

Communication from Public

Name: R. Edward Pfiester
Date Submitted: 02/01/2021 03:08 PM
Council File No: 16-1472-S7
Comments for Public Posting: See my correspondence dated 02/01/2021 Re: File 16-1472-S7-
Motion to add Mount Washington/Glassell Park Specific Plan
area as a SUD to Hillside Construction Regulations Hearing date:
February 4, 2021

R. Edward Pfiester, Jr., Esq.
A Law Corporation

February 1, 2021

Los Angeles City Council Planning and
Land Use Management Committee
Councilmember Marqueece Harris-Dawson, Chair
Councilmember Gilbert A. Cedillo (**via Priority Mail ONLY**)
Councilmember Bob Blumenfield
Councilmember Mark Ridley-Thomas
Councilmember John S. Lee

Via: clerk.plumcommittee@lacity.org
LACouncilComment.com
Cc: Bill.Cody@lacity.org

Re: **File 16-1472-S7**
Motion to add Mount Washington/Glassell Park Specific Plan area as a SUD
to Hillside Construction Regulations Hearing date: February 4, 2021

Dear Council Members:

My wife and I have been residents of Mt. Washington for the past 30+ years. The combination of narrow, winding roads with blind curves and its many parked on the street vehicles makes navigating here by LAFD equipment, ambulances, sanitation trucks and delivery trucks a real challenge.

As you have seen from other presentations, and hopefully know from your own investigation or that of your trusted staff, the roads for Mt. Washington's over 7,000 homes / apartments / condos are almost all narrow, no wider than 20 feet, and many miles of them are much less wide. For example, the fire hydrant closest to our home located at 859 Mt. Washington Drive can be seen circled in the below photograph.



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The roadway width at the fire hydrant and the photo is barely 12 feet wide. It would be difficult to utilize one fire truck next to the hydrant—much less the amount of fire equipment and firemen required to battle a fire of any size and keep nearby homes safe.

There are only 3 fire hydrants in the Mt Washington Drive Loop—and each is located at a less than 20 feet wide part of the street.

The October 20, 2016 fire on Sea View Avenue burned a 3-story home to the ground; and it had 143 LAFD personnel fighting it. Only one life was lost. And the next-door homes were saved. The LAFD was able to achieve that excellent result only because the home is barely one block off San Rafael Avenue- the major street across the top of Mt. Washington, and the roadway in the vicinity of the burning home is wider than 20 feet. Additionally, there was no construction occurring in the block or between it and major street San Rafael Avenue.

However 90+% percent of Mt. Washington homes are not in such an emergency vehicle access position. The majority home norm is for houses to be built on narrow streets with blind curves and few safety guard rails.



These 3 photos were taken from the same 800 block of Mt. Washington Drive “Loop” location as the above photo with fire hydrant. They depict the downslope view of the deep canyon and are owned by the same entity as is Elyria Canyon Park- which is seen in these photos background

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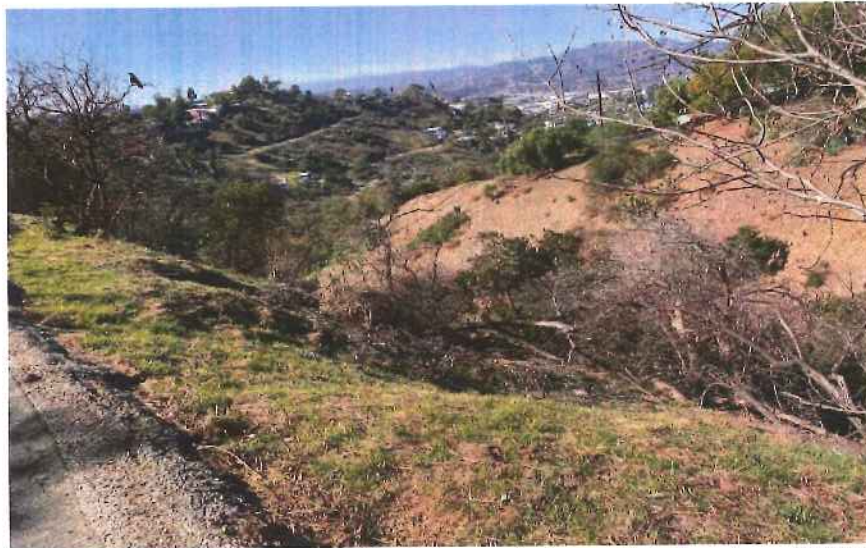


Photo taken about 50 feet compass north of above photos and at the edge of 800 block of Mt Washington Drive Loop : view of Elyria Canyon Park in the background. Next to street are out of the Elyria Park lots owned by same entity (see dead trees / limbs near the street. And the lack of any safety guard railings)

And as you can see in the photographs there are no guard rails on the downslope side of the roadway in this (and many, many other) locations. Within the past 5 years at least one car rolled off this 'loop' part of the Mt. Washington Drive and flipped over down into the canyon seen in these photos.

Elyria Canyon Park and the adjacent land it owns are a huge powder keg for conflagration that could engulf most of Mt. Washington.

As you know, Mt. Washington is in a high fire hazard zone area. Most importantly, the 35-acre Elysian Canyon Park seen in the background of the above photographs - is a natural park with natural, never maintained trees and vegetation. Other than the parts which are within 200 feet of structures, it is not brushed. And then it is often that the nudging by residents living in those structures is required to get the required brushing within 200 feet of structures begun. Dead trees are left to stand or fall and rot as part of nature's processes. The problem with that in an urban area is that they contribute to a much greater risk of catastrophic fire if one were to begin. The condition of Mt. Washington's streets amplifies the risk of injury and loss of life.

Annually for a week or more before and for a few weeks after July 4th as well as days before and after New Year's eve there are literally thousands of illegal fireworks shot into the air from several sides of the Elyria Canyon Park. If embers

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drift onto some of the dead wood and brush inside the Park or onto lots it owns outside the park, a conflagration could easily be ignited.

As indicated, Elyria Canyon Park also owns several lots outside of its fenced park and along the part of Mt. Washington Drive depicted in the above photos. We call it the Mt. Washington "Loop". The above photo depicts one of them, as are the lots next to it. These photographs show the present condition of the brushing or lack thereof. There are multiple dead trees which are left standing, as they are on park owned land. I provide this information to be sure you are aware of the much increased risk of fire for everyone living on Mt. Washington.

I understand that the Council is concerned about actual examples of fire department equipment or ambulances which have been unable to get through because of the narrow streets with multiple cars parked on them. Does the LAPD or the LAFD document such situations so they can be searched? Or are they merely cleared if possible or the equipment redirected (with attendant delay).

Whether or not there are many such documented examples, such emergencies can occur 24/7 hours/ days a week and 365 days a year. Attached is a declaration dated July 9, 2018 which I presented to Councilmember Gil Cedillo as an example of the not infrequent violation of building permit conditions, including the use of huge dump trucks and no or inadequate flag persons during construction. Such unenforced building permits very greatly magnify the risk to life and limb of Mt. Washingtonians. In this example, note that there are only two direct routes off the southwest part of Mt. Washington driving compass south d(or west if one assumes IH5 runs north and south near here. One can use Tacoma or Roseview. The attached example of the 3625 Tacoma development, illustrates how dangerous Tacoma became during construction.

Please help reduce the risk to our lives and property by passing the motion.

Very truly yours,

R. EDWARD PFIESTER, JR.
A Law Corporation



R. Edward Pfister, Jr.

REPJR: mh
Enclosures as stated above

R. Edward Pfister, Jr., Esq.
A Law Corporation

July 16, 2018

Via email and US Priority Mail

Hon. Gil Cedillo
Los Angeles City Councilman CD1
City Hall Office
200 N. Spring Street, Room 460
Los Angeles, CA 90012

Re: Failure of CD1 to enforce Mt Washington building permit conditions— and resulting damage to the health, safety, quality of life and environment of all its residents

Dear Councilman Cedillo:

Enclosed please find my recent declaration which I have filed regarding another Mt. Washington development.

The declaration speaks for itself— and it states only a few of the facts causing very great frustration for and risk to the health, safety and environment of your constituents by LA City enforcement failures.

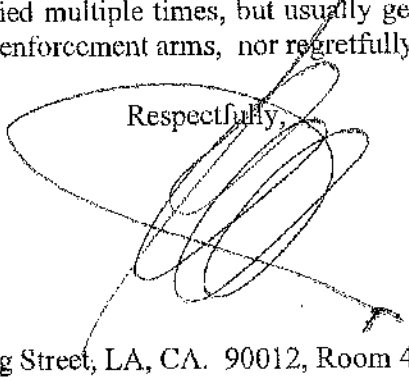
I am further sending copies to Mr. Gubatan, and to Mr. Cody and to your Highland Park office.

Again I (and my many Mt Washington neighbors) urgently request that you stop the City's departments from ignoring these legally and morally important enforcement concerns.

Passing the buck by saying "it is not my office's responsibility" simply ignores the ultimate truth: with its power over the purse strings / budgets of the immediately responsible agencies — you can make them listen and do their jobs. And if you pull those strings, their conduct WILL change.

We residents — your constituents— have tried multiple times, but usually get no sufficient action, if we get any, on the part of these agencies' enforcement arms, nor regretfully from your office.

Respectfully,



cc: Gerald Gubatan
Senior Planning Deputy
Los Angeles City Hall, 200 North Spring Street, LA, CA. 90012, Room 460.

Bill Cody
CD1 Field Deputy
Highland Park Field Office, 5577 N. Figueroa Street, Los Angeles, CA 90042

District Office of Hon. Gil Cedillo
Highland Park Field Office, 5577 N. Figueroa Street, Los Angeles, CA 90042

DECLARATION OF R. EDWARD PFIESTER, JR.
REGARDING ZA-2017-1296-ZAD-SPP, ENV-2017-1297-CE and
ZA 2005-1323 ZAD

REGARDING 900 MT. WASHINGTON DR.

I, R. Edward Pfister Jr., declare:

1. I am an attorney admitted to practice before all the courts of the State of California and the principal stockholder of R. Edward Pfister, Jr. A Law Corporation ("REPALC").

2. I have personal knowledge of the facts stated in this Declaration and if called upon to testify, I could and would testify truthfully as to matters set forth herein.

3. I have lived more than 27 years on Mt. Washington, first on Glenalybyn and then since 2002, 16 years, at 859 Mt. Washington Drive, Los Angeles, California 90065. This is 2 houses north west and across the street from 900 MWD.

4. I did speak at the June 12, 2018 hearing and would also like to clarify/amplify some things stated there.

5. If the subject request of Mr. Pasker is denied and the street is widened to a minimum of 20 feet, there will be then be 15 homes between the Elyria Canyon Park lots (owned by the Santa Monica Conservancy) which affront the minimum legal width required of hillside homes (red colored lots 77 in the attached Planning Department map (Exhibit 1 and 1A). This includes all homes from mine which is number 76 to San Rafael Avenue, via the shortest route there.

6. At the northern corner of 868 Mt. Washington Drive (numbered 2 on the attached colored Planning Department Map (Exhibit 1)- MWD begins its single

lane travel in a northerly direction by narrowing to less than 12 feet wide for a distance of about 33 feet. Trash trucks and delivery vehicles do/ have done a lot of damage to that section of the MWD Loop. The about 33 foot less than 12 wide section is circled in pink on the attached map (Exhibit 1). The part of the MWD loop marked in green is all single lane, and it has significant surface damage due to traffic over a single lane roadway with inadequate substructure (See Exhibits 2 & 3 for example.



Exh. 2- Some of MWD Loop damaged-as of 2016 and it is worse today as no repairs have been made



Exh. 3 MWD Loop in front of 812 MWD. - Also in worse condition today

I am aware of at least one vehicle that ran off the very steep side of that part of the MWD Loop and overturned multiple times until it ended up at the bottom of that canyon located between the MWD Loop and Elyria Drive roadways.

7. Mr. Pasker stated at the hearing that his development would NOT use a haul route beyond 900 MWD but would turn around /back easterly, the short

1 distance to San Rafael. He also stated his development will not use the alley at the
2 narrow top of the 900 MWD lot to its entrance / exit on the MWD loop.

3
4 8. Even if Mr. Pasker or his buyer do not use the alley, and if it is possible
5 to turn trucks around on 900 MWD in front of the lot, which seems unlikely until
6 the street is widened to 20 feet or more, or on Mr. Paskers newly designed parking
7 space (given the present narrow MWD in front of 900 MWD), over the past few
8 years, I respectfully urge the Zoning Administrator to consider the significant
9 environmental impact of the already multiple developments in progress on Mt.
10 Washington and in my neighborhood. Their congestion/ damage to the quality of
11 life and risks to Mt Washington residents' health is compounded because the Los
12 Angeles City enforcement personnel simply do not enforce/ or regularly enforce
13 key conditions continued in LA building permits. There are some important
14 conditions, like requiring flag men, they never enforce, in my experience.
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18 9. I have personally experienced several nearby lots being developed which
19 had conditions in their permits including a) that they not block the roadway in front
20 of the lot, b) that they always provide flagmen to move larger trucks and equipment
21 up and down the hill, c) that there be a sign erected on the subject lot with letters at
22 least 3" in height, which identifies and provides contact information for the owner,
23 the builder, and the LA City Department responsible for enforcement d) that they
24 only operate limited hours, and others. I have never seen a sign with any height
25 lettering with more than one telephone number and a supposed contact; the number
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1 was never answered in my experience.

2 10. I have personally been very inconvenienced and have seen other MW
3 residents exposed to danger by the manner in which nearby projects were
4 managed—and the City of LA did nothing about it, even though there were
5 repeated – yet ignored--requests to Building & Safety, City inspectors, to the
6 Planning Department, and to Councilman Cedillo's office (CD1) that these
7 important safety permit conditions be enforced.
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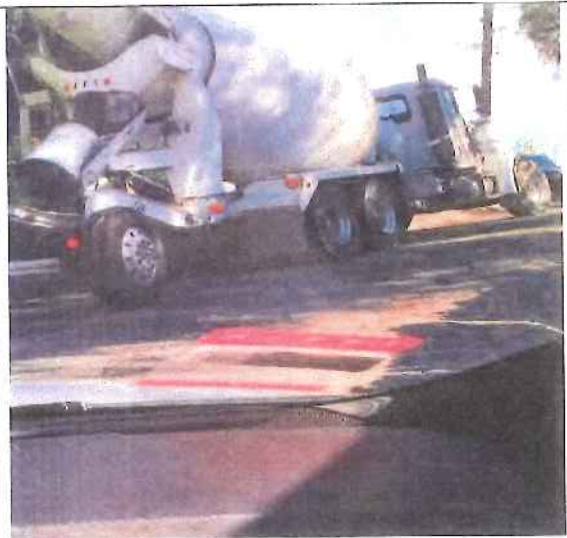
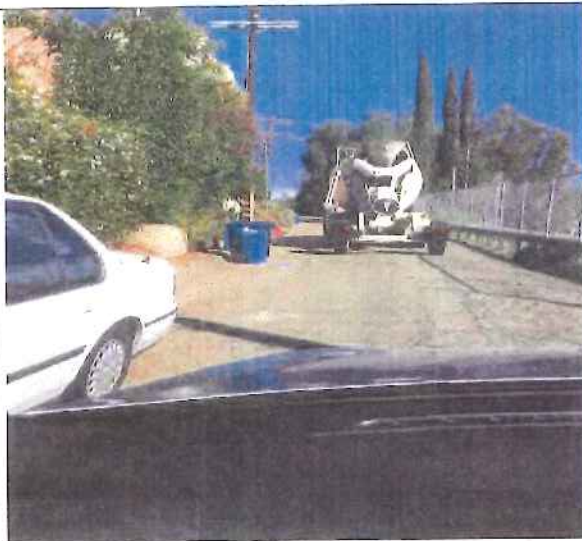
9 11. For example, concerning the nearby recently completed 3625 Tacoma,
10 LA 90065 development: there are only 2 roads leading off Mt. Washington for
11 individuals traveling to the south, as the fire trucks/ ambulances do from/ to closest
12 Firehouse #44, on Cypress, and that I do traveling from my residence, to get to my
13 office and return home. From my home at 859 MWD on the MWD Loop, I drive
14 past 900 MWD on the shorter route to San Rafael. I (and fire trucks/ ambulances)
15 then turn right onto San Rafael Ave and travel the one block until it dead ends into
16 Ave 37. Turning right, in a few blocks, Avenue 37 becomes Roseview and then
17 dead ends into branches for either Roseview or Tacoma. Because of all the
18 AirBNB rental activity, with attendant crush of on street parking on Roseview, I
19 travel Tacoma to Cypress. This is the most direct route to my MW Neighborhood
20 from/to LA Fire Station Fire Station # 44, and also from/to my office. When I want
21 to travel to the west off Mt. Washington, I take the same route, except that just
22 before the Tacoma/ Roseview split, I turn right only Killarney Avenue and follow
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1 it, changing to other roads on the west side, to get off Mt. Washington. There is/ has
2 long been slowly progressively a house development at 1454 Killarney Avenue
3 with many of the permit conditions regularly violated.
4

5 12. The building permit for the recently completed up slope lot home at
6 3625 Tacoma, Los Angeles, CA 90065 has specific requirements for flagmen, no
7 blocking of Tacoma in front of the building site, construction worker parking off
8 site so as not to block Tacoma, and the usual requirement that a large sign with
9 minimum 3" letters with the property owner, builder and City of LA enforcement
10 offices contact information be clearly visible.
11

12 13. During the entire building process, such a sign with 3" or any size letters
13 NEVER appeared on 3625 Tacoma, even though I complained to the City Building
14 and Safety, City Inspectors, and to Councilman Cedillo's office (and met with his
15 representative there) multiple times.
16

17 14. During the 3625 Tacoma building process, the builder also saved a few
18 hundred dollars a day by NOT utilizing the permit required flagmen. Huge dump
19 trucks traveled up and down narrow Tacoma with all its blind curves. On at least
20 half a dozen times, I was blocked going down or coming up Tacoma by such a large
21 dump truck. I took the below, attached and other photos which I provided to the
22 LA City enforcement department(s) and to CD1 Cedillo's department See Exhibits
23 4, 5 and 6.
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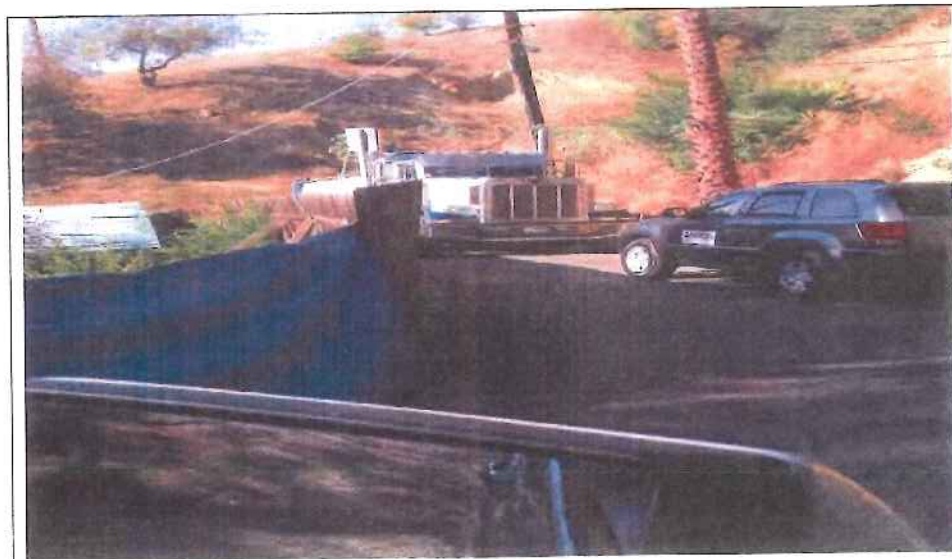


Exh. 4 Tacoma Ave. driving during 3625 Tacoma construction -- No flagman.

Exh. 5 The type trucks used to build 3625 Tacoma -- No flagman.

Nothing happened. No flagmen were added. I am a fairly experienced at backing my vehicle, even when coming up hill with the right of way, so I backed up, as there was no way around the huge dump trucks, and they could not turn around anyplace on Tacoma. However, I witness several other Mt. Washington residents confronted with the same problem who became 'frozen'. A huge dump truck blocked their path; and they were not experienced in backing up/ down narrow streets on the side of a very steep canyon like parts of Tacoma. I parked my vehicle and backed up more than one resident's car as they were petrified to do so. It is amazing no one drove off the side of Tacoma and rolled/ crashed far below at the bottom of the canyon, as far as I know. Nothing was done by Los Angeles officials; not by Building & Safety; not by the Planning Department; not by CD1 Councilman Cedillo's office—to each of whom I complained. The permit

1 violations continued until the project was completed, and MW neighbors coped as
2 best they could. See Exh. 4, 5 and 6.
3



13 Exh. 6 Truck going to 3625 Tacoma- I backed up Tacoma over 100 feet my
14 and the other MW resident car seen in photo- so the truck could proceed

15 15. During the 3625 Tacoma building process, the street in front of the
16 project was often too jammed with construction vehicles of workers at the lot and
17 with vehicles being used on the lot, for us to pass—and there was NO sign ahead of
18 the last curve or anywhere to warn the approaching public, so we could decide not
19 to use Tacoma. We got 'stuck' and had to again back up narrow Tacoma, with its
20 frequent blind curves. As before, multiple complaints were made to City of Los
21 Angeles officials, yet nothing was done by the City.
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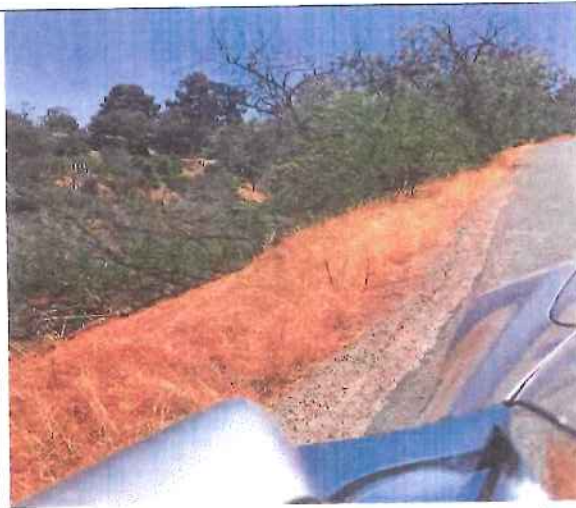
24 16. Regarding the currently ongoing project at 1454 Killarney, the street was
25 blocked several times by construction trucks and processes so I could not get
26 through. And there were usually no street signs or flagman warning ahead so as to
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28

1 advise me not to proceed. There was also no sign with 3" or larger letters detailing
2 owner, builder and City of LA enforcement contact information posted on the lot.
3
4 Because I have seen copies of some of the communications to the Los Angeles City
5 Officials by nearby neighbors, I know that they suffered the same problems as we
6 did regarding 3625 Tacoma—because the City of Los Angeles refused and mostly
7 continues to refuse to promptly enforce the conditions of its building permit.
8

9 17. At the June 12, 2018 hearing, several long time MWD Loop and neighbor
10 residents spoke about the much increased fire risk on MWD due to the manner in
11 which the Elyria Canyon Nature Park fails to brush its property inside and outside
12 the fenced Elyria Canyon Nature Park. Please specifically refer to the statements of
13 Monique Gaudry, 918 Elyria Drive, LA, 90065 and Nitra Brazile, 865 MWD, LA
14 90065, each of whom lived through the last major MWD Loop fire. I understand
15 there are no fire hydrants inside the park. Several of its lots are on the edge of the
16 MWD Loop (marked 77 on the colored map, Exhibit 1 and 1A). Almost every year
17 I must send the Elyria Canyon Nature Park's owner photographs and written
18 complaints to urge it into brushing compliance. Here are photographs taken July 1,
19 and 2 2018, of that part of the MWD Loop- depicting some of those lots. They are
20 still not properly brushed.
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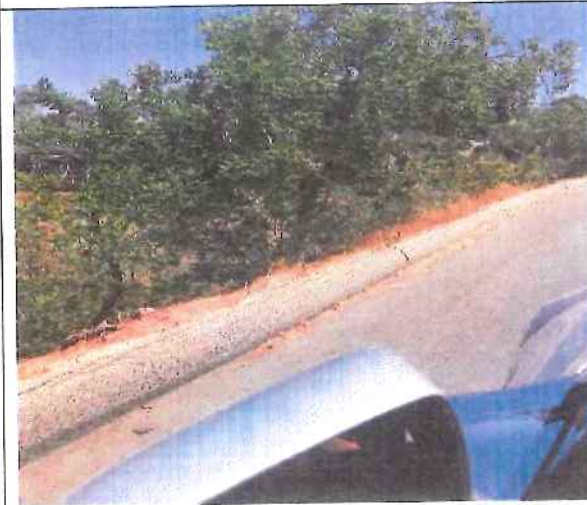
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Exh. 7-Elyria Canyon Nature Park lots on edge of the MWD loop. Lots 77 along green single lane area in Exh. 1. Photo taken 07/02/18



Exh. 8 MWD Loop note upslope lots on right are properly brushed; brush on left is over 1 foot tall- photo taken 07/02/18



Exh. 9 other lots along MWD loop. Green area in Exh. 1. Elyria Canyon Park lots begin where brush is high. Photo taken 07/02/18



Exh. 10 Most northerly Elyria Park lot no 77 on MWD Loop where it joins properly brushed lot 79 on Exh. 1. Photo taken 07/02/18

As can be plainly seen the no 77 lots brush is still approximately a foot or more in height, and we are months past the 2018 due date for fire hazard brushing. The failure to properly brush, the location of MWD Loop fire hydrants, the ongoing lack of rain and population growth and the City of LA's failure to enforce its permit

1 conditions are greatly increasing the risk to health, life and property of the MWD
2 Loop and other MW residents. Note that the illegal brush seen in Exhibits 7, 8, 9 &
3
4 10 have not been brushed as of 07/09/2018.

5 18. It is these examples, that cause me grave concern that the City of Los
6 Angeles permitting process and its lack of enforcement of critical health safety and
7
8 life quality issues for us residents, is and will continue to have a huge negative
9 effect on the health, safety, quality of life and living environment for all Mt.
10 Washington residents and visitors, and in particular those in the area near which I
11
12 live / near 900 MWD.

13 19. I am copying the office of City Councilman Cedillo's Field Rep Bill
14 Cody and CD1 building planner expert Gerald Gubatan, as well as both the
15 downtown and Highland Park offices of Councilman Cedillo with this declaration.
16
17 My contact information is below.

18 I declare under penalty of perjury under the laws of the State of California
19
20 that the foregoing is true and correct.

21 Executed on July 9, 2018, at Los Angeles, California.

22
23
24
25
26 R. EDWARD PFIESTER, JR.
27 2000 Riverside Drive
28 Los Angeles, CA 90039
323-663-7000

EXHIBIT 1

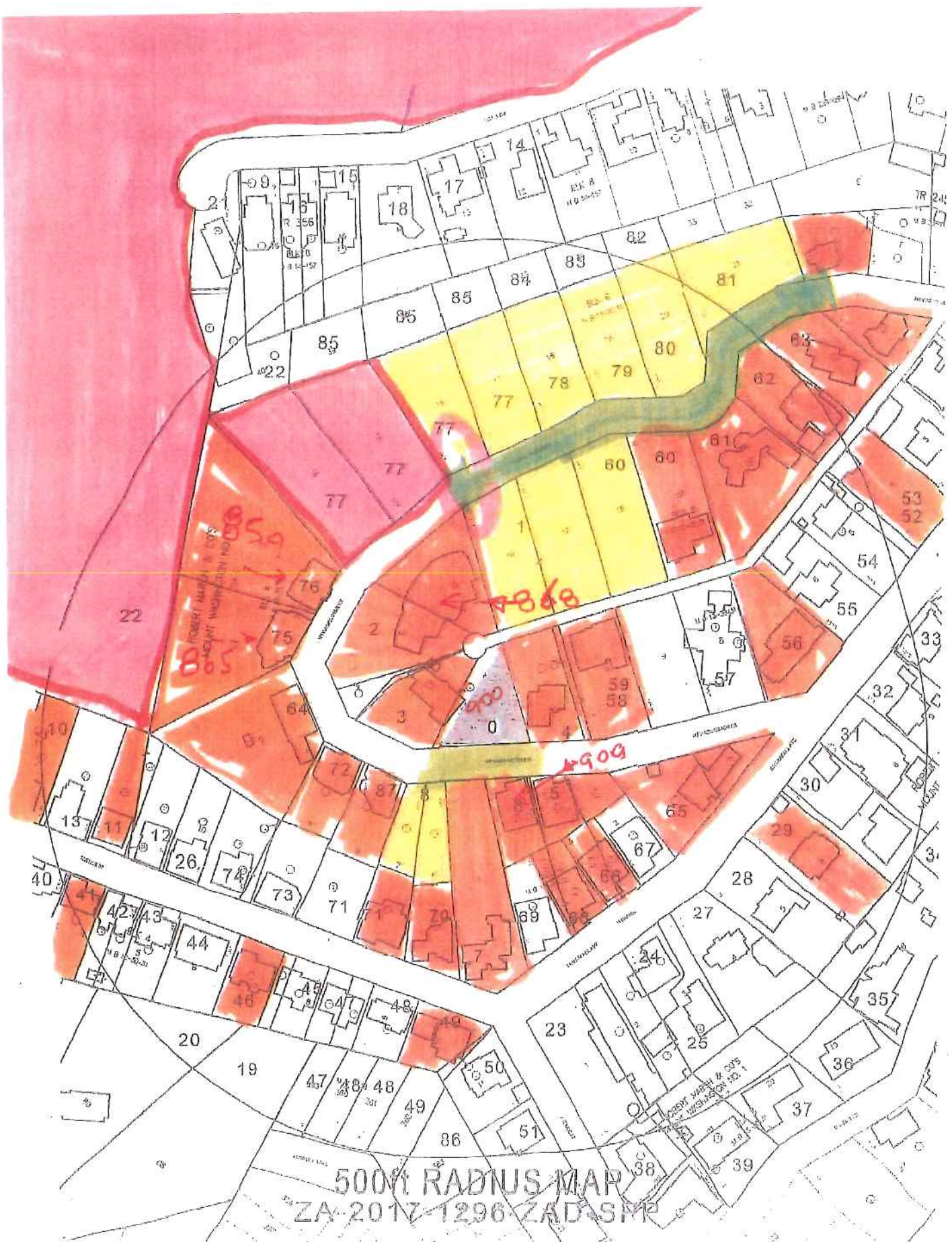
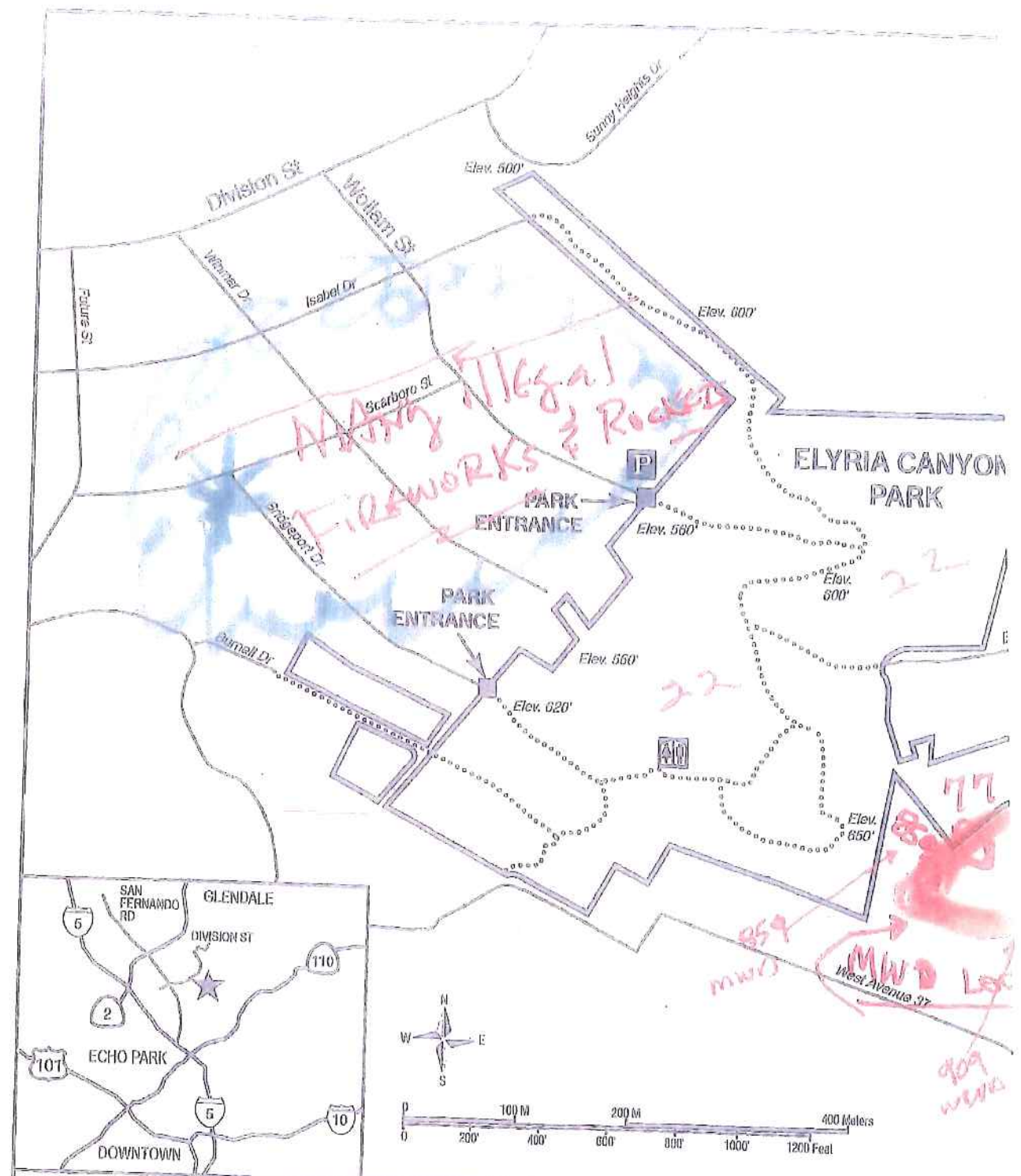


EXHIBIT 1A



Elyria Canyon Park

1550 Bridgeport Drive, Los Angeles, California, 90065

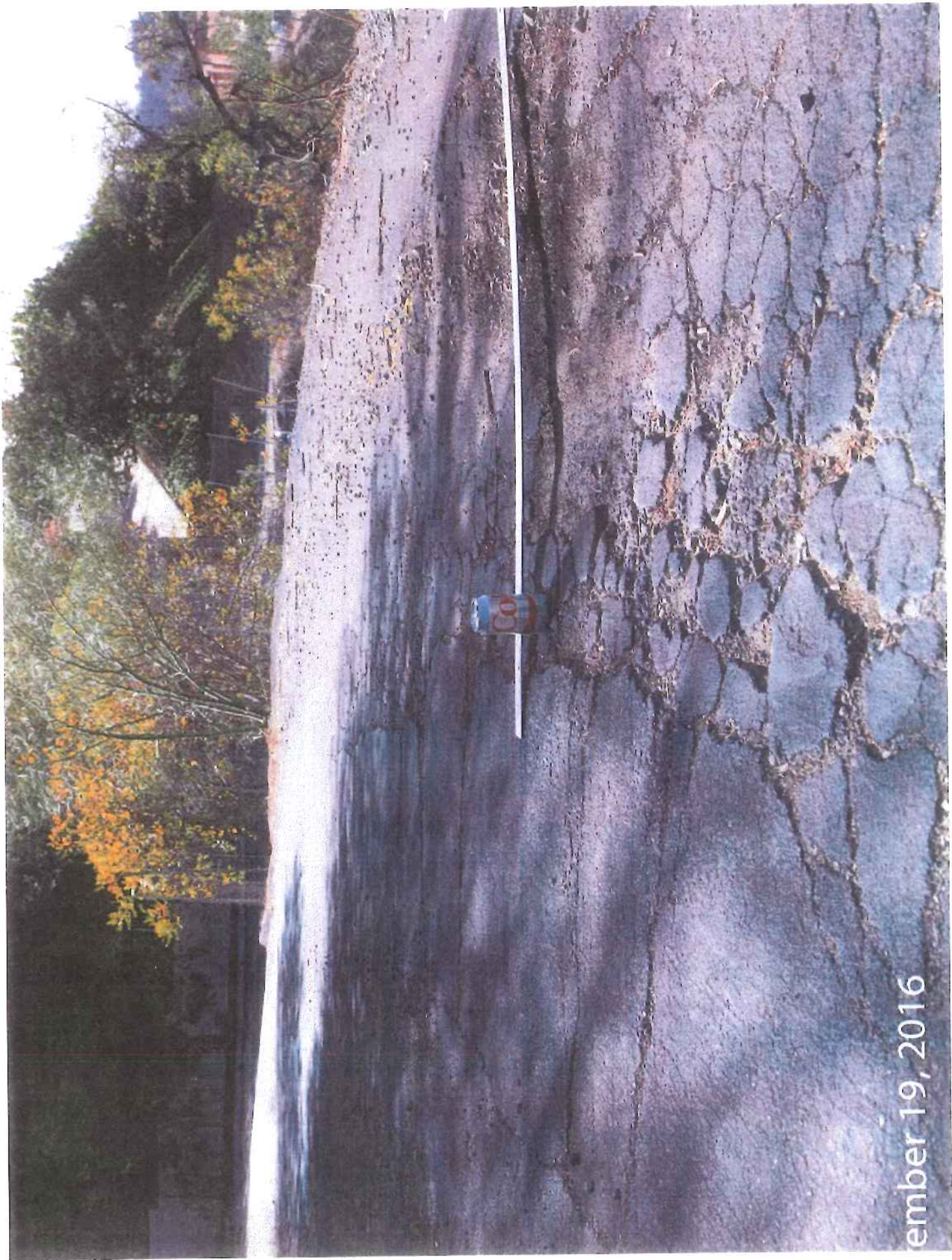
Elyria Canyon, located on Mt. Washington near downtown Los Angeles, offers a 35-acre retreat in a beautiful and natural setting. The park features one of the last remaining stands of Southern California's black walnut community.

Directions: From the Glendale Freeway (2), exit on San Fernando Road. Travel east on San Fernando Road to Division Street, turn left. Go to Wollam Street, turn right and continue to the end of the street and park in the dirt lot. Trailhead signs are posted.

Park Features

- | | |
|---------------|----------|
| Hiking | Restroom |
| Parking Lot | Fishing |
| Dogs on Leash | |
| Park Boundary | Minor |
| Trail | Major |

EXHIBIT 2



ember 19, 2016

EXHIBIT 3



EXHIBIT 4

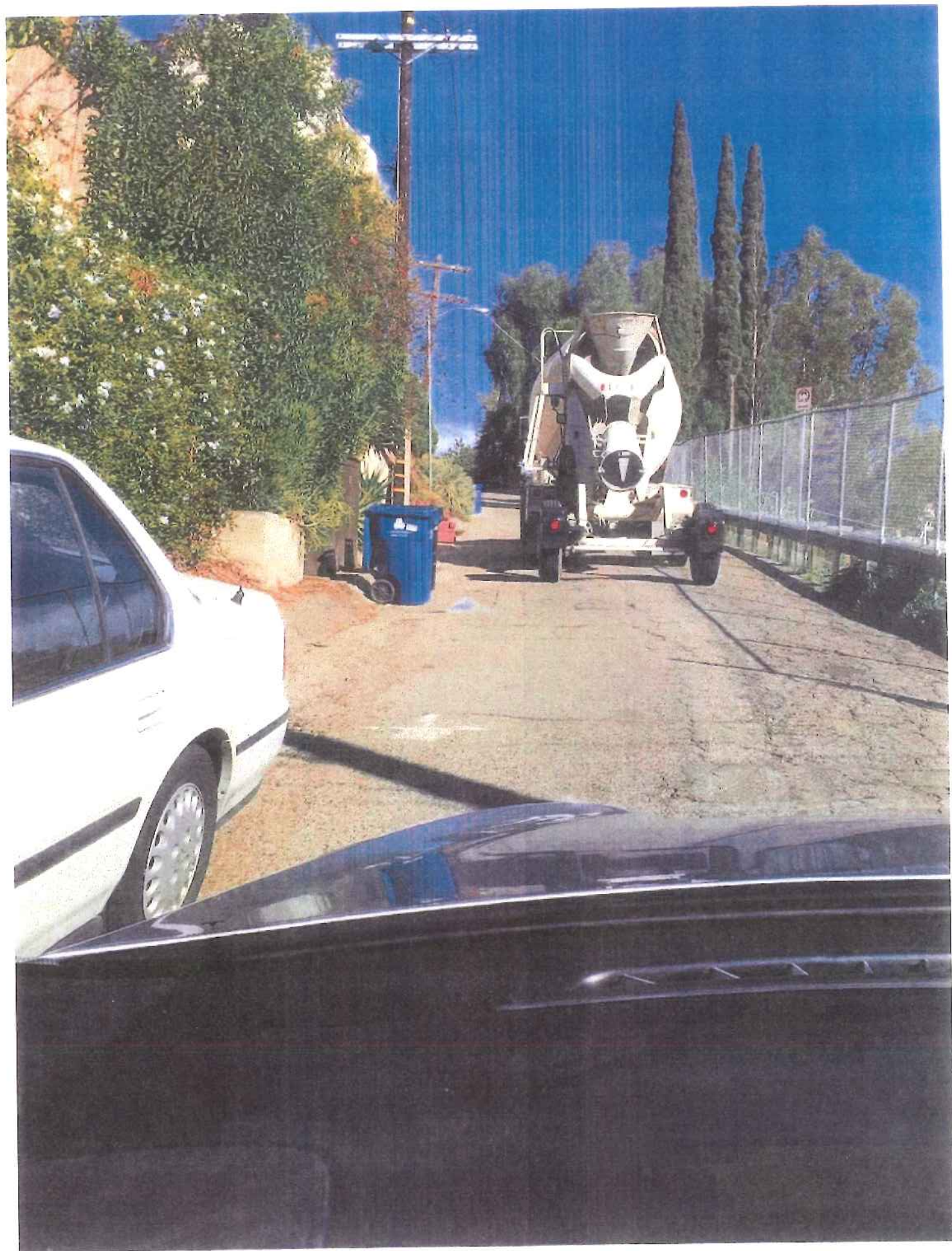


EXHIBIT 5

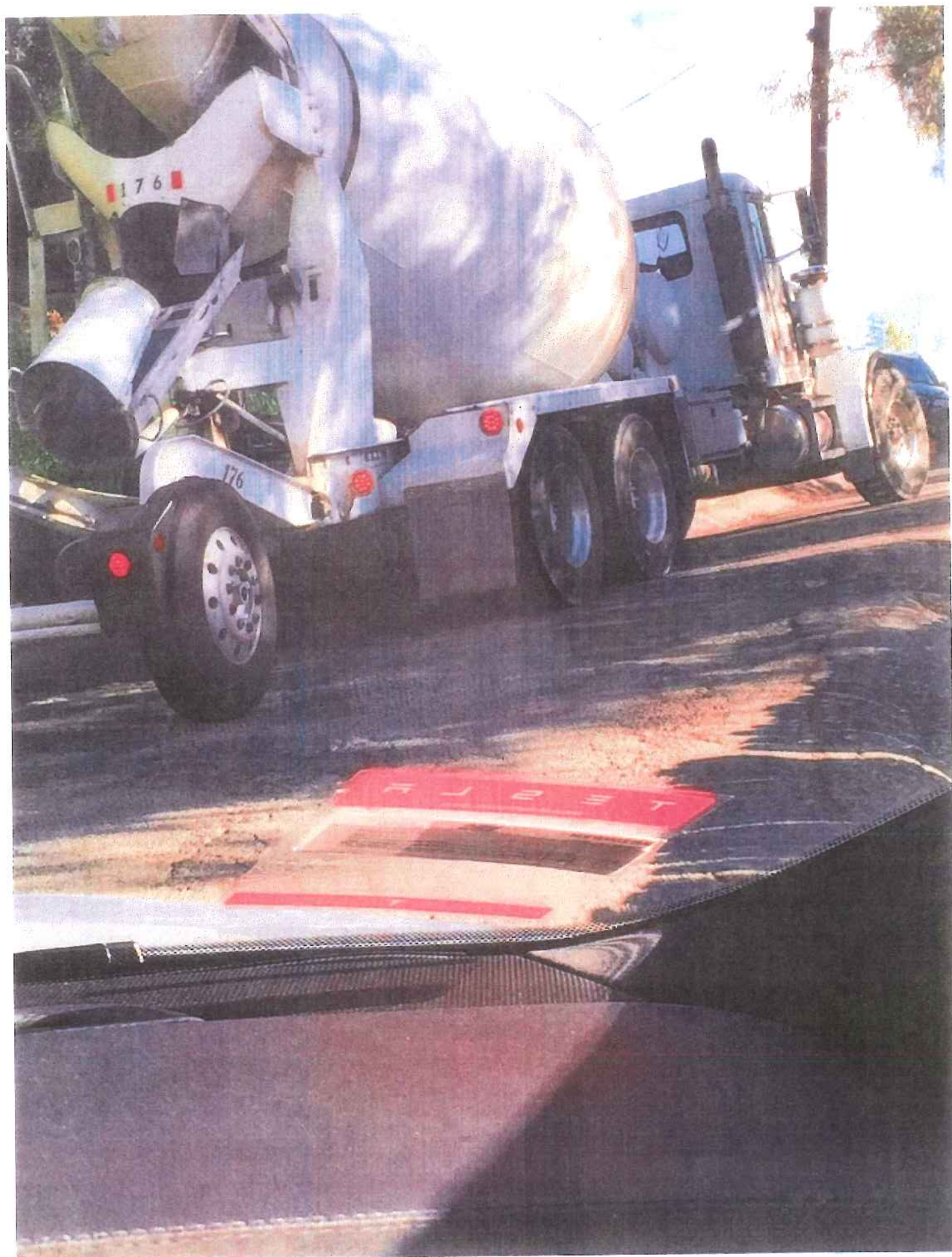


EXHIBIT 6

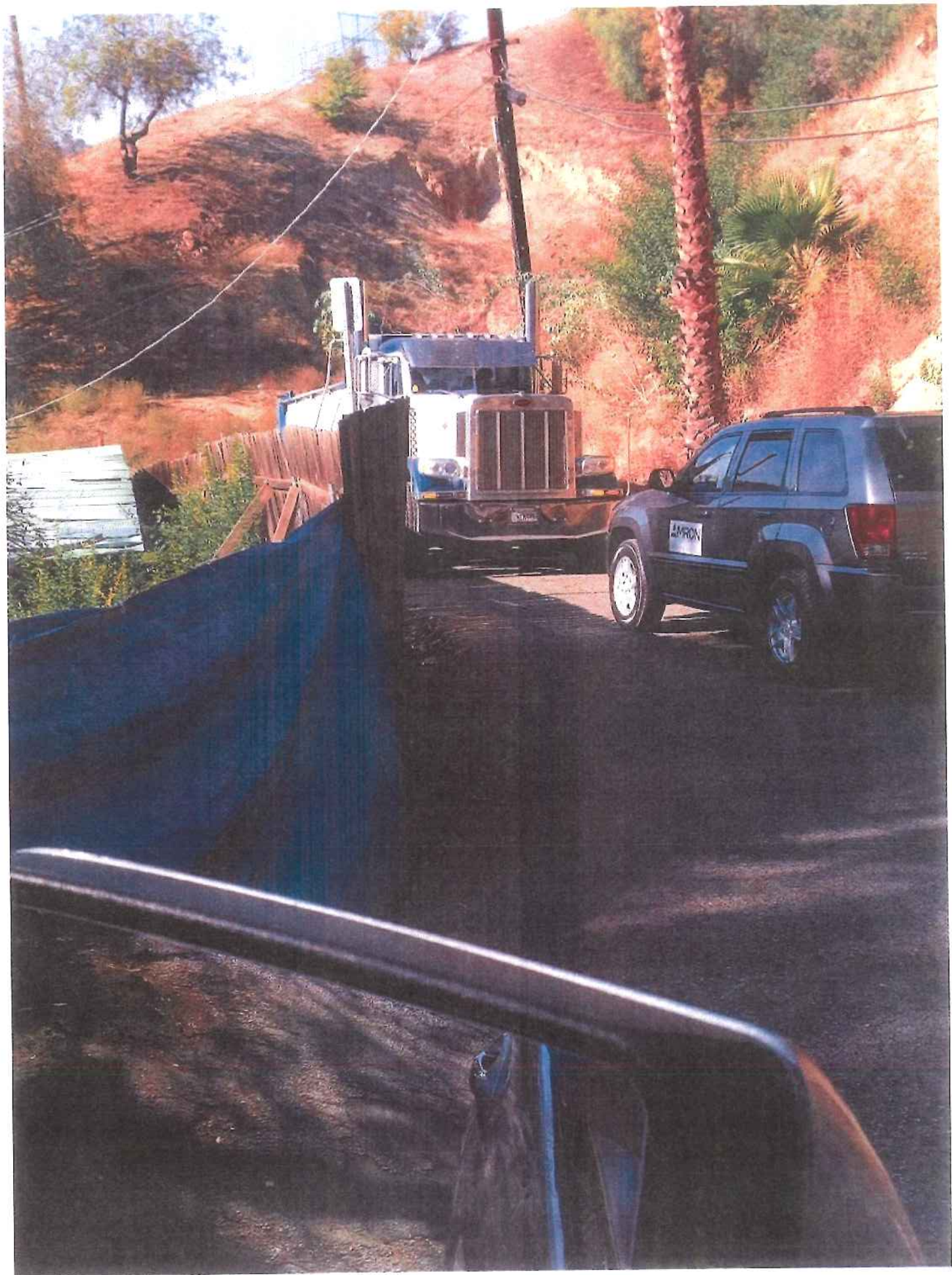


EXHIBIT 7

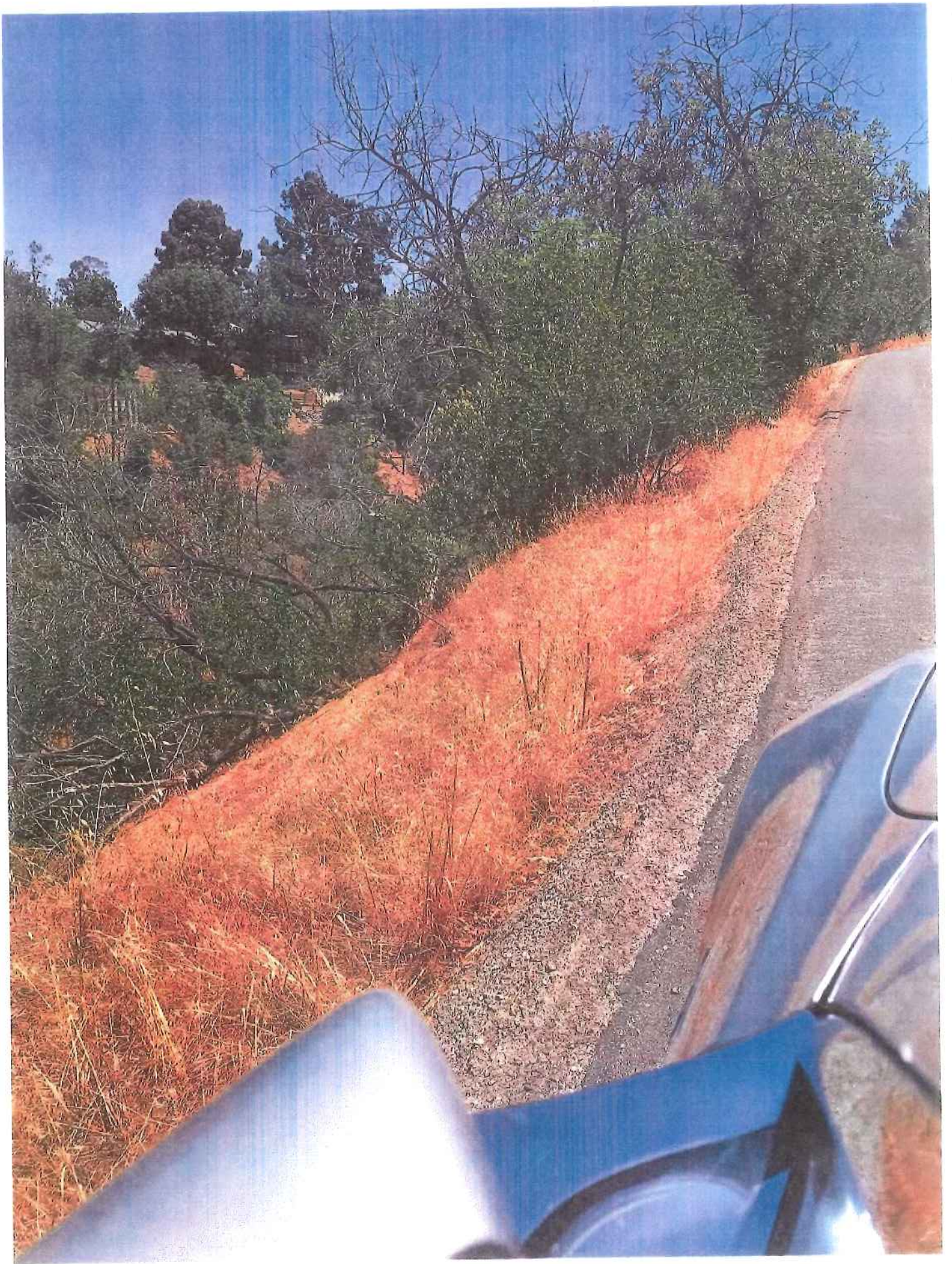


EXHIBIT 8

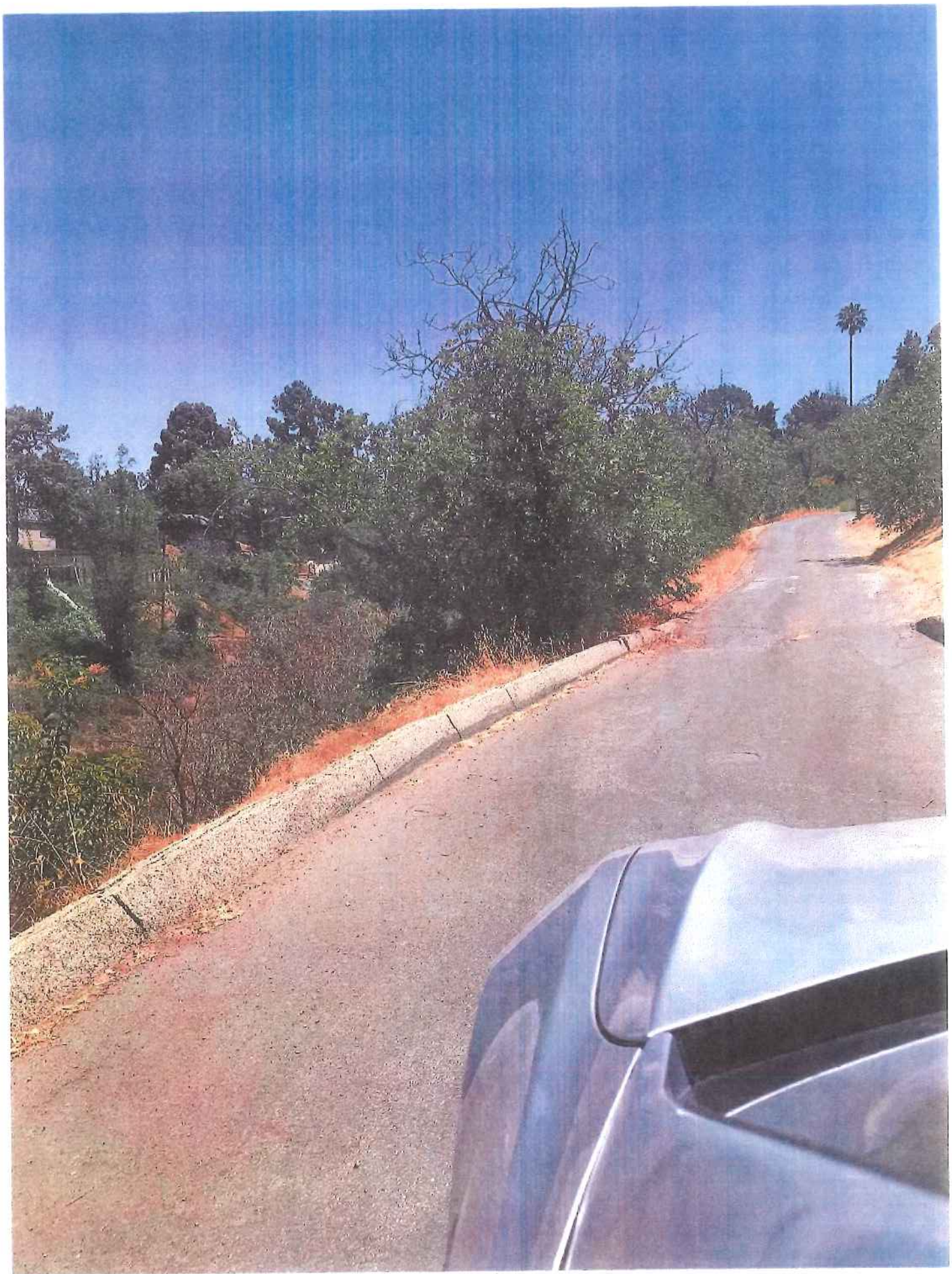


EXHIBIT 9

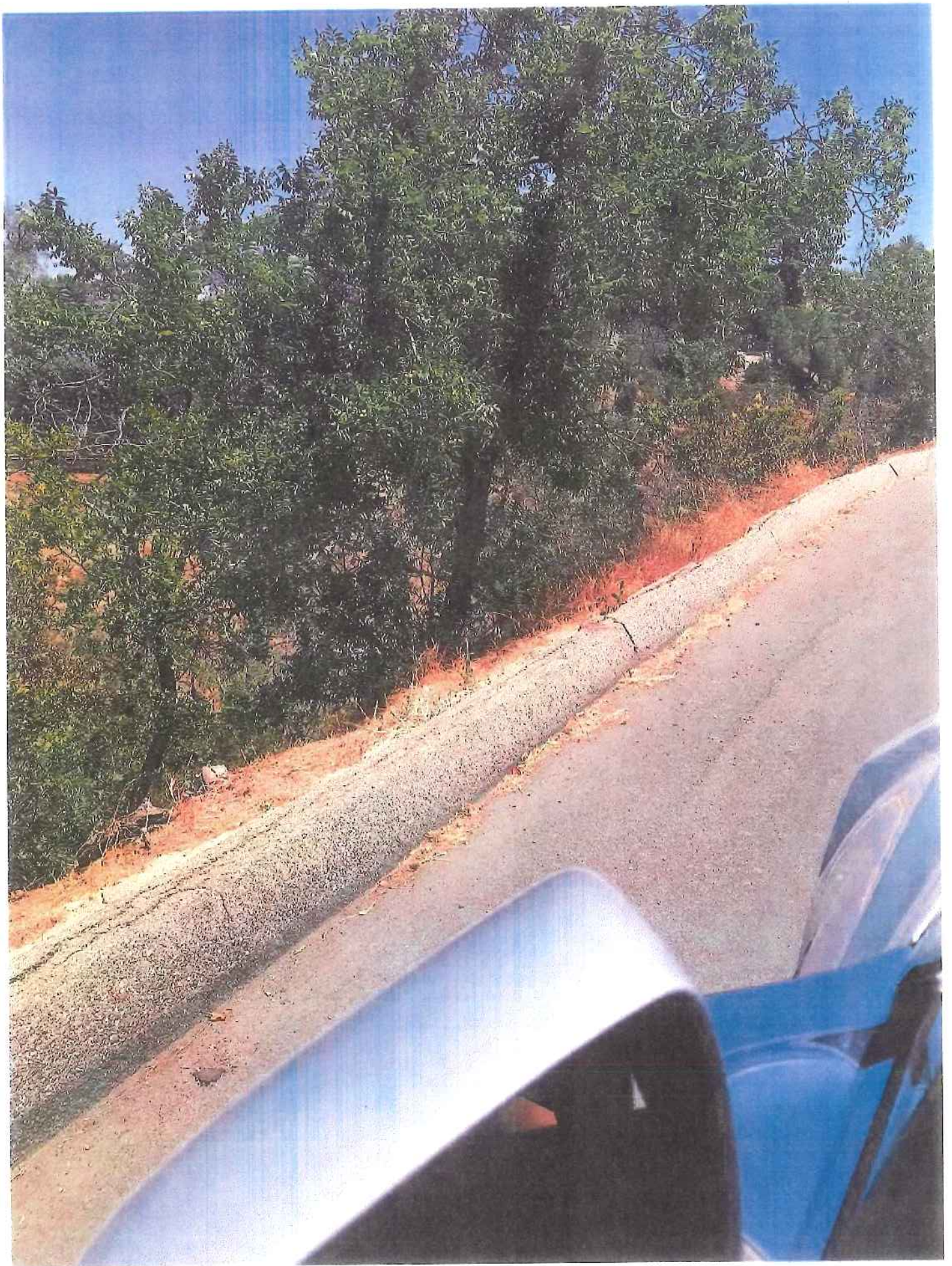


EXHIBIT 10

