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TO: L.A. City Clerk

10/10/2017

Los Angeles City Hall, Room 340

PLUM agenda item 6, No. 17-0982

- Articles to be submitted into Administrative Record for Barryknoll
CEQA Appeal.

ENV-2015-1593-MND

regarding 3861, 3865, 3871, 3909, 3919 N. Barryknoll Drive, LA
90065

-delivered by Barryknoll CEQA Alliance.

Date: 10/10/17

Submitted in PLUM Committee

Council File No: 17-0982

Item No.: 6

Communication from
Appellant

From: **Eric Tallman** erictallman500@gmail.com
Subject: Jim, here's my letter to the PLUM committee
Date: October 9, 2017 at 9:41 AM
To: Jim Connor gojamconzgo@gmail.com

#16



Dear PLUM members,

I have read most ENV-2015-1593-MND - that applies to 3861, 3865, 3871, 3909 and 3919 Barryknoll Dr. - and am sending this letter to you to express my opinion that many aspects of the MND fail to meet CEQA requirements and that a new MND or an EIR needs to be implemented before construction be allowed to proceed.

- An EIR should be required

These five properties are a part of much more extensive development that will occur along the length of Barryknoll Dr. The MND specifically refers to further construction on Barryknoll with these lines from page 52: "There is also a potential related project that would construct eight new homes west of the proposed Project site along Barryknoll Drive." That's a total of 13 proposed house. All of them should be subject to an EIR because of the impact that construction of this significant size will cumulatively have on this steep hillside area. It is untenable that the Planning Department has consistently failed to acknowledge the extent of this impact and is subjecting nearby neighborhoods to major environmental changes with little regard for the welfare of all the residents who live there. I live about 100 yards from this section of Barryknoll Dr. and I don't feel my neighbors or I should be subjected to any mitigations other than those that result from a stringent EIR study and the community input that process allows.

- Data on the success and failure of emergency vehicle access in nearby hillsides must be included in this MND:

A 20' wide hillside street - the size planned for Barryknoll Dr. in this new construction area - is considered standard for hillside developments but this width is usually insufficient for a safe and smooth flow of traffic. Cars parked along the curb reduce the width of the street to the point that it's too narrow for traffic to pass in both directions without one car having to pull over. I live less than 100 yards from Barryknoll Dr. When I'm driving in the hillsides I frequently have to pull over so that cars can pass going the other direction. This can be especially dangerous when emergency vehicles need to travel on a hillside street. It just takes one vehicle blocking the street to impede emergency access and put the homes and their occupants at risk of fire or delayed medical treatment. I've heard of two incidences in Glassell Park and Mt. Washington hillside areas where emergency vehicles were unable to reach their destination, and the technicians had to walk in to attend to the person in need. As mentioned in the MND, this area is a Very High Fire Hazard Severity Zone. More data needs to be gathered of incidences where emergency vehicles were unable to reach their destination on hillside streets so there is a factual understanding of this kind of danger.

- A study of the viability of California Black Walnut habitat in the general Southern California region must be included in the MND:

California Black Walnut trees are protected trees in Los Angeles but more than that they are a wonderful part of the heritage of our city. They are a dwindling population limited to a small region located almost exclusively in Southern California. Removing these trees destroys another rare tree forever. This MND should include more data about the amount of remaining Black Walnut trees in the greater Southern California area, and how fast they are dwindling. These trees that the MND proposes removing are a part of a much bigger picture of a regional protected biological plant.

- A plan for the City to monitor the removal of California Black Walnut Trees needs to be included in the MND

In March 2015 the builder of the house at 3933 Barryknoll violated the code relating to tree driplines of protected trees. They were performing construction well inside the tree dripline, and very close to the roots, of a large, mature California Black Walnut tree. Despite a request from the Glassell Park Neighborhood Council and many community members to have the City stop or pause this construction, it continued unabated. In another nearby incident, in the open space known as Walnut Canyon, located about 200 yards from Barryknoll Dr., a crew working for the owner of properties there cut down several black walnut trees in April 2015. The community reacted and the owner stopped the cutting. These trees are a beautiful and natural part of the neighborhood where I live. Because it is so easy for developers to ignore and violate the codes that protect trees, the City should improve the existing system for monitoring protected trees, or create a new system for monitoring trees more closely. The existing system is not sufficient. The City needs to create a mitigation monitoring system for protected black walnut trees, rather than relying on the discretion of the developer.

- An investigation study of into the possibility of piecemealing needs to be included in the MND

At least 18 contiguous properties on Barryknoll Dr., including the five under this MND and the 8 adjacent properties to the west, were once owned by a single owner. These five properties have changed ownership one or more times. The Planning Dept, needs to look at the different ownerships of these 18+ properties to see if the illegal act of piecemealing - which can be defined as building smaller amounts of properties to avoid implementing more stringent CEQA requirements such as an EIR - is occurring.

- A study of wildlife movement throughout the open spaces in NELA needs to be included in the MND:

There are many large open spaces in Glassell Park and surrounding neighborhoods, including the open space around Barryknoll Dr. They serve as an interconnected corridor throughout Northeast L.A. through which wildlife travels as well as vital habitats where they live. Coyotes, owls, raccoons, skunks, bobcats and foxes all depend on these habitats. These animals are an integral part of the character of the neighborhood where I live. All future development along Barryknoll Dr. will disrupt and impede that interconnected corridor. The City needs to do a study of these open spaces, including the Barryknoll Dr. area, to accurately understand their migration as a crucial part of a wildlife corridor throughout Northeast L.A.

- These five houses are in conflict with zoning. The lots are zoned RE-11 yet are being given R1 status.

Community leaders have uncovered recent examples of our City Planning Department staff approving house projects in the Mount Washington/Glassell Park area that are not consistent with the Very Low Residential Land Use Designation adopted by the City in the Northeast Community Plan (the General Plan) or the applicable zoning assigned to the lots of RE-11 (11,000 s.f. minimum lot size), RE-20 (20,000 s.f. lot size) and RE-40 (40,000 s.f. lot size). I am informed that the City was successfully sued by a coalition of homeowner groups in the mid-1980s when the City refused to make its zoning consistent with the lower densities specified in its adopted General Plans. In an agreed judgment against the City, it took three years and several million dollars to downzone about 200,000 lots citywide in order to bring the zoning into compliance with the General Plan. The zoning map changes for the Northeast Community Plan were adopted in 1989 and supported by an enforceable mitigation measure in which the City committed to avoid the significant negative public health and safety effects of over-dense development by incorporating the downzoning into the Plan and requiring its enforcement. It appears that City Planning Staff are now refusing to enforce this adopted mitigation measure and protecting our community.

Even though state courts have declared multiple times that virtually

every land use and development permit decision is required to comply with the City's General Plan and implementing zoning, on Barryknoll in Glassell Park and Ganymede Street in Mount Washington, the City Planning staff recently issued project approvals for houses on lots that were downzoned to protect the adjacent community members from the public health and safety impacts of over dense development. A five house project on Ganymede was approved and appealed to the East Los Angeles Planning Commission. The Commission, reticent about whether it could overrule the City staff, denied the appeal. City Planning staff have seem to lost its way in recognizing the supremacy of our General Plan and zoning in project review and permit determinations.

Sincerely,

Eric Tallman
3980 Cazador St.
Glassell Park
Los Angeles, CA 90065
erictallman500@gmail.com

From: J.P. Hoonstra jp.hoonstra@gmail.com
Subject: Letter re: Barryknoll Canyon development
Date: October 9, 2017 at 5:15 PM
To: gojamconzgo@gmail.com

Hi Jim,

Hope this isn't reaching you too late. Thanks -JP

Dear PLUM committee:

I am writing to express my deep concerns regarding possible development at the end of the paved section of Barryknoll Dr. at addresses 3861, 3865, 3781, 3909 and 3919 (ENV-2015-1593-MND). I understand a developer has requested permits from the Planning Department to build five houses, one at each location.

To be clear, I am not categorically opposed to new development in Los Angeles, or the Glassell Park/Mt. Washington neighborhoods. I've often voted in favor of pro-development measures in past municipal elections. I'm particularly amenable to developing on existing vacant lots, as I've seen a number of perfectly suitable, historic Los Angeles homes demolished in the name of new development. The need for affordable housing to curb the swell of homelessness in our city is undeniable.

However, developing these particular lots would not benefit this city, my neighborhood, or its residents. By allowing development on both sides of a narrow road such as Barryknoll, the City has made ingress and egress on this block a difficult task for even a mid-sized sedan. I cannot fathom the inconvenience to traffic created by utility vehicles unearthing (literally) plots for five new homes. In fact, I can't imagine a large truck safely navigating the narrow streets of this neighborhood at all. Building homes on these sites is analogous to seating passengers on an airplane from front to back, with passengers carrying luggage wider than the center aisle. It defies logic. Even worse, it's unsafe.

The sites in question comprise the entrance to a popular hiking trail for the residents of my neighborhood. Though they are vacant of any development, they are not empty. The California Black Walnut tree is endemic to Northeast Los Angeles, and this is one of the few trails easily accessible to viewing these trees in droves. Coyotes, owls, red-tailed hawks, and other wildlife large and small call the open space of Glassell Park home. The end of Barryknoll Drive represents one of few locales where a precious natural habitat sits so close to people's backyards.

In closing, developing this section of Barryknoll Drive would benefit the needs of very few people while harming the needs of many -- not to mention the native flora and fauna. Los Angeles has been maligned in the press for its lack of green park space ([here](#), [here](#) and [here](#), to cite but a few examples). Reducing the popular, accessible, unspoiled open space at the end of a quiet, narrow street would only exacerbate this problem. Hauling earth and building materials down Barryknoll and the adjacent streets will jeopardize the safety of the existing residents and their property. Please deny any permit requests for developing these sites.

Sincerely,
J.P. Hoonstra

3721 Division St.
Los Angeles, CA 90065

From: **Phillip Okada** philip2429@att.net
Subject: houses 3861-3865-3781-3909-3919- ENV-2015-1593-MND
Date: October 9, 2017 at 3:36 PM
To: gojamconzgo@gmail.com



Dear Jim,

I am a resident at 4117 Barryknoll Drive where the proposed houses are being permitted. I am deeply concerned about the additional houses and the amount of them being built. This street was originally a Cul Del Sac and did not have lots of traffic. Since new homes were built and the Cul Del Sac was opened and connected to College Crest the street below the amount of traffic including the amount of cars being parked on the street has increased a lot. I have attached photos to help show the problems.

1. (IMG1112) this shows the width of the street 25 feet wide. 13 feet between cars parked on both sides. If a car is to drive down this lane it is tight. The previous contractor with his large trailers that carried bulldozers and back hoes could not squeeze between the cars so he unloads the equipment on Ave 42 and drives the equipment up the street to the jobsite at the end of the street. (IMG114-1115) shows the damage to the road when the steel tracks of the equipment in driven including cracking and depression of street payment. The contractor does not repairs the damage and we have to live with it.

2. (IMG1117) shows Ave 42 at the intersection of Division where they park the trailers to unload the equipment. This is a congested area and an major thorough fair. One car at a time have to navigate around this and it is very difficult .

3 (IMG1118) this shot shows the end of the street where College Crest and Barryknoll meet. This is very narrow and if a car parks here it is difficult for fire trucks and cars to navigate around the turn which becomes a hazard. The previous contractor did not widen the street to eleviate this problem.

4. (IMG 1119-1120-1121-1122) show shots from the top of street where homes are proposed. It is very steep and when heavy rain happens there is a torrent of water and debris that rushes down this gully area. Erosion and what happens to the homes at the bottom is not being protected. Also what happens to the Fire Lane and run through the new housing area.

Building in the area is not helping this community but placing additional burdens of problems that must be later solved by the community. The developer does not have to live here and address these problems in the future but we do. I urge the building dept and the enviornmental agencies to reject his application to build

Yours Truly
Phillip Okada
4117 Barryknoll Drive 90065































October 10, 2017
PLUM agenda item 6. No. 17-0982

3861, 3865, 3781, 3909 and 3919 Barryknoll Drive

Dear PLUM committee,

I am an eighteen year resident of Glassell Park and I've spent a great deal of time in and around Barryknoll Canyon. Over the years I've witnessed rainfall that sent water runoff rushing down the streets and flooding intersections. We've had floods that have destabilized hillsides and red flagged homes. Red Flag alerts were put into law to allow emergency vehicles access into our hills in case of fire. But residents are aware that those vehicles are unable to traverse many of the streets and the steep switchback on Kinney prevents access to one of two entry points into the hillsides.

Barryknoll Canyon is part of a fragile watershed area that is home to the endangered California Black Walnut trees. It also supports a thriving community of hawks, rabbits, skunks, raccoons, possum, coyotes, owls and numerous species of resident and migratory birds. All the current life in this hillside will be compromised or lost if over building in the area is allowed.

All these lots were downzoned from R1 to R11, not necessarily to protect the fragile flora and fauna, but to compensate for a fragile infrastructure. These hillsides are limited in their ability to handle water runoff and the greatly increased number of vehicles on the narrow or broken roadways. The density increase that the downzoning meant to regulate will further compromise the safety of all the residents who live here.

By forcing the up zoning to R1 and not following the current R11 zoning the existing limitations of our hillsides will be jeopardize by over densification. As this developer owns 5 contiguous lots, and possibly more, it would be a self-imposed hardship to claim an inability to build 3 homes on his 5 R11 lots. As there are plans for the complete build-out of Barryknoll Canyon, the cumulative impacts of up zoning all these lots would be seriously deleterious to the area. It's important to set precedent now for the future safety of all the residents.

The issues that need to be seriously considered are:

*The lack of storm drains capable of handling a heavy rain, especially as we add hardscape to former permeable land.

*A transportation report that considers the cumulative impacts of 2 car trips X 2 cars X the number of homes possible in R1 zoned Barryknoll Canyon.

*The true limitations on emergency ingress/egress for residents as well as public service personal.

I would request of this committee that you take the broad overview of this unique and fragile area, consider the reasons that brought about the downzoning, and act for the safety and stability of Barryknoll Canyon and this hillside area.

Sincerely,

Helene Schpak
Glassell Park
323-422-1330

From: Bradley Brady bradley.brady@gmail.com
Subject: Re: 3701, 3861, 3865, 3871 & 3919 Barryknoll Drive, L.A. 90065
Date: October 8, 2017 at 11:27 AM
To: gojamconzgo@gmail.com

BB

To the Planning and Land Use Management Committee, regarding 3701, 3861, 3865, 3871 & 3919 Barryknoll Drive, L.A. 90065.

We are writing to express our concerns about the proposed developments at the above plots on Barryknoll Drive. Our property overlooks this site and so we have a vested interest in what happens to these developments.

Firstly, we would like to express our concern that at no point have we been informed by the City about these proposed works that would have a material impact on our neighborhood and potentially serious impacts on our own property. If it was not for the efforts of our neighbors we would not be able to have a chance to comment on these plans. As local taxpayers we find that unacceptable.

The development of these sites has been ongoing for a number of years now, most seriously over that time we have seen significant soil erosion and slippage on the hill where our property sits. We have been forced to spend hundreds of dollars shoring up our hill, but still the soil is eroding at a fast pace. This only began when the construction started on the plots listed above. We are extremely concerned that no impact assessment has been made on the potential for landslides caused by the construction and are very worried what this could mean for the future safety of our property.

Beyond that, the construction has created a great deal of noise and dirt that has made our outdoor space close to unusable. We have a balcony that overlooks the site, which is our only outdoor space and it is continually caked in thick dust disturbed by the construction. It is unacceptable that our enjoyment of our property and our quality of life can be so seriously curtailed for such an extended period of time and once again we have never received any notification of when works would be happening.

The existing infrastructure in our neighborhood is barely adequate for the amount of habitation that already exists. Our roads are in a poor state of repair and we are very concerned about the impact of so many new homes, particularly when there has been no impact assessment.

To be clear, we are not against development, we fully understand that Los Angeles needs more homes. However, it is not acceptable to fill every vacant lot without proper care and attention to the impact on existing neighborhoods, or indeed on the safety and viability of the new homes being constructed. The piecemeal approach to the construction of these houses does not excuse the City from fulfilling its duty of care to its citizens by properly assessing the environmental impacts and the infrastructure impacts of these developments.

We would like to thank the Committee for giving these issues proper consideration and trust that our genuine concerns will be properly investigated before further construction on these sites is allowed.

Yours sincerely,

Bradley Brady and Jonathan Storey
3979 Cazador St
Los Angeles
CA 90065

(323) 739 6408

TO:

Planning and Land Use Management (PLUM) committee.

REFERENCE:

3701, 3861, 3865, 3871 & 3919 Barryknoll Drive, L.A. 90065

We would like to express our concerns for the ongoing development and proposed additions at the above addresses, an area designed as Barryknoll Canyon, which borders our property all along its west perimeter, which we bought in 2009.

We chose to live on this NELA hillside, accepting all the related disservice and disadvantages (lack of any public transportation, streets without sidewalks, and so on) because it was a quiet area, with still some beautiful open space that could provide passive recreation to enjoy with our pets and grandkid, and we were told that Barryknoll Canyon will remain undeveloped as it had been for seven decades because it was unsafe to build, was abundant with protected California trees and provided a corridor for wildlife that the city seemed interested to preserve.

We understood and appreciated the importance of this building restrictions even better when, in 2011, we applied for permit to build a second unit on our 25,000' property which only had a 1,490' house standing on its four lots, so that our son and 2-year old granddaughter who just lost her mom to cancer could move close to us. We were allowed to build only a small house provided that our neighbors in a 100' radius would sign a petition in support of our project –something we were never asked to sign for the Barryknoll project despite the description of its designated building site as “a Hillside Area, Special Grading Area, Very High Fire Hazard Severity Zone, and Landslide area”, according to the Environmental Impact Report”, and located only 22 miles from the Raymond fault! We were granted permits only after providing arborist reports that we would not damage or remove any protected tree or disturb the abundant wildlife populating the area, that the construction would happen with very little grading, using only a 700' footprint on an

already flatten site, without removing soil and without moving heavy machinery on site.

The fact that none of these restrictions have been applied to the Barryknoll development and that the city is considering to allow construction of several more houses along the already built 3 houses is very disturbing, given the admitted fragility of our hillside and infrastructure that could never support such a large building project. Construction of the proposed additional houses would definitely destabilize the hillside, which is already designated as “sub-standard”, and would endanger existing homes on Division St., Cazador St., and Sundown Drive.

Since construction of the 3 houses now already existing on the building site we are referring in this letter, our quality of life has hugely degraded. Every member of our family included our pets developed allergy and breathing problems. A film of dust and grim covered all the garden and outdoor areas and penetrated also inside our houses. Noise since early mornings to late evenings has been such that we had to flee the house any time we could. Spending time in our garden has become a dreaded idea. We can no longer leave our dog in the yard because coyotes, whose dens in Barryknoll Canyon were destroyed when heavy grading removed bushes and trees from the building site, decided to nest in the brush and shade along our chain link fence. They now pose a threat to pets and kids, and wake us up at night howling a few feet from our bedroom windows. The foundation of our 1936 house has been damaged by the vibration provoked by construction just as the new painting job we invested in—Internal walls are now all cracked on the side of Barryknoll Canyon, thanks to the same construction vibration.

What we had chosen as a perfect fit for our wish of a quiet and more natural life has now become a nightmare we wake up every day to, fearing what the day can bring in terms of disturbance. It feels so odd to pay the high property taxes we are paying while the city is not acknowledging any of our concern, previously expressed several times together with our neighbors

We urge you to reconsider the situation in light of these facts.

Thanking you for your attention,

Sincerely,

Gloria Mattioni and Federico Giordano
4007 Division Street
Los Angeles, 90065