

Mon, Jul 29, 2024 at 9:45 AM

To: apcsouthvalley@lacity.org

Cc: Blake.Lamb@lacity.org, Claudia.Rodriguez@lacity.org, Katie.Knudson@lacity.org

To the South Valley Area Planning Commission,

My name is Sasha Barinsky, and I, like so many others, would like to see this project approved. Unfortunately, I can't make it here in person to advocate for the family's support, however, I'd like to relay my confidence with this letter. When I first came to the Valencia's home, I was shocked with the property's beauty and the emphasis that Manuel had on preserving the ambience of the park. When I met the family, they were humble about putting the park first before anything else. It's clear that their intentions are not anything but pure, and that this proposed property not only seeks to maintain the environmental landscape, but minimizes the impact of it to the greatest extent. Hearing about the Valencia's struggle with getting this project approved would strike a chord with anyone who knows them. They are a family so generous, welcoming, and genuine. But maybe above all of that is that they love this park more than anyone – the very last thing they would want is to disrupt the peace of the community with this project.

During my visits, the family has always made me feel like a part of their own. I endorse the approval of this project because the Valencias have shown unwavering respect and care for both the environment and the community. Their proposed home is meticulously designed to be in harmony with both, and I am confident it will be a beneficial addition to the area.

Sincerely,  
Sasha Barinsky.



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Sierra Denney** <denneysierra@gmail.com>

Mon, Jul 29, 2024 at 8:16 PM

To: "apcsouthvalley@lacity.org" <apcsouthvalley@lacity.org>, "blake.lamb@lacity.org" <blake.lamb@lacity.org>, "claudia.rodriguez@lacity.org" <claudia.rodriguez@lacity.org>, "Katie.Knudson@lacity.org" <Katie.Knudson@lacity.org>, "clintonhomesluxury@hotmail.com" <clintonhomesluxury@hotmail.com>, "stacey@brennerconsultinggroup.com" <stacey@brennerconsultinggroup.com>

Hello,

My name is Sierra Denney, and I am a lifetime resident of Los Angeles. As a regular visitor to Runyon Canyon Park, I can see the respect the Valencia family has for Runyon Canyon and its community. From what I have seen, they have taken extraneous measures to make sure the property is conducive with the environment and community. Therefore, please consider this as my letter of support for the 3003 Project.

Thank you,  
Sierra



Planning APC South Valley <apcsouthvalley@lacity.org>

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

1 message

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**Zoran Cora** <zorancora11@gmail.com>

Sat, Jul 27, 2024 at 9:50 PM

To: apcsouthvalley@lacity.org

Cc: Blake.Lamb@lacity.org, Claudia.Rodriguez@lacity.org, Katie.Knudson@lacity.org

To the South Valley Area Planning Commission,

I hope this message finds you well. My name is Zoran Cora, and I'm a rising Junior at UCLA studying business economics. While I'm unable to make it in person to speak on behalf of the family, I wish that this letter justifies why the project should be built. I would like to express my support for their proposed home project. From my experience with the family, I can confidently express that their intentions for this property are aligned with maintaining the environmental integrity and the tranquil beauty of Runyon Canyon. They are not only deeply committed to ensuring that their project does not infringe upon the natural landscape, but that it too does not disrupt the peace of the community. The Valencias as well have shown remarkable patience and adaptability throughout the development of this project. While most would have abandoned the project upon first site of backlash from the opposition, the Valencias listened to others' comments and altered the plans of their home to fit whatever needs necessary. Their willingness for this house to be apart of the community demonstrates their genuine desire to harmonize with the community's values. On a personal level, I've known Manuel, Clinton, Samantha, and Alicia for a second now. Every time I've been over, they've gone out of their way to create a space that was welcoming and loving for me. I was shocked with how they engage with other walkers almost as if every hiker is their own neighbor. They love this park, and they've done whatever they can to put the needs of the community first. In conclusion, I wholeheartedly advocate for the approval of this project. The Valencias have shown nothing but respect and care for the environment and the community. Their proposed home is designed with sensitivity to both, and I am confident it will be a positive addition to the area. Thank you very much for your time and consideration.

Sincerely,  
Zoran Cora





Planning APC South Valley <apcsouthvalley@lacity.org>

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## Letter of Support for 3003 Runyon Canyon

1 message

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**Sankirth Vutukuri** <svutukuri67@gmail.com>

Mon, Jul 29, 2024 at 7:12 PM

To: apcsouthvalley@lacity.org

Cc: Blake.Lamb@lacity.org, Claudia.Rodriguez@lacity.org, Katie.Knudson@lacity.org

[3003 Runyon Canyon Road](#)

APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD

My name is Sankirth Vutukuri and I am writing this in support of the project at [3003 N Runyon Canyon Rd](#). I am a long time resident of Los Angeles, a walker, and lover of Runyon Canyon. The Valencia family has gone above and beyond to adhere to all necessary building requirements. Their commitment to creating an environmentally conscious and beautifully designed home speaks volumes about their dedication to being good neighbors. I fully support their project and believe it will be a positive addition to our community.

Thank you,  
Sankirth Vutukuri

Name: BRIAN KEITH JACKSON

Date: 7/13/2024

Address: 645 W. 9TH ST., #531

LOS ANGELES, CA 90015

Phone: \_\_\_\_\_

Email: HESPEAKS@GMAIL.COM

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

Dear South Valley Area Planning Commission,

This is a beautiful, scaled design that fits the site, Community, Environment and the park. The new home does not interfere with the existing home and is partially camouflaged, buried into the hill you only see the face of it on westerly side. People in the park will hardly know is there. I support their project.

Thank you,

A handwritten signature in cursive script, appearing to read "B.K. Jackson", written in dark ink.

Name: Diondraya Taylor  
Address: 1444 N. Marlel Ave Apt C  
La Ca 90046  
Phone: 619 246 4657  
Email: \_\_\_\_\_

Date: 7/19/2021

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

Dear South Valley Area Planning Commission,

I am in full support of the Valencia family's long-awaited home project. After reviewing their plans, it's evident that they have meticulously followed all city regulations and guidelines. The design is aesthetically pleasing and ensures minimal environmental impact. This project is located on private property, so it should not hinder public park spaces.

Thank you,

A handwritten signature in black ink, appearing to read "Diondraya Taylor", with a long horizontal flourish extending to the right.

Name: Sidney Vasquez

Date: 7/15/29

Address: 1750 Wilcox Ave #26

LA Ca 90046

Phone: 213-300-4559

Email: Sidneybrandnamaste@mail.com

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

Dear South Valley Area Planning Commission,

I am writing to advocate for the Valencia family's home project. After a decade of rigorous planning and compliance with city guidelines, their proposal should be approved. Their design respects the park's natural beauty while being a thoughtful addition to private land. It's crucial that we honor their commitment and allow this well-planned project to move forward.

Thank you,



Name: Sandra Zimmack

Date: 7-16-24

Address: 7571 Wiloughby Ave #4

LA CA 90046

Phone: \_\_\_\_\_

Email: lwzolv@rickabilly.com

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

Dear South Valley Area Planning Commission,

I am in favor of the Valencia family's home project. They have dedicated considerable time and effort to comply with city regulations, demonstrating their commitment to responsible development. The construction is on private land and will not disrupt public spaces. This project should be approved to acknowledge their hard work and respect for local guidelines.

Thank you,



Name: Diego Cuervo

Date: 7/15/21

Address: 1223 Wilcox Ave

Hollywood CA 90038

Phone: 310 634 4773

Email: \_\_\_\_\_

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

Dear South Valley Area Planning Commission,

I am writing to express my support for the Valencia family's long-awaited home project. They have diligently followed all guidelines set forth by the city and have created a design that respects the natural surroundings.

Thank you,



Name: Lauren Goodman

Date: 7/18/2024

Address: 924 Carson Ave #4

LA CA 90046

Phone: 310 850 5342

Email: redgoodman928@yahoo.com

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

Dear South Valley Area Planning Commission,

I am in full support of the Valencia family's long-awaited home project. After reviewing their plans, it's evident that they have meticulously followed all city regulations and guidelines. The design is aesthetically pleasing and ensures minimal environmental impact. This project is located on private property, so it should not hinder public park spaces.

Thank you,

Lauren Goodman

Name: Maria de Lourdes Fernandez

Date: 7-12-24

Address: \_\_\_\_\_

Phone: (818) 209-3638

Email: Luluciernaga@mail.com

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

Dear South Valley Area Planning Commission,

I support the Valencia Family home whole-heartedly, especially property owners who spent nearly a decade providing studies to the City to grant them approval to build on their property. The design is exceptional and it's time for the Valencia family to move forward.

Thank you,

*Lourdes Fernandez*



Name: Rosa Hernandez  
Address: 1746 N Cherokee Av 207  
Hollywood 90046  
Phone: 323-2396607  
Email: \_\_\_\_\_

Date: 7-23-24

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

Dear South Valley Area Planning Commission,

I am in full support of the Valencia family's long-awaited home project. After reviewing their plans, it's evident that they have meticulously followed all city regulations and guidelines. The design is aesthetically pleasing and ensures minimal environmental impact. This project is located on private property, so it should not hinder public park spaces.

Thank you,

A handwritten signature in dark ink, appearing to read 'Rosa Hernandez', with a long horizontal flourish extending to the right.

Name: LARONE HENRY

Date: 7/20/24

Address: 1010 N. CRESCENT HEIGHTS #1

WHLCA 90046

Phone: 310 977 2372

Email: SMOKEINLIKEICE@GMAIL.COM

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

Dear South Valley Area Planning Commission,

I support the Valencia Family's proposal to build their home in Runyon. As a local resident, I have observed the care and respect they have shown for the historic site. Their plans align with city guidelines and the construction will occur on private land, minimizing any disruption. This project will enhance the area while honoring the historical aspects of the property. It is a reasonable and well-thought-out development that deserves approval.

Thank you,



Name: Kara Groves  
Address: 1422 N Stanley Ave 11  
1A LN 98846  
Phone: 213 321 8846  
Email: \_\_\_\_\_

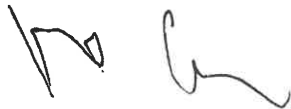
Date: 7-18-24

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

Dear South Valley Area Planning Commission,

This is a beautiful, scaled design that fits the site, Community, Environment and the park. The new home does not interfere with the existing home and is partially camouflaged, buried into the hill you only see the face of it on westerly side. People in the park will hardly know is there. I support their project.

Thank you,



Name: OBINIGBO NKEIRIBE  
Address: 475 S NEW HAMPSHIRE AVE  
#405 Los Angeles, CA 90020  
Phone: 870-449-1373  
Email: OBINIGBO1@gmail.com

Date: 7/15/24

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

Dear South Valley Area Planning Commission,

I fully endorse the Valencia family's home project. Their commitment to meeting city regulations over the past eight years is noteworthy. The project, situated on private property, complies with all environmental and design standards. Approving this project is a fair recognition of their efforts and dedication.

Thank you,



Name: Bethany Martinez

Date: 7/25/24

Address: 2225 S Harvard Blvd.

Los Angeles, CA 90018

Phone: (323) 540-9970


Email: \_\_\_\_\_

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

Dear South Valley Area Planning Commission,

I am in full support of the Valencia family's long-awaited home project. After reviewing their plans, it's evident that they have meticulously followed all city regulations and guidelines. The design is aesthetically pleasing and ensures minimal environmental impact. This project is located on private property, so it should not hinder public park spaces.

Thank you,

A handwritten signature in cursive script, appearing to read "Bethany Martinez", followed by a horizontal line.



Save Bulk Entry

Location

Address or POI



































Description


(Optional) enter a description for this location

Add location to map






















































1	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
2	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
3	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
4	1989, Whitley Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90068, United States of America	
5	1720, North Fuller Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
	Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
	7029, Lanewood Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States	
	Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
	8245, Kirkwood Drive, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	1865, North Fuller Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	

		7813, Torreyson Drive, Universal City, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America		1335, North Detroit Street, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States	
		7813, Torreyson Drive, Universal City, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America		1720, North Fuller Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
		1280, North Hayworth Avenue, West Hollywood, Los Angeles County, California, 90046, United States of America		1735, Courtney Avenue, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
		North Crescent Heights Boulevard, West Hollywood, Los Angeles County, California, 90046, United States of America		1745, North Orange Drive, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States of America	
		1784, North Sycamore Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States		1635, North Martel Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States of America	
		7809, Torreyson Drive, Universal City, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America		Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
		7056, Lanewood Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States		2745, Nichols Canyon Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
		Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America		1560, North Laurel Avenue, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
		7820, Torreyson Drive, Universal City, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America		424, South Cochran Avenue, Hancock Park, Hollywood, Los Angeles, Los Angeles County, California, 90036, United States	
		7235, Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America		Hesby Street, NoHo, North Hollywood, Los Angeles, Los Angeles County, California, 91601, United States of America	
		813, North Martel Avenue, West Hollywood, Los Angeles County, California, 90046, United States of America		1850, Whitley Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States of America	
		1326, North Citrus Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States		1850, Whitley Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States of America	
		Sunset Boulevard, Little Armenia, Hollywood, Los Angeles, Los Angeles County, California, 90027-5517, United States of America		Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
		888, West Knoll Drive, West Hollywood, Los Angeles County, California, 90069, United States of America		1616, North Fuller Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
		1425, North Detroit Street, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States of America		1701, Nichols Canyon Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
		Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America		Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
		1333, North Fuller Avenue, West Hollywood, Los Angeles County, California, 90046, United States of America		930, North Spaulding Avenue, West Hollywood, Los Angeles County, California, 90046, United States	

	1745, North Orange Drive, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States of America	
	715, North Vista Street, West Hollywood, Los Angeles County, California, 90046, United States of America	
	357, Cornwell Street, Brooklyn Heights, Boyle Heights, Los Angeles, Los Angeles County, California, 90033, United States of America	
	1530, North Poinsettia Place, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States of America	
	3050, Runyon Canyon Road, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	2410, Solar Drive, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	7301, Mulholland Drive, Universal City, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	7472, Mulholland Drive, Universal City, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	838, West Knoll Drive, West Hollywood, Los Angeles County, California, 90069, United States of America	
	7245, Hillside Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	7120, Hawthorn Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States of America	
	1340, North Poinsettia Place, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States of America	
	1701, Nichols Canyon Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	1414, North Poinsettia Place, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States of America	
	118, South Flores Street, Carthay Circle, Century City, Los Angeles, Los Angeles County, California, 90048, United States	
	8024, Willow Glen Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	8051, Willow Glen Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	

	8051, Willow Glen Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	1810, North Cherokee Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90028, United States of America	
	314, North Spaulding Avenue, Carthay Circle, Hollywood, Los Angeles, Los Angeles County, California, 90036, United States of America	
	7270, Hillside Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
	1860, North Fuller Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	314, North Spaulding Avenue, Carthay Circle, Hollywood, Los Angeles, Los Angeles County, California, 90036, United States of America	
	933, North La Brea Avenue, Hollywood, Los Angeles, Los Angeles County, California, 90046, United States	
	8078, Fareholm Drive, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	7224, Hillside Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	1735, North Fuller Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America	
	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
	1701, Nichols Canyon Road, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	1255, North Orange Drive, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90038, United States	
	Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America	
	1043, North Curson Avenue, West Hollywood, Los Angeles County, California, 90046, United States	
	7121, Lexington Avenue, West Hollywood, Los Angeles County, California, 90046, United States ~4 America	



	5482, Wilshire Boulevard, Hancock Park, Hollywood, Los Angeles, Los Angeles County, California, 90036, United States			1202, North Fuller Avenue, West Hollywood, Los Angeles County, California, 90046, United States of America	
	1048, North Curson Avenue, West Hollywood, Los Angeles County, California, 90046, United States			3003, Runyon Canyon Road, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States	
	7717, Romaine Street, West Hollywood, Los Angeles County, California, 90046, United States				
	1718, North Vista Street, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States				
	7717, Romaine Street, West Hollywood, Los Angeles County, California, 90046, United States				
	Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America				
	7224, Hillside Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America				
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	7215, Hillside Avenue, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America				
	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America				
	930, North Spaulding Avenue, West Hollywood, Los Angeles County, California, 90046, United States				
	7205, Hollywood Boulevard, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America				
	West Olympic Boulevard, Beverly Hills, Los Angeles County, California, 90084, United States of America				
	1750, Camino Palmero Street, Whitley Heights Historic District, Hollywood Hills, Los Angeles, Los Angeles County, California, 90046, United States of America				
	8360, Blackburn Avenue, Carthay Circle, Hollywood, Los Angeles, Los Angeles County, California, 90048, United States				
	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America				
	Franklin Avenue, Whitley Heights Historic District, Hollywood, Los Angeles, Los Angeles County, California, 90046-4101, United States of America				

## Communication from Public

**Name:** Parker Kinsey

**Date Submitted:** 02/04/2025 02:13 PM

**Council File No:** 24-1371

**Comments for Public Posting:** I hope this message finds you well. My name is Parker Kinsey, and I'm a Junior at UCLA. While I'm unable to make it in person to speak on behalf of the family, I wish that this letter justifies why the project should be built. I would like to express my support for their proposed home project. From my experience with the family, I can confidently express that their intentions for this property are aligned with maintaining the environmental integrity and the tranquil beauty of Runyon Canyon. They are not only deeply committed to ensuring that their project does not infringe upon the natural landscape, but that it too does not disrupt the peace of the community. The Valencias as well have shown remarkable patience and adaptability throughout the development of this project. While most would have abandoned the project upon first site of backlash from the opposition, the Valencias listened to others' comments and altered the plans of their home to fit whatever needs necessary. Their willingness for this house to be apart of the community demonstrates their genuine desire to harmonize with the community's values. On a personal level, I've known Manuel, Clinton, Samantha, and Alicia for a second now. Every time I've been over, they've gone out of their way to create a space that was welcoming and loving for me. I was shocked with how they engage with other walkers almost as if every hiker is their own neighbor. They love this park, and they've done whatever they can to put the needs of the community first. In conclusion, I wholeheartedly advocate for the approval of this project. The Valencias have shown nothing but respect and care for the environment and the community. Their proposed home is designed with sensitivity to both, and I am confident it will be a positive addition to the area. Thank you very much for your time and consideration. Sincerely, Parker Kinsey

## Communication from Public

**Name:** Clinton Valencia

**Date Submitted:** 02/04/2025 04:34 PM

**Council File No:** 24-1371

**Comments for Public Posting:** Hello City Council, My name is Clinton Emmanuel Valencia, and I'm advocating on behalf of my family for the approval of our home, 3003 Runyon Canyon. It's not very often that the street you grew up on outside your home is atypical. I realized this when I told my fifth grade teacher my family lived in a park, and she thought I didn't know how to tell her we were homeless. I quickly understood what most kids had growing up. They had a neighborhood of kids to play with. But for me, my childhood was a little different, and I am extremely grateful for it. You see, my neighbors are the people of Runyon Canyon. My playground was long hikes with my dad and our old dog, Winston. My bed was the upstairs couch, and our kitchen was one that you could not have more than one person in. In spite of that, for 10 years, my love for Runyon has surpassed any place that I've ever come to know. While for many people it's a place to hike, for me Runyon Canyon is the place that I have my greatest childhood memories. Along with those memories are my dad's optimism for creating a generational home for our family. Each time we walk the trail, my dad envisions only giving my family the home that he thinks that we deserve. For the last 10 years, he's someone who has done everything that he's done not only for his family, but for the park and the community. And he's taught me something that I can only hope to pass to my children, and that's the pursuit of following your dreams common sense never giving up. There have been many rocks thrown our way to end our dream of this generational home, but with each stone thrown, our family has listened with intent and purpose. This home does not impact the environment, nor would it disrupt the peace of the community. And if it did, I'd wouldn't be speaking here right now. Runyon Canyon means more to my family than anyone will ever know, and on behalf of my love for it, I'm for this project's advocating for this project's approval.

## Communication from Public

**Name:** Annika Danne

**Date Submitted:** 02/04/2025 05:19 PM

**Council File No:** 24-1371

**Comments for Public Posting:** To the Los Angeles City Council, I hope this message finds you well. My name is Annika Danne, and I'm a sophomore at UCLA. Unfortunately will not be able to speak in person on behalf of the family, but this letter should justify the approval of their project. I would like to first communicate my support for their proposed home project. I recently met the Valencia family last year, and I was surprised with their gracefulness and kindness that they embodied. They have a strong moral compass that guides every decision they make. They pride themselves on family, faith, and giving back to the community in Hollywood. Speaking with them closely, its clear how much love they have for Runyon Canyon and how close they are with the community. They engage with the hikers frequently, and their proposed plans for this property are aligned with maintaining two aspects of Runyon Canyon: its environmental integrity and the natural beautiful space. They are not only deeply committed to ensuring that their project does not infringe upon the natural landscape, but that it too does not disrupt the peace of the community. They've been more than willing to comply with the standards set out and have frequently delineated and revised their plans to meet the community's criteria. Their patience and adaptability throughout the development of this project is a testament to the commitment they have. Many would have given up on this project upon backlash, but the Valencias listened to others' comments and altered the plans of their home to fit whatever needs necessary. Their willingness for this house to be apart of the community demonstrates their genuine desire to harmonize with the community's values. The Valencias cherish this park, and they've done everything they can to put the community first. Their proposed home is designed with sensitivity to both, and I am confident it will be a positive addition to the area. Thank you very much for your time and consideration. Sincerely, Annika Danne

## Communication from Public

**Name:** Channel Law Group, LLP

**Date Submitted:** 02/04/2025 07:43 PM

**Council File No:** 24-1371

**Comments for Public Posting:** Please see attached letter without exhibits for inclusion in the Record. This letter with exhibits was emailed to clerk.cps@lacity.org and clerk.plumcommittee@lacity.org today, February 4, 2025.

# Channel Law Group, LLP

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\*ALSO Admitted in Texas

February 4, 2025

## **VIA EMAIL and ELECTRONIC UPLOAD**

Planning and Land Use Management Committee  
City Clerk  
Honorable Mayor and Council Members  
City of Los Angeles  
200 North Spring Street, City Hall - Room 395  
Los Angeles, CA 90012  
[Clerk.CPS@lacity.org](mailto:Clerk.CPS@lacity.org)  
[Clerk.PLUMCommittee@lacity.org](mailto:Clerk.PLUMCommittee@lacity.org)

**Re: Supplemental Appeal Justifications for Project Location: 3003 N. Runyon Canyon Road; Case No. APCSV-2016-4179-SPE-DRB-SPP-MSP-ZV-ZAD; CEQA No. ENV-2016-4180-EIR (SCH # 2018041016)**

Dear Planning and Land Use Management Committee Members & Honorable Mayor and City Councilmembers:

This firm represents Runyon Canyon Coalition ("RCC") with regard to the proposed development project located at 3003 Runyon Canyon Road ("Project"). This letter is intended to provide Supplemental Appeal Justifications before the Planning and Land Use Management Committee ("PLUM") and the City Council ("Council") showing that the requested entitlements for the Project cannot be approved because the Project is detrimental to the surrounding environment and, in addition, does not comply with state laws and local rules and regulations, including but not limited to the "State Minimum Fire Safe Regulations" codified at Cal. Code Regs. tit. 14 § 1270.00 et seq., California Environmental Quality Act ("CEQA"), State Planning and Zoning Law, the City's General Plan, Hollywood Community Plan, Mulholland Specific Plan, the Baseline Hillside Ordinance, the City's Charter, and many zoning regulations intended to mitigate fire-safety, density, seismic and other hazards and impacts.

//

## I. THE PROJECT

Per the October 3, 2024 Letter of Determination (“LOD”) approving the Project, the Revised Project<sup>1</sup> proposes:

Construction of a new, 5,500 square foot (sf), two-story, single-family dwelling (SFD) and 600 (sf) attached two-car garage, and a fully underground 3,000 (sf) basement. The total Residential Floor Area of the new structure is 5,700 (sf) and a maximum height of 29 feet tall on a 197,435 (sf) lot. The Project involves the conversion of an existing on-site 2,018 (SFD) to an Accessory Living Quarter. The SFD includes three bedrooms, decks, pool, theater, and gym. A total of five automobile parking spaces are proposed. The Project is located within 50 vertical feet of a prominent ridgeline and is within 200' of public parkland. A total of 28-non-protected trees to be removed and one protected Toyon to be removed. The request also includes a haul route approval, if needed, for the following grading quantities: Cut: 14,006 Cubic Yards (CUYD), Fill 14,006 CUYD, Export: 0 CUYD, and Import 0 CUYD.

(LOD, p. 1.)

Notably, the Project is located within one of the most popular urban parks in the City of Los Angeles – Runyon Canyon. And the existing SFD is a historic property.

The Project requires multiple discretionary entitlements, including the following:

- Pursuant to Los Angeles Municipal Code (LAMC) Section 11.5.7 F, a Specific Plan Exception to allow construction within 50 feet of a prominent ridgeline under Mulholland Specific Plan Section 5.B.1;
- Pursuant to Los Angeles Municipal Code (LAMC) Section 12.27 D, for a Zone Variance to allow a second kitchen to be built within the new single-family dwelling without the removal of the existing kitchen in the existing single-family dwelling, for relief from LAMC Section 12.07.01 A.1;
- Pursuant to LAMC Section 12.24 X.26, a Zoning Administrator's Determination to permit three retaining walls instead of two retaining walls of up to 10 feet in height pursuant to LAMC Section 12.21 C.8(a);

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<sup>1</sup> We note that the Project’s Notice of Preparation (“NOP”) and the Draft Environmental Impact Report (Draft EIR) proposed a *different* so-called *Original* Project and Alternatives thereto, but that Original Project, per the LOD, has been subsequently “Revised.” We object to this revision, which proceeded without the proper recirculation of the Draft EIR and study of the Revised Project and new Alternatives, in violation of CEQA. (See Section II.I, *infra*.)

- Pursuant to LAMC Section 12.24 X.28 (a)(5), a Zoning Administrator's Determination to allow 28,012 cubic yards of grading to occur on-site in lieu of the maximum "by-right" grading quantities as delineated in 12.21 C.10 (f)(1) and (2);
- Pursuant to LAMC Sections 11.5.7.C. and 16.50, a Project Permit Compliance and Design Review as required by the Mulholland Scenic Parkway Specific Plan (Ordinance No. 167,943).

## II. THE PROJECT AND ITS ENTITLEMENTS VIOLATE STATE AND LOCAL LAWS, RULES, AND REGULATIONS, AND SHOULD NOT BE APPROVED

As fully detailed below, the Project attempts to accommodate *wholly illegal* objectives of fitting a *second* dwelling unit on a lot that is expressly zoned for a *single family dwelling* and has an existing SFD. And that illegality in the Project objectives carries into and taints the Project's planning and study, necessitating multiple other violations of state and local laws.

### A. The Project's Objectives Are Manifestly Illegal and Must Be Revised

The Project's EIR lists the following project objectives:

- To build a **new**, modern **single-family residence** while preserving the **existing** historical structure (the Headley/Handley House) on the Project Site.
- To create a sympathetic home design compatible with the **existing house**.
- To design a **new residence** that conforms to the topography, climate, and environment, and is reflective of the Project's location within Runyon Canyon Park.
- To design a **new residence** that minimizes potential view impacts from within Runyon Canyon and from key viewpoints including Hollywood Bowl outlook.

(Draft EIR, p. II-6, *emph. added.*)

The above-noted objective make it clear that the Project *already* contains *one* single family dwelling, and is seeking to build a *new second* single family dwelling. But it cannot do so.

The Project is zoned **RE40-1-H**; and the General Plan land use designation for the Project Site is **Minimum Residential**. (**Exhibit 1** [ZIMAS parcel report of the Project Site].)

Pursuant to LAMC section 12.07.01.A [Use], the Project's Residential Estate Zoning [RE], as in RE40-1-H here, allows only:

1. **One-family dwellings.**



2. Parks, playgrounds or community centers, owned and operated by a government agency.
3. (Amended by Ord. No. 181,188, Eff. 7/18/10.) Truck gardening; the keeping of equines, poultry, rabbits and chinchillas in conjunction with the residential use of the lot, provided that ....
4. **Two-family dwellings** on lots having a side lot **adjoining** a lot in a **commercial** or **industrial Zone**, **provided** that...

(**Exhibit 2**, emph. added [LAMC 12.07 re RE Zoning].)

It is undisputed that the Project's adjoining lots are not in a commercial or industrial Zone; rather, the Project is located in the center of a park. Therefore, the Project's zoning allows only *one* single-family dwelling – *not* two. And yet, the Project's very *first objective* attempts to *circumvent* this zoning limitation on density and build a *second* dwelling unit.

Notably, the LAMC definitions show that the City forecloses any attempt to bypass the noted density or dwelling unit limitation by imposing limitations, including the size of an accessory structure or exclusion of a *kitchen*. To wit, the LAMC section 12.01 [Definitions] provides:

**ACCESSORY DWELLING UNIT (ADU).** An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a **proposed** or **existing primary** residence. It **shall include** permanent provisions for living, sleeping, **eating, cooking**, and sanitation on the same lot as the single-family or multifamily dwelling is or will be situated. ADUs include efficiency units as defined in Section 17958.1 of the Health and Safety Code, manufactured homes as defined in Section 18007 of the Health and Safety Code, and Movable Tiny Houses. (**Added by Ord. No. 186,481, Eff. 12/19/19.**)

**ACCESSORY LIVING QUARTERS.** An accessory building used solely as the **temporary** dwelling of guests of the occupants of the premises; such dwelling having **no kitchen facilities** and not rented or otherwise **used** as a **separate dwelling** unit. (**Added by Ord. No. 107,884, Eff. 9/23/56.**)

**GUEST HOUSE.** A dwelling containing **not more** than **five guest** rooms or suites of rooms, but with **no kitchen** facilities. (**Amended by Ord. No. 107,884, Eff. 9/23/56.**)

(**Exhibit 3**, emph. added [LAMC section 12.01 (Definitions)].)

As could be shown above, the only additional or accessory structure in the above-noted definitions that allows a kitchen is the ADU.<sup>2</sup> However, the City would not allow an ADU on the Project Site at all since, *inter alia*, it is located in a Very High Fire Hazard Severity Zone (“VHFHSZ”) and does not have more than *one* access to the road. (**Exhibit 4** [City of LA’s Planning Guide to ADUs]<sup>3</sup>.) And yet, the Project – without removing the kitchen – will, in fact, treat the existing SFD on the site as an ADU, which will be illegal. And even if an ADU were allowed on the Project Site (which it is not), the existing SFD could not be treated as an ADU, since it far exceeds the allowed height and size for ADUs for a *detached* type: maximum 1,200 sf. size and 25 sf. height. (**Exhibit 4.**) The existing SFD is a two-story building of over 2,000 sf in size. (DEIR, Appendix F-1, p. 9/pdf p. 12.)

As such, the Project – per its *first* objective of putting a *second* dwelling unit – is illegal *ab initio*, as it conflicts with the zoning of the Project Site and fails the safety precautions and provisions under the LAMC.

Notably, even though the City in its responses to Draft EIR comments originally proposed to remove the stove from the kitchen of the historic structure (Final EIR, p. 2-62 [“The kitchen (stove) would be removed from the Headley/Handley House, and therefore, consistent with the City’s definition of an Accessory Living Quarters under the Los Angeles Municipal Code (LAMC);” see also, Final EIR p. 2-42]), the Project Applicant and the City have then – after the issuance of the Final EIR – *reneged* on those assurances and *added a variance* to the list of approvals for the Project to allow the *second* kitchen to remain on site. And, for a reason. Removing the kitchen or stove would necessarily affect the historic resource. Moreover, the LAMC defines a kitchen not only by its *present* condition but also by its *design*, as follows:

**KITCHEN.** Any room or any portion of a dwelling unit, whether an enclosing subdivision thereof or otherwise, used or intended or designed to be used for cooking and preparing food except a light house-keeping room or that portion of a recreation room in a multiple residential use, or in an accessory building appurtenant thereto, containing the facilities for the cooking and preparation of food. (**Amended by Ord. No. 140,191, Eff. 5/15/70, Operative 10/12/70.**)

(**Exhibit 3**, pdf p. 11, *emph. added.*)

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<sup>2</sup> “Any portion of an accessory living quarters arranged for or conducive to the preparation or cooking of food, by the inclusion of one or more of the following items shall be considered as ‘kitchen facilities’.” (City of LA’s Zoning Code Manual and Commentary (Fourth Edition), p. 3/pdf p. 17; see also pdf p. 19 of the same Manual: “Kitchen: An Accessory Living Quarter or a Guest House/Room shall have no Kitchen.”) See the Zoning Manual available at <https://www.ladbs.org/docs/default-source/publications/information-bulletins/zoning-code/zoning-code-manual-and-commentary.pdf> )

<sup>3</sup> See also, [https://planning.lacounty.gov/wp-content/uploads/2023/04/ADU-Summary-NEW\\_04102023.pdf](https://planning.lacounty.gov/wp-content/uploads/2023/04/ADU-Summary-NEW_04102023.pdf)

As such, there is no way the City or Applicant could find that the existing SFD has no kitchen *even* if they removed the stove.

Similarly, the Project fails to comply with the Baseline Hillside Ordinance (“BHO”) regulations. For example, the City’s LOD manifestly excludes the basement (3,000 sf.), parking for 5 cars, attached garage (600 sf), patio and mechanical room (LOD, p. 1] – all in excess of 200 sf. – from calculating the Residential Floor Area of the proposed dwelling. And yet, BHO specifically requires those additional areas to be *included* in the RFA. (**Exhibit 5** [BHO Correction Sheet of the City of LA].)

Notably, the Project does not propose a General Plan amendment or a zone change. Instead, it seeks a *variance* and *solely* to allow a *second* kitchen. For reasons stated above, the Project conflicts with the City’s zoning regulations and therefore illegal. For reasons stated in Section II.C, *infra*, the Project does not qualify for a variance, as a matter of law.

In sum, the Project or its entitlements, if approved, will violate the City’s regulations and state laws that are intended to mitigate against fire and other hazards in the hillside zone.

**B. The Project Violates the State’s Minimum Fire Safety Regulations, Which Hazards Cannot Be Ignored in Light of Climate Change and Recent Wildfires in Los Angeles Area, and the Project’s Location in Earthquake and Landslide Zone**

We expressly incorporate<sup>4</sup> by reference our August 6, 2024 Comment Letter on the Project, which detailed the Project’s inconsistencies with the State’s Minimum Fire Safety Regulations.

In addition to our enumerated points and concerns in our August 6, 2025 letter, we would like to emphasize the Project’s non-conformance with state requirements in light of the severe life and safety hazards to the surrounding people, wildlife, the historic house, and the surrounding environment. Those concerns cannot be ignored and, in addition, preclude the required findings for the Project’s sought variances.

**First**, the recent wildfires in the Los Angeles area, which have started since January 7, 2025 and continue to this date, showed that fires in the hillsides of Los Angeles – especially coupled with winds – may be hard or impossible to contain for weeks. The apocalyptic fires in the Los Angeles area, including in Altadena (Eaton Fire), Pacific Palisades (Palisades Fire), Runyon Canyon (Sunset Fire), and various other hillside areas, including Glendale took firefighters days if not weeks to contain and fight fires and have taken the lives of people. (**Exhibit 6** [Information on January 2025 Fires in Los Angeles].) The recent Sunset Fire in Runyon Canyon that burned 40 acres on January 8, 2025, is directly adjacent to the proposed property development – hence, it is a clear fire prone area. Critically, Runyon Canyon is the “vicinity of iconic Los Angeles locations and tourist destinations.” (**Exhibit 6** [January 9, 2025

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<sup>4</sup> We also incorporate by reference the comments of all others, including other appellants, who have raised concerns with and objections to the Project.

Article re “Evacuation Orders Lifted in Hollywood Hills After SunsetFire Burns Through 43 Acres”].) And notably, fire in Runyon Canyon showed that Runyon Canyon is connected to other areas of Los Angeles and fire hazards that originate in Runyon Canyon may spread into other areas of Los Angeles, just as the Sunset Fire spread into the Runyon Canyon on January 8, 2025, leaving Runyon Canyon closed for weeks. (See **Exhibit 6** [January 19, 2025 Article re “In Wake of California Fires Runyon Canyon Remains Closed Due to Sunset Damage”])

The risk of such destructive wildfires is, unfortunately, growing and a well-expected occurrence in light of the climate change and growing density. As stated in one of related articles on the LA’s recent wildfires:

Wildfires are a natural part of the landscape in California, but the danger they pose to the region is growing because *more people* are living in fire-prone areas. That *increases* the *likelihood* of *igniting* a blaze and the scale of the damage that occurs when a fire inevitably erupts. California’s growing wildfire threat has [rocked the state’s insurance industry](#) and forced regulators to allow insurers to [price in the risk of worsening future catastrophes](#). At the same time, global average temperatures are rising due to *climate change*, which can prime more of the landscape to burn.

(**Exhibit 6**,<sup>5</sup> *emph. added* [Article re “The Unusually Strong Force Driving Apocalyptic Los Angeles Wildfires”, January 9, 2025].)

**Second**, the Project’s inclusion of a second kitchen on the Project site, which is expressly precluded under the RE40-1-H zoning, BHO, and the City’s ADU provisions, presents an additional fire hazard by the Project.

**Third**, the noted fire hazards to people and wildlife from the Project are even more pronounced in light of the Project’s having just one road access and being located entirely in a park and next to the ridgeline. The noted features of the Project Site and location makes it especially hard to reach for firefighters and rescuers to access the area to protect it. Moreover, construction of any type in the middle of a park can only increase the fire risk.

In addition, while overlooked by the Draft or Final EIR, the Project is located within the earthquake and landslide zone, adding to the fire hazards in the area.

For all the noted reasons, the Project’s non-conformance with the State’s fire safety regulations and its imminent threats to the surrounding environment require that the Project be denied.

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<sup>5</sup> Available at: <https://www.atlasobscura.com/articles/palisades-fire-los-angeles-santa-ana-winds>

C. **The Project Does Not Qualify for Variances, as Its Physical Hardship Is Wholly Self-Inflicted.**

Per the LOD, the Project seeks a variance for only a second *kitchen* in the *new home*, and the City purportedly:

**Approved**, pursuant to **Section 12.27 D** of the Los Angeles Municipal Code (LAMC), a Zone Variance to allow a **second kitchen** to be built within the **new single-family** dwelling without the removal of the existing kitchen in the existing single-family dwelling, for relief from LAMC Section 12.07.01 A.1”

(LOD, p. 1, *emph. added.*)

And yet, the above-noted characterization of the sought variance and nature of it is a misstatement and misleads the actual scope of the variance sought. Notably, the Draft EIR made no mention of any variance request among discretionary approvals (DEIR, p. II-9), and the City’s responses to public comments to the Draft EIR claimed that there will *not* be *two kitchens* on the Project site, since the stove of the kitchen of the existing home would be removed (Final EIR, p. 2-61/pdf p. 71.)

Apart from these discrepancies making the EIR flawed for its incomplete and inaccurate project description, the variance request for a second kitchen on the Project site is illegal *ab initio* and should not be approved. Moreover, the required findings cannot be made either.

**First**, while the variance is sought for purportedly a “second kitchen” in the “new single-family dwelling” (LOD, p. 1), this characterization is a *non-sequitur* and attempts to masquerade the actual scope of the sought variance. As the City’s findings and LOD also concede, there simply *cannot* be a “new single family” dwelling *without* a kitchen: “new dwellings require a kitchen.” (Findings, F-1.) To wit, under LAMC section 12.01 definitions, “**DWELLING UNIT**. A group of two or more rooms, **one** of which is a **kitchen**, designed for occupancy by **one** family for living and sleeping purposes.” (**Exhibit 3**, p. 7, *emph. added.*)

Also, to be clear, the variance is not sought to have a “second” kitchen *in the new single-family home*, but rather to have *a second* single family home, since such a single family home will necessarily need to have a kitchen. As yet another mischaracterization, the “second kitchen” is not requested in the *new* dwelling unit, but rather in the *existing* dwelling unit, which will remain on the Project site. As such, in essence, while purporting to seek a variance for solely a “second” *kitchen*, the variance in actuality is sought for a “second” *dwelling*.

However, the Project Site is zoned RE40-1-H, which allows only *one* single-family dwelling – *not* two. (**Exhibit 2**, LAMC 12.07.01.A(1).) RE40-1-H zoning under LAMC allows two family dwellings *only* if that lot adjoins a commercial or industrial lot, which is not the case here. (*Ibid.*)

Moreover, the Project Site’s *General Plan*’s land use designation is “Minimum Residential.” The Hollywood Community Plan (“HCP”) – which is part of the General Plan’s Land Use Element – identifies the General Plan designation of “Minimum Residential” with its corresponding restrictive “RE40” zoning, as shown in the HCP screenshot below:

**Table 3-1**

**Proposed General Plan Land Use**

General Plan Land Use	Corresponding Zones	Net Acres	% of Area	Total Net Acres	Total % of Area
<b>Total</b>				<b>13,961</b>	
<b>Residential</b>				<b>6,552</b>	<b>47%</b>
<i>Single-Family Neighborhoods</i>				3,397	31%
Minimum Residential	RE40	617	4%		
Very Low II Residential	RE15, RE11	1,457	10%		
Low I Residential	RE9	353	3%		
Low II Residential	RS, R1	1,940	14%		
<i>Multi-Family Neighborhoods</i>				2,185	16%
Low Medium I Residential	R2, RD5, RD4, RD3	370	3%		
Low Medium II Residential	RD2, RD1.5	798	6%		
Medium Residential	R3	786	6%		
High Medium Residential	[Q]R4, R4	154	1%		
High Residential	R4, [Q]R5	77	<1%		

(HCP, p. 3-8 [yellow highlighting added].)

And, the HCP also indicates that the *Minimum Residential* or *RE40* zoning limitation is to *limit density* depending on the *slope density formula*:

\*LU1.4 Hillside development. **Limit density** in hillside areas. Notwithstanding any land use designation maps to the contrary, all projects on properties designated under a **Single Family land use designation** (**Minimum**, Very Low II, Low I, or Low II) with average **natural slopes** in **excess of 15 percent**, shall be **limited** to the **Minimum Residential** General Plan land use designation (i.e. Minimum Density housing category of one dwelling unit per 40,000 square feet of lot area) for the **purposes** of enforcing the **slope density formula** of LAMC Section 17.05C (Tentative Tract Maps) and 17.50E (Parcel Maps).

(HCP<sup>6</sup>, <sup>7</sup>, p. 3-10, *emph. added*.)

<sup>6</sup> See HCP available at: <https://planning.lacity.gov/odocument/006954e9-57e1-4f1f-ac48-d819e6450249/Hollywood%20Community%20Plan.pdf>

<sup>7</sup> Although such request is unnecessary, we specifically request that all the information in all the hyperlinks in this letter be downloaded and included in the administrative record as part of

Critically, the *asterisk* in front of LU1.4 in the above-quoted passage indicates that the density limitation is *mandatory* rather than recommended:

Ultimately, the Community Plan’s goals, policies, programs, and guidelines are intended to provide guidance, and **shall** be interpreted as directory, **unless expressly** indicated as **mandatory** by an **asterisk (\*)**. **Compliance** with the land use General Plan Land Use Map is **mandatory**.

(HCP, p. 1-4, *emph. added.*)

And, in the City’s own words on an analogous development project in the hillside area, the *purpose* of this density limitation or slope density formula is to mitigate impacts to the environment:

The **purpose** of the **slope density** limitation is to **guard against** the **visual** and **ecological erosion** of the naturally occurring slopes over 15%. The methodology prescribed in **Section 17.50-E of the LAMC** would limit development of the property, with an average slope of 72% to a negative number. Because Code Section 17.50-E notes that “in no case shall the permitted density be less than -05 dwelling units per gross acre” and the calculated allowed density of a negative number is below even this minimum density, the application of the slope density formula results in a slope that would not permit two dwelling units on the lot. This site will not support the construction of two dwelling units without being in violation of the slope density limitations of the Code and therefore is not suitable for the proposed density of development.

(*See*, City of LA Letter of Determination, June 1, 2010, Case No. AA-2009-0641 –PMLA; 8875 Thrasher Avenue Project<sup>8</sup>.)

Since the variance here is actually sought to *override* the mandatory zoning limitations and the General Plan and Community Plan’s “minimum residential” designation of only *one single family home* on the Project site and since it seeks to add a *second dwelling unit* contrary to those zoning limitations, that variance request is inconsistent with the General Plan and its approval is void *ab initio*:

“The Planning and Zoning Law itself precludes consideration of a zoning ordinance which conflicts with a general plan as a pro tanto repeal or implied amendment of the general plan. The general plan stands. A *zoning*

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this letter. (*See*, *Consolidated Irrigation Dist. v. Superior Court* (2012) 205 Cal.App.4th 697, 724-725 [“We conclude that the information provided made these documents readily available to City personnel”].)

<sup>8</sup> See available at: <https://www.babenc.org/assets/documents/16/meeting6399126a787ce.pdf> and at **Exhibit 10**.

*ordinance* that is *inconsistent* with the general plan is *invalid* when passed [citations] and one that was originally consistent but has become inconsistent must be brought into conformity with the general plan. [Citation.] The Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform.”

(*Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 389, *emph. added.*)

“A project is inconsistent if it conflicts with a general plan policy that is fundamental, mandatory, and clear.” (*Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 782.) In light of the above-noted, there can be no doubt that the limitation of a second dwelling unit is mandatory. It is well-settled that inconsistency with even *one* General Plan policy that is clear and mandatory is enough to “scuttle” the project. (*Families Unafraid to Uphold Rural El Dorado County v. El Dorado County Bd. of Sup'rs* (1998) 62 Cal.App.4th 1332, 1341–1342; *San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 753.)

Similarly, the noted *inconsistency* of the sought variance and the Project with the General Plan also violates the State’s Planning and Zoning Law’s General Plan consistency requirement under Gov. Code § 65860. Gov. Code section 65860(a) states that land uses associated with zoning ordinances shall be compatible with the objectives and policies of the general (community) plan, and precludes consideration of a zoning ordinance which conflicts with a general (community) plan.

Moreover, California Planning and Zoning law requires both *internal* and *vertical* consistency for general (community) plans. Internal consistency is about the interrelationship between various elements of the General Plan. Govt. Code § 65300.5 provides: “Legislature intends that the general plan and elements and parts thereof comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.”

Here, the State Planning and Zoning Law is violated by the Project in that the Project and its sought variance are vertically inconsistent with the City’s General Plan (and Community Plan) in allowing a second dwelling unit (with a kitchen) on the Project Site, contrary to the Minimum Residential RE40 designation. The state law is also violated by the internal or horizontal inconsistency since the Project’s violation or *pro tanto* repeal of the Land Use element creates inconsistencies with other elements of the General Plan, such as the Safety, Open Space, and Mobility elements.

**Second**, the variance for the *second kitchen* – or, actually, for the *second dwelling unit* – is improper under State Law and the City’s own Charter and LAMC, since the *practical hardship* here is *self-imposed*. Simply put, the Project Site *already* has a two-story large single family home, with its pool and other amenities. The Project Applicant, however, seeks to add a *second*



*new single-family home with its own kitchen, amenities, including a pool. (Exhibit 7 [LADBS and building permit information on the Project].) It is only fair to ask why the same family would need two pools on the Project site. In other words, the Project Applicant – who is very well familiar with the Project’s zoning and allowed densities limiting the lot to only one single family home – seeks to violate those requirements and build a second single family home. As the LOD concedes, there are only single family homes near the Project Site. (Findings, p. F-3 [“Adjoining and neighboring properties to the west, and south of the subject property are zoned RE40-1-H, properties to the north and east are zoned RE15-1-H, and developed with single-family residences.”]) There is no evidence in the LOD or otherwise that any other RE40 zoned lot was allowed to build a second dwelling unit to claim that the Project Applicant is deprived of those same rights in the same zone in the vicinity.*

As the California Supreme Court held in *Topanga Association for a Scenic Community v. County of Los Angeles* (1974) 11 Cal. 3d 506, 509:

“In the absence of an affirmative showing that a particular parcel in a certain zone differed substantially and in relevant aspects from other parcels therein, a variance granted with respect to that parcel amounted to the kind of ‘special privilege’ explicitly prohibited by Government Code § 65906, establishing criteria for granting variances.”

Critically, these principles led the Supreme Court to hold that “self-imposed burdens cannot legally justify the granting of a variance.” (*Broadway, Laguna, Vallejo Assn. v. Board of Permit Appeals of City and County of San Francisco* (1967) 66 Cal.2d at 774, 778.) As further explained in *Topanga (ibid)*: “A zoning scheme is a contract in which each party foregoes rights to use its land as it wishes in return for the assurance that the use of neighboring property will be similarly restricted, the rationale being that such mutual restriction can enhance total community welfare.”

Here, the Project Applicant seeks to add a second dwelling on a site which the City itself defines as being “so steep, the walls are not seen from the public right-of-way or obstructing any views.” (Findings, p. F-4.) The DEIR’s Appendix G [Geotechnical Report] describes the slope of the Project Site as follows:

Topographically, the lot sits on the crest of a south-trending secondary ridge. The site configuration consists of a level building pad on the east-central portion and descending slopes to the west, south and east toward Runyon Canyon Road. Slopes **as high as 340 vertical feet** descend to the east and south and as high as **175 vertical feet** descend to the west at an average gradient of about **1½:1 (H:V, 34 degrees)**, but are locally **as steep as ½:1 (63 degrees)**, particularly along the road cuts on the upslope portion of hiking trail (Runyon Canyon Road). Physical relief within the property limits is about 160 feet. Past grading consisted of cutting along the eastern and southern portions of the lot to create the hiking trail and cutting on the

central portion of the site to create the level building pad. The building pad and finished floor elevation is roughly 1123 feet (MSL).

(DEIR, Appendix G, p. 8, *emph. added.*)

The Project’s proposed second dwelling unit and necessarily the kitchen is also proposed in the middle of the park, next to the ridgeline, within an earthquake and landslide zones, and in the very high severity fire zone. The density limitations on this steep hillside lot are to ensure the surrounding community’s welfare, but the variance seeks to bypass such limitations and essentially remove the density limitations, posing fire and other risks to others.

And, above all, the claimed “hardship” of not being able to build a second kitchen or actually a second dwelling unit is fully self-imposed. For example, if the Project Applicant simply needed to *extend* his existing single-family home to accommodate his/her larger family, the existing fully functional single-family home could remain as the *primary* residence and the Project Applicant could simply build a *guest house* (i.e., rooms without a kitchen). (Notably, as also stated earlier, an ADU would not be allowed in the Project Site due to, *inter alia*, the high fire severity zoning of the Project Site.) But the Project Applicant chose to simply *re-characterize* the existing fully functional single-family dwelling as Accessory Living Quarters and instead build a new *primary residence*.

Also, despite the re-characterization of the existing single-family home as an “Accessory Living Quarters,” it is clear that it will be a wholly *independent* single family dwelling with its *own* kitchen, pool, parking, garage, and other amenities. As courts would say: “[I]f it looks like a duck, walks like a duck, and sounds like a duck, it is a duck.” (*People ex rel. Lockyer v. Pacific Gaming Technologies* (2000) 82 Cal.App.4th 699, 701 & fn. 1.)

Accordingly, the variance for a second dwelling unit or kitchen would be wholly improper for being entirely *self-imposed*.

**Third**, a variance for the second dwelling unit or kitchen cannot be granted since the required findings cannot be made. Gov. Code § 65906 allows variances only in limited situations:

**Variances** from the terms of the zoning ordinances shall be granted **only when, because of special circumstances applicable** to the property, including **size, shape, topography, location** or surroundings, the **strict application** of the zoning ordinance **deprives** such property of privileges **enjoyed by other property** in the **vicinity** and under **identical zoning classification**.

**Any variance** granted shall be subject to **such conditions** as will **assure** that the **adjustment** thereby authorized shall **not** constitute a **grant of special privileges inconsistent** with the **limitations** upon **other properties** in the **vicinity** and **zone** in which such property is situated.

A **variance** shall **not** be granted for a parcel of property which authorizes a use or activity which is **not otherwise expressly authorized** by the zone regulation governing the parcel of property. The provisions of this section shall not apply to conditional use permits.

(Emph. added.)

Also notably, the City’s own Charter, regulations, findings, and definitions of the *variance* incorporate the State Law’s and case law’s requirements, including that a variance should not be self-imposed and should not be a grant of special privileges to a particular project applicant.

Specifically, the Project must comply with the requirements of the Los Angeles Municipal Code (“LAMC”) section 12.27, which, in turn, refers to Chapter 1A, Section 13B.5.3, which provides:

**A. Applicability**

1. This Section applies to Variances that grant relief from a standard or regulation in this Chapter or Chapter 1 (General Provisions and Zoning) on the basis of **hardship** or **difficulties**.

**D. Decision**

....

- b. An application for a Variance shall be set for public hearing unless the Chief Zoning Administrator or, in their absence, an Associate Zoning Administrator performing their functions, **makes written findings**, a copy of which shall be attached to the file, that the **requested Variance**:
  - i. Will not have a **significant effect** on adjoining **properties** or on the **immediate neighborhood**; or
  - ii. is not likely to **evoke public controversy**.

**E Standards for Review and Required Findings**

1. The standards in **City Charter, Sec. 562** (Variances) apply to Variances. In granting a Variance, the Zoning Administrator or **Area Planning Commission** (on appeal) or **City Council** (on appeal) **shall find**
  - a. That the strict application of the provisions of the zoning ordinance would result in **practical difficulties** or **unnecessary hardships inconsistent**

- with the **general purposes** and intent of the **zoning regulations**;
- b. That there are **special circumstances** applicable to the subject property such as **size, shape, topography, location or surroundings** that do **not apply generally** to other property in the same zone and vicinity;
  - c. That the Variance is **necessary** for the preservation and enjoyment of a **substantial property right** or use **generally possessed** by **other property** in the same zone and vicinity **but which, because** of the special circumstances and practical difficulties or unnecessary hardships, is **denied** to the property in question;
  - d. That the granting of the Variance will not be **materially detrimental** to the **public welfare**, or **injurious** to the **property** or **improvements** in the **same zone** or **vicinity** in which the **property** is **located**; and
  - e. That the granting of the Variance will not adversely affect any **element** of the **General Plan**.
2. A Variance shall **not** be used to grant a **special privilege** or to permit a use substantially **inconsistent** with the **limitations** upon **other properties** in the **same zone** and **vicinity**. The Zoning Administrator may **deny** a Variance if the conditions creating the need for the Variance were **self-imposed**.

(Chapter 1A, Section 13B.5.3<sup>9</sup>, pp. 13-142 to 13-146, emph. added.)

None of the above-noted findings can be reasonably made here and the City's findings to the contrary are legally or factually unsupported.

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<sup>9</sup> See Chapter 1A to the LAMC available at:  
[https://codelibrary.amlegal.com/codes/los\\_angeles/latest/lazch1A/zoning](https://codelibrary.amlegal.com/codes/los_angeles/latest/lazch1A/zoning)

**1. The City’s finding that “strict application of the provisions of the zoning ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations” is unsupported.**

The City finds that the Project meets the above-noted *first* requirement, based solely on the fact that the existing house on the Project Site is *historic*:

“As a listed Historic-Cultural Monument, this designation provides protections against demolition and requires preservation on site. *Adherence* to the *provisions* of the zoning ordinance would create a *hardship* and be *inconsistent* with the intent of the regulations as *new dwellings* require a *kitchen* and the *existing historic home* cannot be physically altered so as to *remove the kitchen*.”

(Findings, p. F-1, *emph. added.*)

The above-noted justification is legally flawed and defies common sense for many reasons. It essentially claims that *compliance* with local regulations of protections and safeguards to preserve a historic property creates a hardship and is “inconsistent” with the intent of those regulations. Should this justification be acceptable, it would enable *every* property owner of a single-family historic property to take advantage and violate the law. In other words, if the City’s findings were legally proper and acceptable, then a historic property will essentially *always* create a right for its property owners to bypass laws and, as here, build *another* home in a zoning that expressly prohibits it. There is no evidence – nor can it be reasonably shown – that such is the “intent” of the City’s zoning regulations or historic preservation to allow property owners to bypass critical density and fire-safety regulations. And such interpretation of the City’s provisions or intent thereof should be avoided as it would lead to mischief and absurdity and repeal of all zoning regulations that are aimed to protect the environment. (*Dyna-Med, Inc. v. Fair Employment & Housing Com.* (1987) 43 Cal.3d 1379, 1392 [“Statutes are to be given a reasonable and commonsense interpretation consistent with the apparent legislative purpose and intent “and which, when applied, will result in wise policy rather than mischief or absurdity”].)

Also, the City’s above-quoted reasoning is flawed since it presumes that the *City’s regulation* that creates a hardship and the Project Applicant seeks to bypass is that of *historic preservation*. Not so. Far from historic preservation, the actual zoning limitation the Project seeks to depart from is the RE40 zoning’s *density* limitation of *only one single-family home* on the Project Site, as well as the *fire-safety* regulations, including in the Baseline Hillside Ordinance (see, RE40 zoning limitation of one-dwelling unit, prohibition of building an ADU (*accessory dwelling unit*) on the Project site in light of its location in the high fire severity zone, since an ADU – unlike other accessory structures – is the only one that would have otherwise allowed a *kitchen*. It is, therefore, clear that the actual intent of zoning regulations at issue here is to protect the surrounding environment from the adverse impacts of density and fire hazards, and

the Project squarely violates such intent.<sup>10, 11</sup> (See also, **Exhibit 8** [Article re fire-safety limitations of ADUs in hillside zoning].)

In addition, the City’s finding in support of the *first* condition to support a variance claims:

Additionally, per Chapter 2.5 of the **Conservation Element** for Resource Conservation and Management of the General Plan, **objective** is to **protect** important **cultural** and **historical** sites and resources for historical, cultural, research and community **educational purposes**. Preserving the **existing home intact**, while **granting a variance** to permit a second kitchen in the new home, furthers **this objective** by protecting the resource while **still** allowing the site to be **modernized** and **expanded** upon with a **new home**.

(Finding, pp. F-1—2, *emph. added.*)

The above-quoted passage appears to suggest that preserving the existing home intact is a *choice* by the Applicant. It is not. It is a zoning requirement which must be complied with. But again, it is not the *only* zoning requirement that is at issue here. As mentioned above, the Project is subject to the *other* critical zoning limitations, including density control and fire-safety, to guard against the adverse impacts of such density (including, traffic, biological, open space, air quality, GHG, fire and other impacts) and against fire hazards. As such, while considering the preservation impacts of the Conservation Element, the City is ignoring the *mandatory* zoning requirement of the Land Use element, as well as the mandatory requirements of the Open Space Element, Circulation Element, and other mandatory elements of the General Plan.

To wit, the Open Space Element of the City’s General Plan provides:

The ecological, economic, safety, and health benefits offered from our open spaces are abundant. They include major benefits such as: opportunities to capture and reuse water, carbon sequestration, heat island reduction, tourism, wildlife habitat, and recreation. While urban wildlife protection is not often an immediate priority for many cities, in **Los Angeles**, where spaces are limited and development competes with open space, **special considerations** are being established to **protect** our **undeveloped lands** and **local wildlife**, which include **mountain lions**, bobcats, deer, coyotes, and other species.

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<sup>10</sup> See pdf pp. 24-25 of the Hollywood Community Plan Draft EIR, Land Use Impacts Section at [https://planning.lacity.org/eir/Hollywood\\_CPU/Deir/files/4.10%20Land%20Use%20&%20Planning.pdf](https://planning.lacity.org/eir/Hollywood_CPU/Deir/files/4.10%20Land%20Use%20&%20Planning.pdf).

<sup>11</sup> See ADU Ordinance at [https://clkrep.lacity.org/onlinedocs/2016/16-1468\\_ord\\_draft\\_12-05-2019.pdf](https://clkrep.lacity.org/onlinedocs/2016/16-1468_ord_draft_12-05-2019.pdf)

(Open Space Element,<sup>12</sup> p. 5, *emph. added.*)

Notably, per ZIMAS parcel report of the Project Site, the Project is proposed in the Santa Monica Mountains Zone, where the potential of *biological resources* and *mountain lions* is “high.” (**Exhibit 1.**)

Similarly, the City’s General Plan’s Safety Element provides:

Secondary Events. When a **catastrophic disaster** strikes, it may trigger **secondary events**. An **earthquake** may trigger a **landslide** or cause **rupture** of gas mains or hazardous materials enclosures. Disruption of gas mains could contribute to or cause fires. If **winds** are present, **fires** could become **wildfires**. **Fires** can **denude hillsides** and, thereby, **exacerbate** potential **flood hazard** and **inundation** conditions. For purposes of evaluating hazards addressed by this Safety Element, the following sections provide a brief history of the measures taken to **mitigate individual hazards** in Los Angeles.

(Safety Element<sup>13</sup>, p. 23, *emph. added.*)

The Project, in fact, is not only proposed on a steep hillside, but also in the middle of a park, and within the Hollywood Earthquake fault, landslide, and Very High Fire Hazard Severity Zone area. Notably, the recent Runyon Canyon fires confirm and underscore the importance of the City’s Very High Fire Hazard Severity Zone designation for the Project area and show how crucial it is to comply with all fire and density restrictions in place in order to eliminate any potential of fire hazards that can be devastating not only for the Runyon Canyon area but also other areas of Los Angeles that are connected to the Runyon Canyon and may be affected. (See **Exhibit 6** articles on Runyon Canyon fire in January of 2025.)

As such, the Project’s proposed *added new home with a kitchen* that can and will add to the impervious surfaces and endanger the entire hillside and park area, along with other homes nearby, is clearly against the intent and policies of the General Plan’s Safety Element to mitigate the noted hazards. In line with the noted, the City’s General Plan Safety Element’s goals and objectives include:

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**

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<sup>12</sup> See, Open Space Element of the City’s General Plan at [https://planning.lacity.gov/odocument/b4199e59-9e91-4d30-b83c-fd42c30254d3/1Open\\_Space\\_Discussion\\_Paper\\_APRIL2017.pdf](https://planning.lacity.gov/odocument/b4199e59-9e91-4d30-b83c-fd42c30254d3/1Open_Space_Discussion_Paper_APRIL2017.pdf)

<sup>13</sup> See, Safety Element of the City’s General Plan at [https://planning.lacity.gov/odocument/bf51ae04-1c7b-4931-9a29-d46209998b89/Safety\\_Element.pdf](https://planning.lacity.gov/odocument/bf51ae04-1c7b-4931-9a29-d46209998b89/Safety_Element.pdf)

Zones. Ensure mitigations are incorporated for new development in **hazard areas** such as **VHFHSZs**, **landslide** areas, flood zones and in **other** areas with **limited** adaptive capacity.

(Safety Element, p. 64, emph. added.)

Moreover, the Safety Element lists the City’s Very High Fire Hazard Severity Zone designation and the Baseline Hillside Ordinance as ways to implement the Safety Element’s policies and to protect the safety of hillside properties and people:

- The City has **added new measures** and **code provisions** to **better plan** for **disaster events** since the **Safety Element** was last **updated**. These **new measures** and provisions have been **added** to the **Existing Conditions** chapter. A few examples are detailed below:
- The **Very High Fire Hazard Severity Zone designation** and related fire code provisions were adopted in 1999, replacing older designations such as the Mountain Fire District.
- The **Baseline Hillside** Ordinance adopted in 2011, regulates grading and hillside development, and was revised in 2017.

(Safety Element, p. 107, emph. added.)

The Project here *is* subject to the Baseline Hillside Ordinance requirement of not allowing an ADU or another kitchen or more than one dwelling unit on the Project Site. The Project’s presently applied *building permits* include *numerous* items to clear that are related to the BHO. (**Exhibit 7.**) The City is silent about all those additional limitations.

As mentioned earlier, the Project is also in the Very High Fire Hazard area, prohibiting the building of even an ADU (1,200 sf structure with a kitchen), let alone a new dwelling unit of over 5,000 sf on a single-family lot.

In sum, the City’s finding that the Project or its proposed *added* kitchen and, in essence, added *new* dwelling unit on the single-family zoned lot in the steep hillside is consistent with numerous General Plan elements’ goals or compliance with the zoning regulations presents a hardship is legally unsupported.

2. **The City’s finding that “there are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do not apply generally to other property in the same zone and vicinity” is unsupported.**

Just like the prior *first* finding, the *special circumstances*’ finding relies primarily on the existence of the historic property on the Project site. It claims:



The property on which the project is proposed has an **existing structure** to be used as an accessory living quarter. Listed as **HCM No.563** in 1992, the **existing historic** structure was listed as a significant **Lloyd Wright**-designed building. **As such**, the existing home is to be **preserved intact** and is not proposed to be significantly altered. **As a result**, the existing kitchen in the historic home will stay in place. **However**, the **addition** of the **new primary dwelling** also requires a **kitchen** and, therefore, requires a **variance** to allow **more than one** kitchen on the property. **Additionally**, the property itself has **significant topography** and is **entirely surrounded** by City **owned parkland** - Runyon Canyon. The existing lot cannot be modified or **expanded** due to this **physical constraint**. The **special circumstance** of an **existing HCM on the property to be preserved** with a new home constructed adjacent does **not** apply to other **properties** in the **same zone** and **vicinity**.

(Findings, F-2, emph. added.)

To the extent the City relies on the existence of the historic property on the Project site, it is not a special circumstance *allowing* violation or circumvention of the City’s density and fire safety regulations in place, as discussed earlier.

To the extent the City claims there are special circumstances in light of “**significant topography**” and the Project being “**entirely surrounded by City owned parkland** - Runyon Canyon” – those special circumstances, however, are not what causes the *need* to build *another new dwelling unit with a kitchen*. In other words, the City’s analysis is flawed as to the *causation*. Specifically, it is not the significant topography or its surrounding parkland that deprives the Project of the ability to build *two* dwelling units and two kitchen on the Project Site. It is the fact that the Project’s very zoning – to which all other property owners in the vicinity in the same zoning conform to – does *not* allow for a second dwelling unit and a kitchen. There is no showing in the City’s LOD, Findings, or EIR that the nearby homes in the RE40 zoning are developed with *two* dwelling units, as the Project Applicant proposes.

For all these reasons, the second finding that there are *special circumstances* that do not generally apply to other property owners *in the same zone and vicinity* is flawed since there are no such special circumstances here. The City has improperly focused on the purported special circumstances of a historic structure and parkland on the Project Site, but the historic structure and parkland are not the zoning limitations at issue. The Project is confined by the *density* and *fire-safety* regulations in light of the zoning and hillside and high fire hazard area, and those limitations are *generally* applicable to *all* properties in the same zoning and vicinity.

3. **The City’s finding that the “Variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question” is unsupported.**

The City’s *third* finding above is also improperly based on the existence of the historical property, stating:

The property on which the project is proposed has an **existing structure** to be used as an accessory living quarter. Listed as **HCM No.563** in 1992, the existing **historic** structure was listed as a significant Lloyd Wright-designed building. **As such**, the existing home is to be preserved intact and is not proposed to be significantly altered. **However**, the property owner **wishes** to construct a **new primary dwelling** unit on the property. **Prohibiting a kitchen** in the new dwelling unit would be a **burden and hardship** to the residents as a **kitchen** is a typical and **necessary component** of dwelling units, and **all dwelling units** in the vicinity contain kitchens. **Denying** a kitchen for the new dwelling would create **practical difficulties** in the **use** of the property.

(Findings, p. F-2, *emph. added.*)

For all reasons mentioned in the *two* prior findings, the City’s reasoning and justification is legally flawed as it conflates and equivocates the issues. As earlier discussed and detailed, the whole problem is exactly that the “property owner wishes to construct a new primary dwelling unit on the property.” (*Id.*) But the Property owner *cannot legally* do so, since it will constitute a *second* dwelling unit on a zone that allows only *one* unit. It is improper to conclude that someone’s compliance with the zoning regulations – to which *all other property* owners in the vicinity are subject to and comply with – is a burden and hardship warranting a variance. While denying a kitchen in a new dwelling would create practical difficulties in the use of a property, there is absolutely *no need* and *no legal way* to *add* such a *new dwelling* unit *at all*, since the City’s respective regulations and safety considerations *prohibit* such a new dwelling unit.

Stated differently, a new dwelling unit is simply what the Project applicant “wishes” – and the *necessity* of building such a second dwelling unit is entirely *self-imposed* rather than caused by the special circumstances on the Project site. As earlier noted, a variance is not warranted where, as here, the hardship or necessity is self-imposed.

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**4. The City’s finding that the “granting of the Variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located” is unsupported.**

The City’s *fourth* finding lacks analysis and is, at best, conclusory. It states: “Granting a variance to allow the kitchen for the new primary dwelling would not be detrimental to the public nor would it injure the property of this zone.” (Finding, p. F-2.) Besides being conclusory, the finding is legally unsupported. First, it is improperly narrowly-defined as if the issue is only about adding another kitchen. It is not. Far from adding another kitchen in the *existing* home, the Project seeks to build a whole *new 3-story dwelling* unit with its own kitchen and amenities, whereas a second dwelling unit is prohibited by the City’s various regulations to mitigate fire and density hazards.

Moreover, the City’s prohibition of a second dwelling or even an ADU with a kitchen in a hillside is expressly based on the City’s findings that such ADUs are a fire-hazard. If an ADU of even 1,200 sf is disallowed on the Project Site by virtue of being in the hillside and in the high severity fire zone, then a new dwelling unit of over 11,000 sf with a kitchen cannot be allowed. Notably, the City’s limitation on ADUs in the fire hazard hillside area, where the Project is located, is expressly to protect properties and the hillside areas from fire hazards and other secondary hazards, as stated in the Safety Element and noted earlier.

Notably, the City fails to even mention about the “property or improvements in the same zone or vicinity in which the property is located.” And for a reason: should fire start in any one of the Project’s two dwelling units, it may quickly spread around the hillside parkland and then also to the surrounding single-family homes, as evidenced by the recent wildfires in Los Angeles. In the City’s own description of the Project’s surrounding:

Surrounding properties are characterized by **hillside** topography and **unimproved streets without a concrete curb and gutter**. Adjoining and neighboring **properties** to the west, and south of the subject property are **zoned RE40-1-H**, properties to the north and east are zoned **RE15-1-H**, and developed with **single-family residences**.

(Findings, p. F-3, *emph. added.*)

There is no reason why the Project cannot and should not remain a single-family dwelling and there is no doubt that adding a second dwelling unit on such a steep lot without adequately paved and wide roads in the hillside, in the earthquake fault, landslide, and high fire hazard zone – upon removal of 28 trees and extensive grading for which yet another variance is needed to allow – will be injurious to the surrounding park, adjacent historic property, surrounding wildlife and special species, as well as disastrous to the neighboring properties subjecting them all to life and safety hazards and risks of great proportions.

For these reasons, too, the City’s *fourth* finding in support of a variance is unavailing.

**5. The City’s finding that the granting of the Variance will not adversely affect any element of the General Plan.**

The City’s justification for this *fifth* finding is wholly unsupported. It states:

The proposed **use** on the subject property is the same as the existing use and **no substantial changes** are **proposed**. The **use** is **consistent** with the **community plan** and **does not adversely** affect any **element** of the General Plan. Additionally, per the **Conservation Element** of the General Plan, the **objective** is to **protect** important **cultural** and **historical** sites and resources for historical, cultural, research and community educational purposes.

(Findings, p. F-2, *emph. added.*)

For all the reasons mentioned for *findings one* through *fourth, supra*, the above-quoted justification is flawed and based on equivocation. While the proposed *use* is the same as the existing one, the granting of the Variance will indeed adversely affect *many* elements of the General Plan, including the *mandatory* provisions of the Land Use element and its Hollywood Community Plan applicable to the Project. Thus, as noted earlier, the land use designation of the Project Site is *minimum residential* which, under the respective community plan corresponds to RE40 zoning and allows only *one* dwelling unit. The Project proposes *two* dwelling units – the *existing* one and a *new* one. That the existing dwelling unit is now *rebranded* as Accessory Living Quarters, that label is a misnomer. An Accessory Living Quarters *cannot* have a kitchen, but the existing dwelling unit *has* one.

Moreover, as also noted and showed earlier, the Project’s density will affect the Safety Element as it will be contrary to the goals and policies thereof by putting another dwelling unit on a steep hillside site, in the middle of a parkland, in an earthquake, landslide, and high fire severity hazard zone, and in violation of the BHO’s various policies that are incorporated in the Safety Element and intended to implement its policies. The Project will be disastrous for the surrounding sensitive areas of biological resources and mountain lions and the protected Santa Monica Mountains, which are all rare resources. And the recent apocalyptic wildfires in Los Angeles in January 2025 confirm and underscore the imminence of such risks.

For all the above-noted reasons, the Project’s disallowed and strongly prohibited second dwelling unit with a kitchen is also contrary to the preservation policy of the General Plan’s Open Space element, as it threatens to destabilize the parkland through a massive development proposed on a steep hillside and to subject that parkland to imminent fire risks.

The Project is also inconsistent with the City’s Mobility Element 2034<sup>14</sup> in that the Project proposes higher density on an unidentified road type of narrow width, making it difficult, if not impossible, to reach the Project Site should a disaster hit. Specifically, there are *five goals*

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<sup>14</sup> See Mobility Element at: [https://planning.lacity.gov/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility\\_Plan\\_2035.pdf](https://planning.lacity.gov/odocument/523f2a95-9d72-41d7-aba5-1972f84c1d36/Mobility_Plan_2035.pdf)

of the Mobility Element, which are equal in weight and start with *safety* and end with *clean environment healthy communities*:

Mobility Plan 2035 includes goals that are equal in weight and define the City’s high-level mobility priorities. Each of the goals contains objectives (targets used to help measure the progress of the Plan) and policies (broad strategies that guide the City’s achievement of the Plan’s five goals):

- Safety First
- Access for All Angelenos
- World Class Infrastructure
- Collaboration, Communication and Informed Choices
- Clean Environments & Healthy Communities

(Mobility Element, p. 13.)

The Project is clearly inconsistent with the “Safety First” and the “Clean Environments & Healthy Communities” goals.

That the Project complies with the Conservation Element in that it does not propose to tear down the historic resource is not a good argument. The Project does not need to tear down the historic resource and cannot legally do so. Also, compliance with solely the Conservation Element should not come with severe risks of fire and other disasters and should not be at the expense of violating the policies of numerous other General Plan elements and the City’s regulations.

Notably, the same provisions of Chapter 1A of LAMC as to the required findings are prescribed by the City’s Charter section 562. As such, the Project not only does not meet the LAMC requirements, but in fact violates the City’s charter and its intent.

As the Court in *Orinda* noted:

“[D]ata focusing on the *qualities* of the property and Project for which the variance is sought, the *desirability* of the proposed development, the *attractiveness* of its design, the *benefits* to the community, or the *economic difficulties* of developing the property in conformance with the zoning regulations, *lack legal significance* and are simply *irrelevant* to the controlling issue of whether strict application of zoning rules would prevent the would-be developer from utilizing his or her property to the same extent as other property owners in the same zoning district.”

(*Orinda Association v. Board of Supervisors of Contra Costa* (1986) 182 Cal.App.3d 1145, 1166, *emph. added*.)

Lastly, the City’s Findings completely ignore the overarching and critical requirement under the LAMC Chapter 1A that “A Variance shall **not** be used to grant a **special privilege** or

to permit a use substantially **inconsistent** with the **limitations** upon **other properties** in the **same zone** and **vicinity**. The Zoning Administrator **may deny** a Variance **if** the conditions creating the need for the Variance were **self-imposed**.” For reasons stated earlier, such a finding could not have been made on the facts of the case.

The Project’s sought variance is a special privilege to the Project Applicant to build two dwelling units in a sensitive and highly restrictive zone allowing only one dwelling unit, which variance is not needed due to any genuine physical hardship or constraint on the Project site but rather due to the Project Applicant’s “wish” to develop a second dwelling unit in the zone that prohibits it for various density and fire-safety risks and concerns. Such a special privilege to the Project is prohibited under the City’s LAMC Chapter 1A and under Cal. Constitution at Cal. Const. Art. I § 7, subdivision (b), which mandates: “(b) A citizen or class of citizens may not be granted privileges or immunities not granted on the same terms to all citizens.”

In sum, the City’s findings in support of grant of a Variance to allow a second kitchen or, rather, a second *dwelling unit* are legally and factually unsupported and premised on flawed and inaccurate descriptions and incomplete analysis of the scope of the variance and findings.

**D. The Zoning Administrator’s Determination to Permit Three Retaining Walls up to 10-feet; and, to Allow 28,102 Cubic Yards of Grading to Occur On-Site (12.24.X.26 & 28 of the LAMC) Is Unsupported as a Matter of Law.**

Similar to the variance findings, the findings in support of allowing *three* 10-foot retaining walls and 28,102 cubic yards of grading on the Project Site are flawed and based on equivocations or omissions of facts.

First, the City finds that the Project will “enhance” the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city or region. In support of this finding, the City cites *no* evidence relevant to the issue other than note that *three* retaining walls will be necessary for the slope stability and that the Project will enhance the housing stock. What the City ignores is the fact that there would have been no need to enhance the slope stability if the Project had not proposed to grade the hillside so extensively (28,102 cubic yards). Here again, the Project seeks a *variance* to allow a second dwelling unit atop the steep hillside, which is expressly prohibited by the City’s regulations. Far from enhancing the built environment, the Project poses a hazard thereto, for reasons stated earlier. Hence, the three retaining walls to accommodate such a disastrous Project are unwarranted.

In addition, the City relies on the fact that the Project preserves the historic property on site. But, as noted in *Orinda, supra*:

“In the absence of a specific ‘bonus’ or ‘merit’ system of zoning enacted by the municipal or county legislature, a variance applicant may not earn immunity from one code provision merely by over compliance with others. Otherwise, the board charged with reviewing development proposals would

be empowered to decide which code provisions to enforce in any given case.  
That power does not properly repose in any administrative tribunal.”

(*Orinda*, at 1147.)

In other words, historic preservation is at least *as* important *as* the safety and stability of the hillside and its surrounding properties. And, just because the Project preserves the historic property, it should not be allowed to violate all other safety protections and regulations and endanger the surrounding environment and other properties.

Also, the City claims or suggests that the Project performs a function or provides a service *essential* or *beneficial* to the community, city or region and, in support, notes that the “proposed project improves the *housing supply* and will *raise property values* in the vicinity.” But adding a second dwelling unit in a zone where it is expressly prohibited is not an essential service; nor is it beneficial to the community, city or region, as it poses great risks of fire hazards and slope stability problems. While wholly irrelevant, the City’s claim that adding three retaining walls and excessive grading on the hillside will increase property value to the surrounding properties is also unwarranted. The Project’s massive construction will endanger the hillside and parkland and, in fact, not only decrease the property values around but also create risks for the destruction of such properties.

To wit, the Project seeks to grade **28,012 cubic** yards on-site, instead of the allowed maximum grading amount of **6,600 cubic** yards by-right per LAMC 12.21.C.10(f), and claims that such grading is required in order to preserve the historic property. The reasoning is simply off. The grading on the site is required for the *second* dwelling unit, which will be on the *far west* side and *far away* from the existing historic property on the *east*, as shown in the screenshot below from DEIR’s Appendix F-1 (pdf p. 30):



**Rendering 5:** View of South Elevation of the proposed new residence; existing Headley/Handley House is on the right (east side of bluff). (Note: this is an elevated view- a hiker or pedestrian would not see the two residences side by side like this, but would see just the hillside from below).

(Source: Ameen Ayooob Design Studio, 2016)

(DEIR, Appendix F-1, pdf p. 30.)

Moreover, while the City’s findings do not disclose this, the record shows that the Project Applicant actually sees to put *five* retaining walls – *not three*. (**Exhibit 7.**) Also, based on the 2016 Geotechnical Report in Appendix G, the Project may need up to 13-foot retaining walls – not just 10-foot retaining walls. Lastly, based on the Project Applicant’s building permit applications, the Project will need to clear the sewer availability item, and essentially will have to grade the hillside even more in order to extend sewer connections from the existing dwelling unit to the new one. And, based on the project description in the Appendix G of the DEIR on which the City relies, the Project may build a tunnel connecting the existing dwelling unit to the new dwelling unit’s basement. Such descriptions show that the Project seeks and needs far more than an addition of 3 retaining walls and grading of over 28,000 cy.

In sum, the finding that the requested approval of 3 retaining walls and excessive grading is unsupported since the required findings cannot be made and since the scope of such approvals is also understated.

**Second**, the City finds that the project’s location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. For all reasons noted in the Sections B-C, *supra*, the finding is unsupported. The Project proposes a second new dwelling unit on a lot that is zoned for only *one* dwelling unit. The Project’s noted density limitation is also based on the topography of the hillside, steepness, fire risks, Very High Fire Severity Zone, earthquake, landslide, and other features of the site. The proposed Project with its massive and many retaining walls and excessive grading will further exacerbate the existing features and risks and destabilize the hillside, thereby posing risks to the nearby surrounding homes, public health, safety and welfare, and the sensitive biological resources of the Santa Monica Mountains, parkland, and ridgeline, where the Project’s changes are proposed.

**Third**, the City finds that the project substantially *conforms with* the purpose, intent and provisions of the General Plan, the applicable community plan, and any specific plan. For all reasons stated in the Section C, *supra*, re variances, the Project violates both the General Plan’s Elements and the Hollywood Community Plan. Moreover, the Project expressly seeks a *variance* from the requirements of the specific plan and, as such, is inconsistent with it. In addition, that the Project is consistent with the “vision” of the Community Plan and the Conservation Element in adding housing or preserving the historic property on the Project Site is wholly irrelevant, where the Project clearly violates the *mandatory* requirements of the Land Use element in proposing a *second* dwelling unit on an RE40 zone which allows only one dwelling unit.

Similarly, the City’s reliance on the Community Plan’s Objective 1-3 which intends “to make the housing required to satisfy varying needs and desires of all economic segments” is misplaced. The Project proposes a second dwelling unit, with its own pool and amenities, but purportedly for the *same* family, and claims to use the existing dwelling unit as merely Accessory Living Quarters. In other words, the Project Applicant is not making housing to satisfy “varying needs and desires of all economic segments.” The Project Applicant is merely



expanding his/her property size for his own family and for the very same economic segment. Moreover, the City's quoted goals from the Community Plan clearly disregard the limitations and qualifications for the hillside single-family homes and are not a carte-blanche to disregard those limitations.

**Fourth**, the City finds that the request to allow excessive (almost 4 times more grading than allowed) is in conformity with the public necessity, convenience, general welfare, and good zoning practice and that the action will be in substantial conformance with the various elements and objectives of the General Plan. In support, the City claims:

The Hollywood Community Plan designates the subject property for Minimum Residential land uses with corresponding zones of RE40. Construction of a *single-family home* on a lot zoned for *such* use *can* be considered to be in conformity with the public *necessity, convenience, general welfare and good zoning practice*.

(Findings, p. F-5, emph. added.)

The justification is flawed since the Project is not constructing a single-family home on an *empty* lot, but rather a *second dwelling unit* on a site zoned for a single dwelling unit. For reasons stated in Section C, *supra*, a second dwelling unit in a steep hillside area which, in addition, is within Very High Fire Hazard zone, earthquake fault and landslide zone, and amidst a park with sensitive biological resources, including mountain lions, is not only *not* a good zoning practice but also expressly prohibited by the City's General Plan designation, Baseline Hillside Ordinance, and policies in the General Plan Elements, which are set to ensure the safety of the surrounding environment and preserve the hillside, parkland, and biological resources.

**Fifth**, the City finds that the impacts of excessive grading will be mitigated by the fact that all earthwork will remain onsite. (Findings, p. F-6.) What the City fails to realize is that the grading will disturb the natural water flows, will remove what is currently firm rock and will leave on the site the graded loose dirt in an area prone to landslides, earthquakes, and other hazards. Leaving earthwork onsite is not a guarantee against landslide or other risks – it may increase such risks.

In sum, the City's justifications in support of allowing yet another *variance* – three retaining walls of up to 10 feet high, as well as grading of over 4 times more than what is allowed on the hillside per the slope formula – are flawed and the sought entitlement should not be approved, as it will adversely and irreversibly affect the surrounding hillside and parkland environment.

**E. The Specific Plan Exception from the Mulholland Scenic Corridor Specific Plan to Construct Within 50-feet of a Prominent Ridgeline is Unwarranted as a Matter of Law.**

The findings required for the Specific Plan exception are akin to the findings required for a variance and are listed in Chapter 1A of the LAMC, Section 13B.4.5, which provides:

A Project Exception grants relief from a specific plan's regulations on the basis of particular standards or criteria established in this Section, or in a particular section of a specific plan. Like a Variance, a Project Exception application **must show a hardship**. However, a project exception typically includes relief from additional standards that relate to the purposes of the Specific Plan.

(Chapter 1A of LAMC, p. 13-126, *emph. added.*)

Indeed, the LAMC Chapter 1A, Section 13B.4.5 lists the very same requirements and findings that must be made as with the variance; namely:

E. Standards for Review and Required Findings

In approving a project exception, the Area Planning Commission or City Council (on appeal) **shall find** that:

1. The strict application of the regulations of the Specific Plan to the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the Specific Plan;
2. There are exceptional circumstances or conditions applicable to the subject property involved or to the intended use or development of the subject property that do not apply generally to other property in the Specific Plan area;
3. An exception from the Specific Plan is necessary to preserve and enjoy a substantial property right or use generally possessed by other property within the Specific Plan area or zoning district in the same vicinity but which, because of special circumstances and practical difficulties or unnecessary hardships is denied to the property in question;
4. The granting of the exception is not detrimental to the public welfare or injurious to the property or improvements adjacent to or in the vicinity of the subject property; and
5. The granting of an exception is consistent with the principles, intent and goals of the Specific Plan, zoning district, and any applicable element of the General Plan.

For reasons listed in Section C, *supra*, the required findings cannot be made here either. Briefly, the Project seeks an exception, or variance, to build a *second dwelling unit* on the ridgeline, where the zoning does not allow a second dwelling unit and where this limitation on

density is also in place for fire-safety and other considerations to prevent disasters. And, as noted with variances, there is no real hardship for which the Project seeks an exception. The only hardship is self-imposed by the Project Applicant’s “wish” to build yet *another* dwelling unit on the Project site that is simply not zoned for it. And someone’s wish does not qualify for a hardship needed to show for an exception or variance here.

As such, the Project violates the Specific Plan and does not qualify for an exception.

**F. The Project and Its Entitlements Should Not Be Approved Since They Ignore Imminent and Real Seismic Risks.**

Apart from fire safety and risks associated with density increases, the Project presents a severe seismic hazard, since its seismic stability has not been duly and fully studied or vetted. Thus, the Draft EIR on which the City appears to rely for seismic stability, claims that the Project is *not* within an earthquake zone:

As discussed in Chapter VI (subsection Impacts Found not to be Significant) of this Draft EIR and in the Initial Study (Appendix A), **no** known active **faults** cross or are directed toward the Project Site, nor is the Site located in a currently established Alquist-Priolo (AP) Zone of Required Investigation. The **closest established** AP Zones are **along the Hollywood Fault** and the Newport-Inglewood Fault, based on a review of the Alquist-Priolo Special Studies Zone for the Hollywood Quadrangle (CGS, 2014). Thus, the potential for fault surface rupture at the Project Site is considered low, and the Project would not exacerbate existing environmental conditions related to fault rupture. **Therefore, no direct or indirect impact related to the surface rupture of a known earthquake fault would occur.**

(DEIR, p. IV.F-12, *emph. added.*)

This claim, however, is inaccurate and misleading, since the Project Site is *within* the Hollywood Fault zone. (**Exhibit 1** [ZIMAS parcel report].) Notably, the Geotechnical Report on which the Draft EIR relies upon for its geotechnical findings is itself inaccurate as it claims the Project is 2 kilometers away from the Hollywood Fault. (DEIR, Appendix G, p. 8/pdf p. 11.)

Similarly, as to the *landslide* and *soil stability* of the Project’s location, while the Draft EIR mentions the landslide hazard, it then relies on an *obsolete, inaccurate, and irrelevant*<sup>15</sup> Geotechnical report of 2016 to conclude that the soil is stable on the Project Site and no landslide impacts may occur:

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<sup>15</sup> It appears that the Geotechnical Report relied on a completely different project description than the one provided in the Draft EIR, as detailed in Section I, *supra*.

***Threshold a.iv) Would the Project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?***

The Project Site is identified by ZIMAS as being within a landslide hazard zone.

However, during field **explorations** conducted as part of the preparation of the

geotechnical report, there was **no evidence of deep-seated failure** or other types of **slope failure** observed. Further, according to the Seismic Hazards Zones Map, the Project Site is within a zone of **required investigation for earthquake-induced landsliding**, which requires a site investigation by a certified engineering geologist with expertise in geotechnical engineering. The seismic stability of the Project Site was therefore calculated in conformance with Southern California Earthquake Center (SCEC) screening procedures, and the analysis showed that the Project Site and existing slopes would be **grossly stable** under anticipated seismic conditions.\*6 Thus, **with compliance with general building standards** including those contained in the UBC, CBC, and City Building Codes that are **designed to protect public safety**, the Project would **not exacerbate** existing environmental conditions related to landslides. **Therefore, potential impacts associated with landslides would be less than significant.**

(DEIR, p. IV.F-13—14, *emph. added.*)

Footnote 6 refers to a Geotechnical report prepared in 2016.

Notably, the said Geotechnical report is flawed in its conclusions. First, it does not even admit that the Project is in a *landslide* and *earthquake* zone, but merely states that the Project requires investigation into a possibility of earthquake-induced landslides.

Also, while claiming that a site investigation occurred, the Geotechnical Report incorrectly claims that the Project Site is within 2 kilometers from the Hollywood Fault and there is no possibility of a landslide. (DEIR, Appendix G, p. 8/pdf p. 11 [“The site is located within two kilometers of a known seismic source (Hollywood fault)”] & p. 9/pdf p. 12 [“However, secondary effects such as surface rupture, lurching, liquefaction, consolidation, ridge shattering, and landsliding should not occur at the subject property.”])

Moreover, the “grossly stable” finding of the Geotechnical Report is irrelevant and insufficient to conclude that no landslide potential is present where, as here, the Project proposes a massive 3-story building and up to 13-foot high retaining walls, the foundations of which will reasonably foreseeably be built much *deeper* than three-four feet. Notably, the Project Applicant’s building permit applications show that the Project needs to clear items, including “Excavation *more than 5-ft deep.*” (**Exhibit 7**, *emph. added.*)

Yet, under the LA’s Manual for Preparation of Geotechnical Reports, “Landslides are considered a geologic hazard unless it is demonstrated to have factors of safety for gross static stability at least 1.5 and pseudostatic stability at least 1.1. Stability analyses shall be supported with onsite subsurface exploration and appropriate laboratory testing.”<sup>16</sup> (**Exhibit 9** [LA Manual for Preparation of Geotechnical Reports, 2013].) Apparently, the testing for the Geotechnical Expert of the 2016 Report was not sufficient for a *more than* 5 feet deep excavation needed for the Project, as it was only done for the *maximum* of 5 feet deep. (DEIR, Appendix G, p. 2 [“Exploration was conducted on February 9, 2016, with the aid of hand labor. It included excavating 8 test pits to a maximum depth of 5 feet].)

Also, it appears that, at the time of conducting the Geotechnical investigation in 2016, the Project’s new dwelling unit was proposed *south* of the existing house, not *west* of it, as also confirmed by the screenshot from Appendix F-1, p. 8/pdf p. 11:

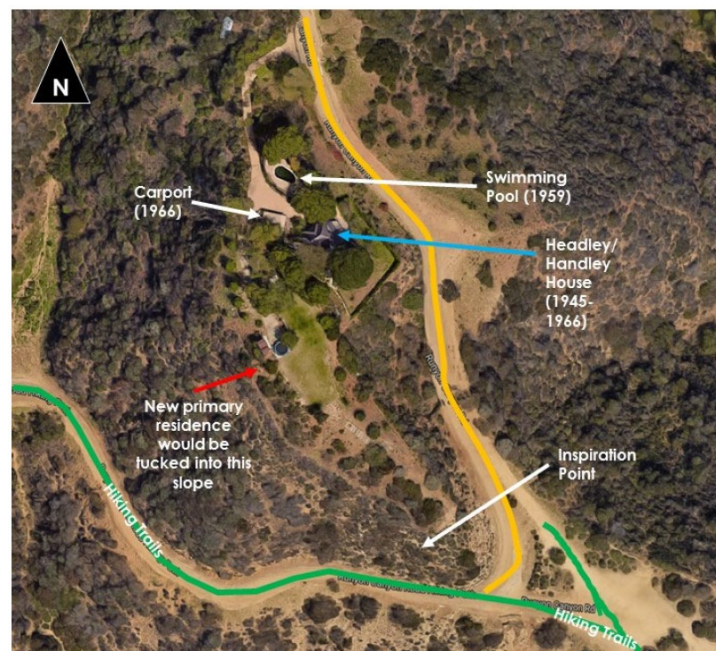


Figure 3: Project site (base map: Google, 2016)

As such, it is also unclear whether the Geotechnical studies conducted for the Project to be built *south* of the existing house (see Section I.1, *infra*) even apply, where the Project is now proposed *west* of the existing house.

Notably, the Geotechnical Report has a disclaimer titled “Notice,” which states, in pertinent parts:

**NOTICE**

In the event of any **changes** in the **design** or **location** of any **structure**, as outlined in this report, the **conclusions** and **recommendations** contained

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<sup>16</sup> See <https://dpw.lacounty.gov/gmed/manual.pdf> also at **Exhibit 9**.

herein may **not** be considered **valid unless** the **changes** are reviewed by us and the conclusions and recommendations are modified or reaffirmed after such review.

The subsurface conditions, excavation characteristics, and geologic structure described herein and shown on the enclosed cross sections have been projected from excavations on the site as indicated and should in **no way** be construed to **reflect** any **variations** that may occur between these excavations or that may result from changes in subsurface conditions.

**Fluctuations** in the **level of groundwater** may occur due to variations in **rainfall, temperature, irrigation, and other factors** not evident at the **time** of the measurements reported herein.

**Fluctuations also may occur** across the site. **High groundwater levels** can be extremely **hazardous**. **Saturation** of earth materials can cause **subsidence** or **slippage** of the site.

If conditions encountered during construction appear to differ from those disclosed herein, notify us immediately so we may consider the need for modifications. Compliance with the design concepts, specifications or recommendations during construction requires the review of the engineering geologist and geotechnical engineer during the course of construction.

**THE EXPLORATION WAS PERFORMED ONLY ON A PORTION OF THE SITE, AND CANNOT BE CONSIDERED AS INDICATIVE OF THE PORTIONS OF THE SITE NOT EXPLORED.**

This report is issued and made for the sole use and benefit of the client, is not transferable and is as of the exploration date. Any liability in connection herewith shall not exceed the fee for the exploration. No warranty, expressed or implied, is made or intended in connection with the above exploration or by the furnishing of this report or by any other oral or written statement.

**THIS REPORT WAS PREPARED ON THE BASIS OF THE PRELIMINARY DEVELOPMENT PLAN OR CONCEPT FURNISHED. FINAL PLANS SHOULD BE REVIEWED BY THIS OFFICE AS ADDITIONAL GEOTECHNICAL WORK MAY BE REQUIRED.**

(DEIR, Appendix G, p. 31/pdf p. 34, *emph. added.*)

To the extent the Geotechnical Report was prepared *before* the changes in the Project's location from *south* to *west* of the existing home and to the extent other changes have occurred in the Project's scope or in the slope stability since 2016, the Geotechnical Report is not valid and not sufficient to conclude that the Project does not present a seismic hazard.

Moreover, the “gross stability” is typically defined as<sup>17</sup> *three to four* feet deep below surface:

“Slope Stability” shall be defined as follows:

A. “Gross stability” means the factor of safety against failure of slope material located below a surface approximately **three to four feet deep**, measured from and perpendicular to the slope face.

B. “Surficial stability” means the factor of safety against failure of the outer three to four feet of slope material measured from and perpendicular to the slope face.

(City of Banning, Grading Standards, Public Works Department, p. 36/pdf p. 41.)

Therefore, the finding that soils three-four feet deep were found to be “grossly stable” in the Geotechnical Report of 2016 is not sufficient to ensure that the Project, which proposes to build 3 stories, mount 5 retaining walls up to 10-13 feet high, amongst other massive changes, and grade more than 5 feet deep presents no seismic hazards to the surrounding properties, parkland, or the hillside in general.

Lastly, the City, its Geotechnical Report, and the EIR appear to rely on the Project’s compliance with the *existing* building regulations and the review of the City staff to ensure that the Project will not be a seismic hazard, among all other hazards. This reliance is, however, misplaced in light of the principle of *additionality*. (See Section I.4, *infra*.) Simply put, one cannot propose a manifestly illegal project in a highly seismic location and claim that compliance with building standards will take care of all the risks.

Moreover, compliance with building codes is not sufficient to claim that any impact or hazard will be fully eliminated. Regulatory compliance measures would be inadequate to prove with certainty that they will reduce the above-mentioned significant impacts to less than significant. As a rule, regulatory compliance measures target only the envelope of the building of the Project and do not concern themselves with the surrounding environment: the Santa Monica Mountains, hillside area, parkland, mountain lions, biological resources, other properties, wildlife, or protected trees. In particular, the building codes do not extend to the *outside* of the Project’s envelope and do not address the question of whether the Project is even *safe* to build, “whether a building should be constructed at all, how large it should be, where it should be located, whether it should incorporate certain resources, or anything else external to the building’s envelope.” (See, *California Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173, 210.)

For all of these critical reasons, the Project and its numerous variances, exceptions, and entitlements should not be granted because the Project may cause a slope failure and be a seismic

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<sup>17</sup> See, p. <http://banning.ca.us/DocumentCenter/View/646/Grading-Standards?bidId>

hazard, disastrous to the surrounding environment, including the historic building, parkland, wildlife, biological resources, and other single-family homes in the vicinity.

**G. The Project and Its Entitlements Should Not Be Approved Since Their CEQA Clearance Is Inadequate.**

The City’s CEQA process in this Project suffers from numerous flaws, including factual omissions, inaccuracies, and misstated legal principles and flawed baseline assumptions, which are not entitled to the deferential substantial evidence standard, as discussed below.

**1. The Draft and Final EIR’s Project Description Is Inaccurate, Unstable, and Not Finite, Defeating CEQA’s Goals and Making the EIR Fatally Inadequate.**

“The requirement of an accurate, stable, and finite project description as the *sine qua non* of an informative and legally sufficient EIR has been reiterated in a number of cases since *County of Inyo*.” (*Stopthemillenniumhollywood.com v. City of Los Angeles* (2019) 39 Cal.App.5th 1, 17.) Whether the EIR’s project description is adequate is reviewed *de novo*. (*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 729–730 [“the selection and use of a ‘truncated project concept’ violated CEQA”].) “The DEIR, the FEIR, and the final approval must describe substantially the same project.” (*Washoe Meadows Community v. Department of Parks & Recreation* (2017) 17 Cal.App.5th 277, 288–289 (“*Washoe Meadows*”).) As the Court in *Washoe Meadows* described:

A description of a broad range of possible projects, rather than a preferred or actual project, presents the public with a moving target and requires a commenter to offer input on a wide range of alternatives that may not be in any way germane to the project ultimately approved. While there may be situations in which the presentation of a small number of closely-related alternatives would not present an undue burden on members of the public wishing to participate in the CEQA process, in this case the differences between the five alternative projects was vast, each creating a different footprint on public land. Each option created a different set of impacts, requiring different mitigation measures.<sup>5</sup> “[W]hen an EIR contains unstable or shifting descriptions of the project, meaningful public participation is stultified.” (*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 656, 57 Cal.Rptr.3d 663 [project description in DEIR regarding mine expansion was unstable and misleading because it suggested both that no increase in mine production was sought and that mine production would substantially increase if project was approved].)

(*Washoe Meadows, supra*, 17 Cal.App.5th at 288–289.)

As in *Washoe Meadows*, the Draft EIR here failed to present a stable, finite, and accurate project description and presented a “moving target” (*id.*).



**First**, the Draft EIR and Final EIR (with its responses to public comments to the Draft EIR) stated or suggested that the Project would have only *one* kitchen on the lot, since allegedly the kitchen, or rather, the stove in the kitchen, would be removed. (FEIR, 2-61/pdf p. 71.) Notably, a variance to allow a second kitchen was not even listed among the discretionary approvals in the Draft EIR. (DEIR, p. II-9.)

However, the LOD and Project approvals show that the Original Project has been *revised after* issuing the Final EIR, and now claim that there *will* be *two kitchens* on the Project site. This change is not insignificant as it makes the entire Project *illegal* in terms of zoning, it creates *numerous inconsistencies* with the applicable General Plan, Community Plan, and zoning, and thereby raises the issue of more significant and new impacts, including but not limited to: *land use, fire-safety, air-quality, GHG, energy impacts, and impacts to biological resources and parkland*, which have not been studied in the Draft EIR. These changes, along with others, require the recirculation of the EIR, which, however, did not happen, as a separate violation of CEQA.

**Second**, the Draft EIR failed to accurately disclose the fact that 28 trees, including one protected tree, will be removed from the Project Site. (Compare, Findings, p. F-1 [“The applicant's plans show 28 non-protected trees to be removed and one protected toyon to be removed.”] with Draft EIR, p. IV.C-24 [“According to the Protected Tree Report prepared for the Project by The Tree Resource (2016), included in Appendix E-1 of this Draft EIR, there are no native protected tree species on-site. However, there are a total of ninety-six (96) Non-Protected Significant trees on the Site and seventeen (17) Non-Protected Significant trees are recommended for removal. These trees are in close proximity of the proposed construction and will not tolerate the encroachment. Thus, the Project would remove the existing non-native trees on the Project Site and would provide replacement trees.”]) This change is perhaps based on the fact that the *location* of the new dwelling was changed from being *south* of the existing historic resource (with less trees and fauna) to the *west* of it (with more trees), as discussed and showed earlier. *Thus*, the EIR failed to disclose the removal of 11 more trees, one of which is a protected tree.

**Third**, the Project appears to have been moving, expanding, and shrinking throughout the CEQA process, as to its details and size, suggesting that the Project description in the EIR is incomplete. Thus, as also noted earlier, pursuant to the Geotechnical Report of 2016, the Project would be located *south* of the existing historic single-family home, and include both *road widening*, a *tunnel* connecting the two single-family homes, a *pool*, and up to 13-feet high retaining walls:

#### **PROPOSED PROJECT**

Information concerning the proposed project was provided by the client. The preliminary plans prepared by Ameen Ayoub Design Studio were a guide for exploring the site and preparing this report. It is proposed to construct a three-story residence along the ridge crest **south** of the **existing residence** with a **basement** and **green roof deck**. The residence will be

notched into the slope and will be supported with **retaining walls** up to **13 feet high**.

A **pool** and **deck** are planned along the southern edge of the slope. A **retaining** wall, up to 10 feet high, is planned along the western portion of the existing driveway to widen the driveway for fire access. A **tunnel** from the **existing residence** is planned to access a wine cellar **adjacent** to the **proposed residence**. An onsite sewerage system is also planned.

Grading will consist of removals for the basement levels and the **placement** of **fill** behind retaining walls and for landscaping and hardscape.

(DEIR, Appendix G, p. 5/pdf p. 7, *emph. added.*)

The Draft EIR's description, however, notes that the proposed house will be located *west* of the existing historic home, and fails to note about the tunnel or up to 13 feet retaining walls. The additional changes identified in the Geotechnical Report, therefore have not been studied for impacts in the EIR and confirm that the Project description of the EIR was incomplete.

**Fourth**, the Project's application permits show that the Project seeks far more than what is disclosed in the EIR or mentioned in the City's final approvals. (**Exhibit 7.**) For example, the City's approvals or EIR do not mention about the additional pool, or 5 retaining walls, or grading/excavation in excess of 5 feet deep, or several BHO ordinance clearances and hence limitations that the Project still needs to clear. (*Id.*)

The above-noted list of issues is only illustrative and not exhaustive. But these issues are sufficient to show that the Project description in the EIR is unstable, inaccurate, and non-finite in violation of CEQA's informational, accountability, and mitigation goals, which warrant the invalidation of all approvals based on such a flawed EIR. As courts noted:

“‘[T]he ultimate decision of whether to approve a project, be that decision right or wrong, is a nullity if based upon an EIR that does not provide the decisionmakers, and the public, with the information about the project that is required by CEQA.’ [Citations.] Thus, the project approvals and associated land use entitlements also must be voided.”

(*San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 672.)

## **2. The EIR's Baseline Assumptions Are Flawed.**

An accurate baseline is fundamental for an EIR: without it, the “analysis of impacts, mitigation measures and project alternatives becomes impossible.” (*County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 953.)

The EIR's baseline assumptions are legally flawed because they presume that the Project's zoning *allows* a second dwelling unit on the same lot, which it does not, as detailed earlier.

In addition, the EIR’s baseline assumptions are flawed since they are based on the EIR’s assumption that the Project is *not* within an earthquake zone or presents no landslide hazards, relying upon a flawed 2016 Geotechnical Report on a project which has since evolved and changed tremendously, including in its location.

In addition, while wildfires may not have been a severe concern in 2016-2024 when the EIR was prepared and reviewed, the recent wildfires that began since January of 2025 in the Los Angeles area and present a present and on-going threat to various random areas in Los Angeles especially in hillsides similar to where the Project is located at, show that the EIR’s baseline assumptions about the fire-safety of the site or the possibility to contain fires on the Project site are hugely understated and flawed.

Because of these flawed baseline assumptions, the Project’s impact and mitigation analysis was tainted and understated, leading to a legally defective EIR. (*John R. Lawson Rock & Oil, Inc. v. State Air Resources Bd.* (2018) 20 Cal.App.5th 77, 103-104 (the court reviews “de novo whether an agency has chosen to rely upon a [baseline] standard that is consistent with CEQA”).

### **3. The EIR’s Project Objectives Are Illegal, and Its Range of Alternatives Is Improperly Narrow and Based on Legally Erroneous Infeasibility Findings.**

The EIR’s analysis of alternatives is legally flawed for several reasons.

**First**, as discussed earlier, the Draft EIR’s Project *objectives* are improperly narrowly drawn and illegal, as they seek to accommodate a *new* dwelling unit – *in addition* to the existing dwelling unit – on a site that expressly prohibits two dwelling units or even a smaller 1,200 sf ADU, in light of the associated reasonably foreseeable density impacts and fire-safety concerns. In the words of the Court, which found improper alternatives and objectives in an analogous situation:

In taking this artificially narrow approach for describing the project objectives, the County ensured that the results of its alternatives analysis would be a foregone conclusion. It also, as a result, transformed the EIR’s alternatives section—often described as part of the “core of the EIR” (*In re Bay-Delta, supra*, 43 Cal.4th at p. 1162)—into an empty formality.

(*We Advocate Through Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 692.)

**Second**, the Draft EIR’s alternatives are flawed due to the incomplete Project description, as discussed earlier. (Section I.1, *supra*.)

**Third**, the Draft EIR’s Alternatives are flawed and irrelevant because the Project was later Revised. Simply put, CEQA requires to provide Alternatives to mitigate the *Project’s* impacts and hence require the analysis and comparison of the proposed Project’s impacts with

those of the Alternatives. CEQA mandates protection of the environment (Pub. Res. Code § 21001), including through a reasonable range of alternatives which “avoid or substantially lessen” impacts. (CEQA Guidelines §§15021, 15126.6(a); *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 512 & 516 (EIR failures preclude CEQA’s informational goals). “To be legally sufficient, the consideration of project alternatives in an EIR must permit informed agency decision-making and informed public participation. [Citations omitted].” (*California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 988.)

CEQA Guidelines section 15126.6(d) provides:

(d) Evaluation of alternatives. The EIR shall include sufficient information about each alternative to allow **meaningful evaluation, analysis, and comparison** with the **proposed project**. A matrix displaying the major characteristics and significant environmental effects of each alternative may be used to summarize the comparison. If an alternative would cause one or more significant effects in addition to those that would be caused by the project as proposed, the significant effects of the alternative shall be discussed, but in less detail than the significant effects of the project as proposed. (*County of Inyo v. City of Los Angeles* (1981) 124 Cal.App.3d 1).

(Emph. added.)

Subsection (e) of 15126.6 similarly provides:

(e) “No project” alternative.

(1) The specific alternative of “no project” shall also be evaluated along with its impact. The **purpose** of describing and analyzing a **no project alternative** is to allow decision makers to **compare** the impacts of **approving** the **proposed** project with the impacts of **not approving** the **proposed** project. The no project alternative analysis is not the baseline for determining whether the proposed project’s environmental impacts may be significant, unless it is identical to the existing

(Emph. added.)

But the EIR manifestly fails those informational goals since the *proposed* project has now been *Revised*, and the EIR’s Alternatives are not compared with that Revised Project or chosen to mitigate the proposed Revised Project’s impacts.

**Fourth**, the EIR’s Alternatives’ analysis is also lacking as it fails to mention the *preferred* Alternative, distinct from the environmentally superior alternative. (*Washoe Meadows, supra*, 17 Cal.App.5th at 285, 289–290.)

Based on the aforementioned, it is manifest that the Project’s CEQA and EIR process offered Alternatives simply for the purposes of rejecting those, which is improper as a matter of law. As courts noted:

The discussion must ‘focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of insignificance, **even if** these alternatives would **impede** to some degree the **attainment** of the **project objectives**, or would be **more costly**.’ (Guidelines, § 15126<sup>18</sup>, subd. (d)(3).)” (*Kings County Farm Bureau v. City of Hanford*, *supra*, 221 Cal.App.3d at p. 733, 270 Cal.Rptr. 650.) This discussion of alternatives must be “meaningful” and must “contain analysis sufficient to allow informed decision making.” (*Laurel Heights*, *supra*, 47 Cal.3d at pp. 403–404, 253 Cal.Rptr. 426, 764 P.2d 278.) The decision to require mitigation measures does not remove the need to consider project alternatives in the EIR. (*Id.* at pp. 401–402, 253 Cal.Rptr. 426, 764 P.2d 278.) Because the FEIR’s discussion of alternatives is “lacking in any concrete information or analysis,” it fails to meet this standard.

(*San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 735, *emph. added*.)

**Fifth**, the EIR’s Alternatives are manifestly lacking as they lack a genuine Reduced Alternative. The EIR’s Reduced Alternative provides a 30% reduced size of the *Original* Project but is found to be having more impacts as compared with the *Revised* Project. It is unclear why the City failed to offer a Revised Reduced Alternative vis-à-vis the Revised Project. As such, arguably, the EIR is also deficient in that it fails to provide a genuine Reduced Alternative. (See, *Watsonville Pilots Assn. v. City of Watsonville* (2010) 183 Cal.App.4th 1059, 1089 [reduced growth alternative required].)

Also, CEQA does not require that Alternatives achieve *all* of the Project’s objectives. Instead, it is sufficient that Alternatives achieve *most* of the Project’s objectives – assuming, of course, those objectives are also neither too broad nor too narrow nor illegal, as discussed above. (CEQA Guidelines § 15126.6(a)&(c).)

**Sixth**, the EIR proposes an inadequate range of alternatives, based on a flawed assumptions about the *infeasibility* under CEQA and utter failure to consider feasible alternatives, such as a guest house without a kitchen. To wit, the EIR proposes 3 alternatives: 1) No Project; 2) Reduced Alternative by 30% of the Project; and 3) Alternative Placement of the Project on the same Project Site. The Draft EIR further rejects other alternatives, such as an alternative location. (DEIR, pp. V-7—13.)

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<sup>18</sup> Now, Guidelines § 15126.6.

*Outside* of the EIR, the City’s final approvals compare the Alternatives with the Revised Project and claim that none of the proposed Alternatives would be *feasible*. For example, as to Alternative A - No Project, the City admits that it will have less impacts than the Revised Project and yet discounts that Alternative based on *infeasibility* and *economic, legal, social, and technological considerations*:

(ii) Finding:

The City finds, pursuant to PCR Section 21801(a)(3), that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(iii) Rationale for Finding

Alternative A would *not* meet *any* of the Project objectives, as it does not create *additional development* or *housing capacity* on the Project Site. Therefore, this Alternative is *infeasible* and *less desirable* than the Revised Project and is rejected.

(Findings, p. F-29, *emph. added.*)

But the City’s reasoning is flawed.

*First*, CEQA’s Pub. Res. Code section 21801(a)(3) does *not* exist. To the extent the City relies on Section 21081(a)(3), such reliance is also misplaced. First of all, that section applies to EIRs which *apply all feasible mitigation measures* and yet find that some impacts remain unavoidable, requiring a Statement of Overriding Considerations. Pub. Res. Code section 21081(b) provides: “(b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.” The City here failed to mitigate any impacts to the maximum extent feasible and failed to produce no Statement of Overriding Considerations; neither did its EIR find significant and unavoidable impacts.

Moreover, CEQA makes clear that the overriding economic or other beneficial considerations of Pub. Res. Code section 21081(a)(3) do not apply where the Project is clearly in violation of laws. Thus, Pub. Res. Code section 21002.1 provides:

“(a) The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.

(b) Each public agency **shall mitigate** or **avoid** the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so.

(c) If **economic, social, or other conditions** make it **infeasible** to mitigate one or more significant effects on the environment of a project, the project may **nonetheless** be carried out or approved at the discretion of a public agency **if** the project is **otherwise permissible** under **applicable laws and regulations.**”

(Emph. added.)

Pub. Res. Code section 21002.1 confirms, therefore, that CEQA does not allow economic and other benefits to outweigh the Project’s impacts where the Project itself is not permissible under the applicable laws and regulations. This provision is directly on point here. Based on our prior comment of August 6, 2024, the Project violates the state’s fire-safety regulations. As discussed in the instant letter, the Project also violates the provisions, including safety regulations, of the City’s applicable zoning – City’s Charter (as to variance), City’s General Plan, Community Plan, Specific Plan, Baseline Hillside Ordinance, and – in light of its inconsistency with the General Plan – the Project also violates the State Planning and Zoning Law’s General Plan vertical and horizontal/internal consistency requirements. As such, the City’s reliance on economic benefits of adding to the housing supply or providing employment by virtue of allowing a development cannot outweigh the mandatory requirements of state and local laws and regulations.

Lastly, the City’s claim that any alternative short of allowing the Project Site to be built with yet another *new dwelling unit* is infeasible or not desirable is based on the incorrect understanding of “infeasibility” under CEQA. First, as noted earlier, the *infeasibility* manifestly stems from the EIR’s illegal and improper project objectives. As the Court noted in an analogous context,

Also, as described by the Court in an analogous situation:

Lastly, Appellants contend that all the County’s stated reasons fail to “demonstrate[] that the no project alternative is infeasible,” reasoning, it appears, that the County’s stated reasons are flawed because they are premised on the EIR’s unreasonably narrow project objectives. We agree, as mentioned, that the offered project objectives were unreasonably narrow. We also agree that this affected the County’s analysis of the no-project alternative and that the County, for this reason, will need to redo its analysis.

(*We Advocate Through Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 692-694, esp. 694.)

*Second*, with respect to economic factors, “[t]he fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.” (*Uphold Our Heritagev. Town of Woodside* (2007) 147 Cal.App.4th 587, 599 (stating also that “the question is not whether [real party] can afford the alternative, but whether the marginal costs of the alternative as compared to the cost of the proposed project are so great that a reasonably prudent property owner would not proceed with the rehabilitation”).) Public agencies must refrain from approving projects with significant environmental impacts if there are feasible alternatives that can substantially lessen or avoid those effects. (*Uphold Our Heritagev. Town of Woodside* (2007) 147 Cal.App.4th 587, 597.) No such cost-analysis is presented here to show that to build a dwelling structure without a second kitchen or additional pool will make the Project impractical for use by the *same family* as contended.

*Third*, it is unclear how a Project that is proposed to be a *primary residence* for arguably the same family and on the same lot will add to the *housing* supply in the City to constitute a beneficial factor. To the extent the Project Applicant claims that the Project will add more rooms and thus accommodate the Project Applicant’s family thereby, it is unclear why the *added* construction itself had to have its own separate pool and its wholly separate kitchen and could not simply be an accessory living quarters or a guest house without a kitchen.

*Fourth*, it is unclear why the EIR never considered alternatives of simply proposing a guest house or genuine alternative living quarters (without a kitchen) to be built instead of a new dwelling unit and why such accessory structure would have been infeasible to meet the Project Applicant’s goals if those were merely to have a primary single-family dwelling unit and an accessory living quarters. The existing single-family home could be the primary home and the new structure could be the accessory structure for the extended family needs. (See, Pub. Res. Code § 21002 [no approval if feasible alternatives available]; *San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 751-752 [must state why the alternative is infeasible].)

In light of the aforementioned, the EIR’s alternatives and their analysis are flawed and deficient, as a matter of law, making the EIR inadequate and the Project approvals in violation of CEQA. CEQA clearance.

**4. The EIR’s Impact Analysis, Including as to Geology/Soils, Ignores the Additionality Principle and Improperly Relies Solely on Regulatory Compliance.**

For various impacts, including those related to the public health, safety, seismic issues, and hazards, the EIR repeatedly relies on regulatory compliance measures and claims that compliance with the building code or other regulations will eliminate such impacts or hazards. Doing so, the EIR ignores the *additionality* principle. And yet, the Project brings *additional* impacts that have not been considered by *any* plan or regulation – state, county, or local – since the Project site and its zoning cannot legally accommodate even a smaller 1,200 sf ADU, let alone two dwelling units in excess of 2,000 sf each.



This principle of *additionality* – i.e., requirement that the reduction of impacts must be *in addition* to the reduction otherwise required by law or existing regulations – is well-settled and engraved in the Health and Safety Code as to greenhouse gas emissions and has recently been emphasized by the court. (Health & Safety Code section 38562(d)(2) [“the reduction is in addition to any greenhouse gas emission reduction otherwise required by law or regulation, and any other greenhouse gas emission reduction that otherwise would occur”]; *Golden Door Properties, LLC v. County of San Diego* (2020) 50 Cal.App.5th 467, 514-515. [“Additionality is an important requirement because if non-additional (i.e., ‘business-as-usual’) projects are eligible for carbon [offset] ... then the net amount of greenhouse gas emissions will continue to increase and the environmental integrity of carbon reduction projects will be called into question.” *Id.* at 514].) This additionality principle is equally applicable to other impacts for the same reasons.

Moreover, as noted earlier, regulatory compliance measures cannot by themselves ensure that the Project will have no impacts, without more. It is well established that “[c]ompliance with the law is not enough to support a finding of no significant impact under . . . CEQA.” (*Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal. App. 4th 1, 15 – 17 [finding that a lead agency “abused its discretion by relying on DPR’s regulatory scheme as a substitute for performing its own evaluation of the environmental impacts of using pesticides.”]).

Bare conclusions or opinions of the agency are not sufficient to satisfy an agency’s obligation under CEQA to adequately support the EIR’s environmental determinations. (*Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 403-404.) “To facilitate CEQA’s informational role, the EIR must contain facts and analysis, not just the agency’s bare conclusions or opinions. . . . [to] enable[] the decision-makers and the public to make an ‘independent, reasoned judgment’ about a proposed project.” (*Concerned Citizens of Costa Mesa, Inc. v. 32nd Dist. Agricultural Assn.* (1986) 42 Cal.3d 929, 935 [(quoting *Santiago County Water Dist. v. County of Orange* (1981) 118 Cal.App.3d 818, 831]).

In sum, to the extent the EIR relies on regulatory compliance of the Project with *existing* laws and regulations to mitigate the impacts of the proposed essentially illegal Project and on the City’s further review and approvals of various plans, this reliance is contrary to the *additionality* principle and further improper and unsupported by law.

## **5. The EIR’s Land Use Impact Analysis and Findings Are Clearly Erroneous.**

While the courts review an EIR using an “abuse of discretion” standard, “the reviewing court is not to ‘uncritically rely on every study or analysis presented by a project proponent in support of its position.’ A ‘clearly inadequate or unsupported study is entitled to no judicial deference.’” (*Berkeley Keep Jets Over the Bay Com. v. Board of Port Cmrs.* (2001) 91 Cal.App.4th 1344, 1355 [emphasis added] [quoting *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 409, fn. 12].)

For all reasons discussed in Sections above, the Project is inconsistent with all the applicable plans and regulations of the City, including but not limited to the mandatory requirements in the General Plan, Hollywood Community Plan, Mulholland Specific Plan, the

Baseline Hillside Ordinance, the City’s Charter, ADU and fire regulations. It is also undisputed that the restrictions in the listed plans and regulations are to mitigate impacts of increased density, corrosion, and the hillside environment.

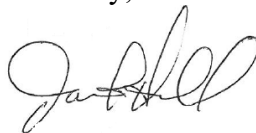
The Project’s inconsistencies with such plans and regulations suggests that the Project may have significant land use impacts, which the EIR has fatally failed to study or mitigate.

### **III. CONCLUSION.**

The Project does not comply with the state and local laws, including State Minimum Fire Safe Regulations, because Runyon Canyon Road is less than 20 feet wide and the Project site does not allow even a 1,200 sf ADU, let alone a second new dwelling unit. This Project is subject to more restrictive regulations because it is located in a VHFHSZ, hillside, earthquake, landslide zone and biologically sensitive area. In addition, the Project attempts to accommodate a *second new dwelling* structure that is wholly prohibited on the Project Site, since there *is* already a single-family dwelling unit on the Project Site and the zoning of the Project Site allows only *one* dwelling unit. As a result of the Project’s illegal objectives and flawed assumptions of their legality, as well as inadequate or obsolete and irrelevant studies of all hazards that the Project may cause or exacerbate, the City cannot make the required findings to grant the requested entitlements. Moreover, a grant of entitlements to the Project Applicant, including variances and Specific Plan exceptions, will be contrary to the law, the City’s LAMC provisions, as well as the California Constitution as it will constitute a special privilege prohibited by law. For all these reasons, we respectfully request that the City grant this appeal and revoke all the Project approvals, environmental determinations, and entitlement findings as being legally flawed and factually unsupported.

Thank you for your consideration of this matter. I may be contacted at [jamie.hall@channellawgroup.com](mailto:jamie.hall@channellawgroup.com) if you have any questions, comments or concerns.

Sincerely,



Jamie T. Hall

Encls.:

**Exhibit 1** – ZIMAS parcel report of the Project Site

**Exhibit 2** – LAMC 12.07

**Exhibit 3** – LAMC 12.01

**Exhibit 4** – ADU Summary

**Exhibit 5** – Baseline Hillside Ordinance Correction Checklist

**Exhibit 6** – Articles on LA Fires of January 2025

**Exhibit 7** – 2023-2025 LADBS report and building permits on the Project Site

**Exhibit 8** – Article on Hillside ADU Fire-Safety Standards and ADU Ordinance

**Exhibit 9** – Manual for Preparation of Geotechnical Reports, County of Los Angeles

**Exhibit 10** – City of LA Letter of Determination, June 1, 2010, Case No. AA-2009-0641 –  
PMLA; 8875 Thrasher Avenue Project

## Communication from Public

**Name:** Jeff Masino

**Date Submitted:** 02/04/2025 10:27 PM

**Council File No:** 24-1371

**Comments for Public Posting:** [Individual Comment] I am writing as someone who has personally been in Runyon Canyon Park on a regular, almost daily basis, for literally decades (since I first moved into the area in the late 1990s). I served as the first Park & Open Space Chair for the Hollywood Hills Neighborhood Council for seven years and I am aware that the HHWNC has been dealing with this controversial development project for my entire time on the board, with multiple motions and letters in opposition to the development and which reflected the larger consensus of stakeholders in our neighborhood and community. Views to open space and from open space are one of the major benefits individuals get from parkland, specifically Runyon Canyon Park, which has become an increasingly rare resource in the City of Los Angeles and worth fighting to protect. The proposed project, which includes massive grading, retaining walls and landscaping, etc. will have significant adverse impacts on what park visitors see and hear. It would be impossible not to see what will be a massive home from almost any of the trail systems within the park. The recent destruction of over 40 acres of Runyon Canyon Park damaged in the Sunset Fire should give further pause on this project moving forward as this fire was literally “at the doorstep” of the site, and now an entire area of parkland will remain closed indefinitely to allow for regrowth and renewal. Please SUPPORT THE APPEAL of the Santa Monica Mountains Conservancy who are very concerned about the magnitude of this build and its massive disruption to the Park. The Santa Monica ridge line in question is within the a designated wilderness park and wildlife corridor. The Council File documentation saying that there will not be any significant impacts to the environment or the quiet use and enjoyment of park space is completely misleading and certainly no longer true given the recent 40 acres of park space currently damaged by the recent fire. The Planning Commissions’ conscious avoidance of its own rules is nothing other than intellectual corruption. Please do the right thing and oppose moving forward with this project under this current timeline and under these current plans and conditions. Thank you.

## Communication from Public

**Name:**

**Date Submitted:** 02/05/2025 09:33 AM

**Council File No:** 24-1371

**Comments for Public Posting:** Just want to show my support of the project. Since taking ownership, the owner has improved the beauty of the home and the corresponding property. The owner appears conscious of the environment, and have full confidence he property will have a beautifully designed home.

## Communication from Public

**Name:** Vincent Tolliver

**Date Submitted:** 02/05/2025 11:26 AM

**Council File No:** 24-1371

**Comments for Public Posting:** The City Council / c/o City Clerk My name is Vincent Tolliver, and I am writing in strong support of the project at 3003 N Runyon Canyon Rd. It has been several years since Mr. Valencia and his family first proposed the addition to his property, and over this time, I have had the opportunity to witness firsthand the significant improvements made to the property as well as to the surrounding park. For many years before Mr. Valencia's ownership, the hillside was in disarray and in a state of erosion. Under his careful and considerate stewardship, the property has been well-maintained, and the environment of the park has benefitted greatly from his efforts. It is clear that he is committed to preserving and enhancing both his property and the public space surrounding it, and I have no doubt that he will continue to show this same level of respect in his decisions regarding the new structure. It is important to note that Mr. Valencia has made thoughtful revisions to his original plan. He has taken into account feedback from both the board and the community, paring down the original design to ensure it aligns with the wishes of those around him. His home is on private property, but he is fully aware that any changes he makes may have an impact on the public. His ability to listen, adjust, and delay his plans for several years demonstrates his commitment to thoughtful action and consideration for others. I firmly believe that Mr. Valencia's intentions are to benefit all parties, and I propose that we allow him and his family to move forward with the construction of their new home. Sincerely, Vincent Tolliver