

Appellants:

Kate Blackman / 968 Stonehill Lane
Cody Horn / 1026 North Tigertail Road
Melanie Regberg / 1036 North Tigertail Road
Mitchell Reiner / 1046 North Tigertail Road

September 7, 2018

The Los Angeles City Council
Attn: The Hon. Herb Wesson, President
200 North Spring Street
City Hall—Room 395
Los Angeles, CA 90012

> BY HAND DELIVERY <

RE:

Appeal of Board of Building and Safety Commissioners Decision
Project Address: 1104 North Tigertail Road, Los Angeles, CA 90049
Haul Route Application Board File Number: 180023
Notice of Exemption: Case Number ENV-2018-835-CE

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CITY CLERK
BY _____

Dear President Wesson and members of the City Council,

This letter is submitted on behalf of the above listed Appellants as a formal Appeal, pursuant to City of Los Angeles Municipal Code, regarding the August 28, 2018 hearing decision by the Los Angeles Board of Building and Safety Commissioners on File No. 180023, granting the Haul Route permit for 1104 North Tigertail Road, Los Angeles, CA 90049.

It is understood that property owner BW Partners II, LLC intends to excavate approximately 3,000 cubic yards of earth from the site to facilitate construction of a proposed 10,000 square foot residence on the property, which is located within the Crestwood Hills community.

The Appellants, are extremely concerned that the proposed removal of 3,000 cubic yards of earth will have a significant, lasting, and detrimental impact on the safe use and enjoyment of their homes and on the greater Crestwood Hills community and its residents.

The basis for this Appeal is as follows:

1. **Exemption under CEQA:** The Board of Building and Safety Commissioners abused their discretion by finding that the project is Categorical Exempt under the California Environmental Quality Act (CEQA). Categorical Exempt under CEQA rests on a finding by the Resource Agency that a class or category of project(s) does not have a significant adverse environmental effect, however, the subject project should not have been found to be categorically exempt, because it falls within one or more of the exceptions to CEQA's categorical exemptions.

Class 3, Category 1 exemptions provides for the construction and location of small facilities or structures, including a single-family residence. However, there is nothing small about the proposed project. The applicant is proposing a massive amount of grading, 3,000 cubic yards, in order to build an approximately 10,000 square foot house, which will cascade down a steep slope. The average house size in the neighborhood of Crestwood Hills is approximately 1/3 the proposed size of the subject project. Lots in the area average 7,000-9,000 square feet. This lot is 49,440 square feet—more than 5 times the size of neighboring lots—and those of the approximately 350 homes within Crestwood Hills boundaries. A development of this scale will have significant environmental impact not only on the neighboring houses but the natural surroundings and the wildlife that inhabits it.

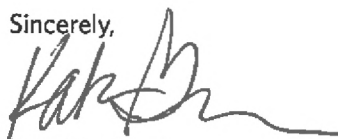
The purpose of CEQA is to disclose to the public the significant environmental effects of a proposed discretionary project, through the preparation of an Initial Study (IS), Negative Declaration (ND), or Environmental Impact Report (EIR). CEQA was established to prevent or minimize damage to the environment through development of project alternatives, mitigation measures, and mitigation monitoring. The environment will be greatly disturbed with this outsized development. There are documented and undocumented slope failures below the proposed building pad according to RMA GeoScience, including a documented 1993 slope failure at 1046 North Tigertail Road, the immediate adjacent property to the south, and home to one of the listed Appellants.

2. **The Location:** The subject property is located on a steep hillside, with documented and undocumented slope failures below the building pad according to the RMA GeoScience report. Tigertail Road is a narrow and steep 36-foot wide road with many turns and speed bumps. When cars are parked on both sides of the street there is only one lane remaining for cars to traverse. Tigertail Road also ends in a dead end, and in an emergency, there is only one way of egress.
3. **The Cumulative Impact:** The subject property is located along Tigertail Road where there are currently 6 active construction projects. The cumulative impact of successive projects along the same street is significant as the construction traffic necessitated to complete these oversized projects imposes burdens and dangers to everyone on the street; a community of walkers and many young families. The approval of another will only add to the cumulative impact by creating not only an inconvenience but a safety hazard as it is denying residents and emergency vehicles access to portions of Tigertail Road.
4. **Significant Effect:** There is reasonable possibility that the proposed activity will have a significant effect on the environment due to the massive amount of grading, steep topography, and insufficient access.

For these reasons, we respectfully request that the City Council reverse the decision of the Los Angeles Board of Building and Safety Commissioners granting the Haul Route permit for 1104 North Tigertail Road and disclose to the public the significant environmental effects of a proposed discretionary project, through the preparation of an Initial Study (IS), Negative Declaration (ND), or Environmental Impact Report (EIR).

Thank you for your consideration.

Sincerely,



Kate Blackman
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Los Angeles, CA 90049
(310) 490-4644
kate@kateblackman.com

cc:

Cody Horn
Melanie Regberg
Mitchell Reiner
Cory Buckner
Councilmember M. Bonin
Crestwood Hills Association
Jon Leader / Leader Counsel

CITY OF LOS ANGELES
CALIFORNIA

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FRANK M. BUSH
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SUPERINTENDENT OF BUILDING

OSAMA YOUNAN, P.E.
EXECUTIVE OFFICER

August 29, 2018

BOARD FILE NO. 180023
C.D.: 11 (Councilmember Mike Bonin)

BW Partners II, LLC
11755 Wilshire Blvd., Ste. 2140
Los Angeles, CA 90025

JOB ADDRESS: 1104 NORTH TIGERTAIL ROAD
TRACT: TR 14122

The Board of Building and Safety Commissioners, at its meeting of August 28, 2018, gave consideration to the application by Carolina Abrego-Pineda to export 3,000 cubic yards of earth from the above-referenced property.

The Board took the following actions:

1. FIND that the project is Categorically Exempt under the California Environmental Quality Act pursuant to the notice of exemption prepared by the Department of City Planning.
2. APPROVE the application subject to all conditions specified in the Department's report dated August 10, 2018.

This action becomes effective and final when ten calendar days has elapsed from the date of the Board's action, unless an appeal is filed with the City Council pursuant to Section 91.7006.7.5 of the Los Angeles Municipal Code.

Van Ambatelos, President
BOARD OF BUILDING AND SAFETY COMMISSIONERS

Action By
the BOARD OF BUILDING AND SAFETY
COMMISSIONERS on

August 28, 2018

NOT VALID WITHOUT STAMP AND SIGNATURE

c: Sr. Grading Inspector S. Valenzuela C. Horn M. Miller P. Braunstein
C. Pineda K. Peter C. Buckner
G. Braunstein M. Reiner K. Blackman

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CJ:jb