

## Google Groups

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**Fwd: Louisville High School - Appeal of 2241-22255 Mulholland Approval**

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**Anna Martinez** <anna.martinez@lacity.org>

Jun 22, 2020 8:07 AM

Posted in group: **Clerk-PLUM-Committee**

----- Forwarded message -----

From: **Jim Hughes** <jhughes@jimhugheslaw.com>

Date: Sun, Jun 21, 2020 at 5:52 PM

Subject: Re: Louisville High School - Appeal of 2241-22255 Mulholland Approval

To: elizabeth.ene@lacity.org &lt;elizabeth.ene@lacity.org&gt;, cityclerk@lacity.org &lt;cityclerk@lacity.org&gt;

Cc: Kathy Vercillo &lt;kvercillo@louisvillehs.org&gt;, info@saveoaksavanna.org &lt;info@saveoaksavanna.org&gt;

Dear Sir or Clerk Clerk,

I am the legal representative of Louisville High School who will speak on behalf of a Louisville at Tuesday's 10am City Council hearing. My email is jhughes@jimhugheslaw.com and my phone number is 818.429.0188.

JCH

Sent from my iPhone  
Typos courtesy of Steve Jobs

On Jun 15, 2020, at 4:15 PM, Jim Hughes <jhughes@jimhugheslaw.com> wrote:

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23622 Calabasas Rd, Suite 110  
Calabasas, CA 91302  
Telephone (818)429-0188  
Email: jhughes@jimhugheslaw.com

June 15, 2020

Via Email

Los Angeles City Council

Honorable City Council President Martinez

Honorable City Councilmember Blumenfield

Honorable City Council Members

Re: Appeal By Louisville High School  
City Planning Department Tract Map Approval, EIR Certification, and  
CEQA Clearance and All Related Filings and Approvals (the "Approvals")  
Relating to Proposed Development Proposed To Be Located  
At 22241-22255 Mulholland Drive (the "Project")

Dear Honorable LA City Council President Martinez, Councilmember Blumenfield, and  
Councilmembers,

I am legal counsel to Louisville High School ("Louisville"), a Catholic girl's high school located at 22300 Mulholland Drive, Woodland Hills, CA 91364 (the "Louisville Site"). Louisville was founded by the Sisters of St. Louis ("Sisters") in the mid 1960's as the first and only development to date on the Louisville Site. Louisville is located directly across Mulholland Drive from DS Venture's ("Developer") proposed residential housing development to be situated at 2241-22255 Mulholland Drive (the "Project").

After careful review of the plans made public for the Project and consideration of its impacts, Louisville hereby objects to the Project as proposed by the Developer.

1. FAILURE OF DUE PROCESS: The City has failed to comply with due process, best practices and fairness to the public by misleading the public regarding the proposed, extended, and then cancelled March 12, 2020 hearing before the South Valley Area Planning Commission (the "Area Planning Commission"). Louisville and other opponents of the Project ("Stakeholders") submitted in a timely manner, pursuant to the City's rules, various written objections to the City regarding the Project. Stakeholders advised the City of their intentions to make further presentations at the scheduled hearing.

On March 12th, the City advised by email that the hearing scheduled for that date had been rescheduled by the City to April 23, 2020 and "...you [Stakeholders]" do not need to attend the meeting tonight."

Similarly, the City provided written notice on April 22, 2020, that the April 23rd hearing would not occur and the City would provide "...[Stakeholders]" further information regarding the appeals in the next coming days."

The next communication from the City regarding the hearing was emailed on May 19, 2020 and advised:

On March 12, 2020, the South Valley Area Planning Commission was scheduled to consider appeals of the 22255 Mulholland Drive 19-single-family residential subdivision project. The meeting was cancelled due to COVID-related concerns, and the Commission requested that the applicant continue the case. However, the applicant did not agree to the request, and the Commission's time to act expired for both appeals.

Therefore, the City knew or should have known that, after scheduling and then cancelling the March 12th and April 23rd public hearings and failing to conduct any further public hearing due to global pandemic, the Project would be approved by default despite Stakeholders' written objection. The City's failure to take the necessary action adequate to preserve Stakeholders' and other's rights to a public hearing before the Committee regarding the Project should result in the voiding and invalidation of the approval caused by the Committee's failure to act to detriment of the Stakeholders. In addition, the Project should be required to submit to a public hearing before the City Council on a de novo basis (meaning as a new matter without consideration of, or deference to, any Committee or prior approval by the City or any department thereof).

## 2. PROJECT SPECIFIC OBJECTIONS:

Without waiving its objections to the City's improper processing of the Project approvals, as provided in Section 1 above, Louisville concurs with the following additional objections advanced by other Stakeholders in regard to the Project, including as to the tract map approval, EIR certification, and CEQA clearance, as well as the Zoning Administrator's determination on Councilmember Bob Blumenfield's 245 Motion; as follows:

(a) The Project consists of nineteen (19) tightly spaced two-story residences up to 33 feet high, inserted into a one-story, low density built neighborhood. The Project requires massive grading and City code deviations, contrary to important objectives in the Community Plan and contrary to the Mulholland Specific Plan. The City's consideration of Project alternatives is inadequate and insufficient.

(b) The Developer has given wholly inadequate consideration of the damage and destruction caused by removal or endangering of Heritage Coast Live Oak contrary to the Protected Tree Ordinance and the Specific Plan

(c) The Project is proposed to include five (5) highly-visible oversized retaining walls up to 11.5' high and up to 194' long requiring substantial deviations from the City Code by the Zoning Administrator.

(d) Developer proposed extensive, landscape-changing grading of 60,000 cubic yards requiring 1,600 dump trucks full of imported soil, within protection of the drip lines of protected Coast Live Oaks.

(e) Developer has proposed approval of a dangerous new street location on San Feliciano Drive hill without interviewing non-reported accident witnesses.

(f) The Project will cause disruption of wildlife refuge and transit link to nearby Santa Monica Mountains affecting coyotes, bobcats, raccoons, raptors, native ground squirrel colonies, and others.

(g) There has been no prior review by the Design Review Board of the Mulholland Scenic Parkway Specific Plan, including at the western entrance to the historic Mulholland Scenic Parkway, as required by applicable law.

(h) The City has failed to consider a viable, less intrusive, less dense alternative plan as required by under CEQA

(i) The mitigations offered by the City agencies are inadequate, unsustainable, and unenforceable.

### 3. PROJECT DEVELOPER ATTEMPT TO CIRCUMVENT CITY PROCESS.

We are not opposed to reasonable development on the Project. However, as Councilmember Blumenfield, we and others have indicated, Developer's proposed Project is not satisfactory and must be revised to, at a minimum, eliminate Code deviations, minimize grading, preserve a greater number of existing trees, and demonstrate a greater level of compatibility with the Mulholland Corridor and the surrounding neighborhood Plans. Any development of the Property by Developer or anyone else must be consistent with the City General Plan and Community Plan and Specific Plan of the Mulholland Scenic Parkway. Such consistency, as discussed above, will ensure compatibility with the immediate existing neighborhood, keep the removal and/or endangering of the Heritage Coast Live Oaks to responsible and acceptable

levels, and retain the wild open spaces that have become a respite for multitude species of wildlife and a Woodland Hills landmark.

In addition, we understand from others and it has been our experience, that Developer has not been responsive to the community, the Neighborhood Council, or Councilmember Blumenfield's office regarding revisions to Project. This is demonstrated most concretely by the Developer's attempt to circumvent the public hearing process before the Area Planning Commission, as discussed in Section 1 above.

We urge the City not to permit the Developer to frustrate the public process of public discussion and consideration of the Project by taking advantage of the damage, destruction and loss of life caused by the ongoing pandemic afflicting us all.

Thank you for your consideration.

Respectfully,

\_\_\_\_\_/s/\_\_\_\_\_

James C. Hughes, Esq.

Counsel for Louisville High School

cc: elizabeth.ene@lacity.org

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info@saveoakssavanna.org

