

Date: May 27, 2020

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Request to File Appeal

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Subject: Case No.: ZA-2007-1255-ZAD VTT-67505

Location: 22241-22255 Mulholland Drive, Woodland Hills CA 91364

CEQA: ENV-2005-2301-EIR

APPEAL FILED BY: Peter Fletcher

REASONS FOR APPEAL:

Applicant, Public Notification and Public Outreach

1. DS Ventures/Harridge has repeatedly side stepped and ignored the Woodland Hills-Warner Center Neighborhood Council. So for years no public hearings were held inside Woodland Hills for the neighbors to have knowledge of the project application and to be able to provide public comment. The applicant side stepped and ignored the neighbors who tried to work directly with the applicant to provide input to any updates or changes made to the project.
2. When DS Ventures/Harridge did meet with the Neighborhood Council PLUM Committee the applicant made promises to the PLUM Committee and the neighbors. The applicant repeatedly failed to comply with agreements made between himself and the neighbors and the Council, that the applicant would pro-actively work with the neighbors and the Council. This agreement was publicly agreed to at a publicly held Woodland Hills-Warner Center NC PLUM Committee Meetings.
3. The applicant has failed to comply with agreements made and the direction given by the Zoning Administrator at the joint public hearing before the Deputy Advisory Agency Zoning Administrator on October 2, 2018, where the applicant was directed by the Deputy to pro-actively work with the neighbors and local entities including the Council office, the NC, Louisville High School, and Santa Monica Conservancy.
4. Therefore, the applicant has failed repeatedly to address the concerns of the neighbors and local agencies. Instead DS Ventures/Harridge has remained secretive and taken a behind the scenes course of action to prevent community input.

5. City Planning/Zoning has failed to require that the applicant keep his promises and has approved the application based on one hearing before the Zoning Administrator. Dozens of neighbors attended the hearing, presented extensive testimony and repeatedly asked for the application to be denied.
6. The neighbors have been asking the City to deny this project for 12 years based on real substantial evidence that this project will harm our neighborhood.

Compatibility with the Surrounding Neighborhood and Other Issues:

This project is not compatible with the surrounding neighborhood.

1. HOMES - The applicant proposes to build (19) two story homes with a height of (33) feet.
All the homes on San Feliciano are (1) story older homes, as are the vast majority of the homes in the immediate area. Many homes in the immediate area were built in the 1950's, are one story ranch style homes under 2,000 square feet. They are widely spaced and are built to private privacy to the owners.

The height, lot size and design of the homes the applicant plans to build are not compatible and is inconsistent with the surrounding homes.

Please look at the attached map. It shows the difference between the homes in the area and the applicants project.

There is a vast difference.

2. STREETS and TRAFFIC - At the hearing the applicant proposed building (1) private street, with the entrance on the curved down slope of the hill on San Feliciano. **The neighbors and local agencies, strongly advised the applicant and the Zoning Administrator that this will be a safety hazard as:**
 - a. San Feliciano is a cut through for traffic going to and from Ventura Blvd, Topanga Blvd, and the Topanga Elementary School. The hill on San Feliciano is from Mulholland Drive to the first stop sign. This is a short distance with bad sight lines. I know this for a fact because I drive it every day coming home to my house.
 - b. Traffic is moving quickly down this hill. There is already a stop sign at the bottom of the hill. Another entrance half-way down the hill will cause traffic issues and isn't safe.
 - c. However, the applicant has chosen to ignore these problems and has not changed the entrance on San Feliciano and **has added one more entrance** to the development. An entrance on Mulholland Drive across the street from the entrance to Louisville High School where there are currently well known traffic mobility issues. This was opposed by the Mulholland Design Review Board.

3. WILDLIFE - The project will displace the wildlife that lives in this (6) acre open space into the yards and streets of surrounding homes.
4. ***Wildlife that has called this acreage their home for decades.*** There are bob cats, coyotes, snakes, owls, raccoons, skunks, rabbits, varieties of birds etc. The project will remove their home and food source.
Where will they go? Into the neighborhood because that is where they live. Wild animals are territorial and don't move away from their known food source.

This is of grave concern to a single-family neighborhood, many who have children and pets, as this area is primarily comprised of families with children who attend Woodland Hills Elementary School and Louisville High School. Children who constantly play outside and walk their pets.

This issue cannot be mitigated by the City, as wildlife can't be told where to go and what to do. Now they live on the (6) acre property and only come out at night. I see them in my yard at night. I hear the coyote packs howling at night.

Surely you must understand that having those wild animals moving into my yard to find shelter and food is a huge concern. It's a huge concern for anyone.

5. NOISE FROM CONSTRUCTION and AIR QUALITY

NOISE – NOISE – NOISE - This neighborhood was built in the 1950's. Therefore most homes are not sound proofed to meet the standards for homes in newly built neighborhoods. Many homes have the original multi-paned wood windows. Project construction will in fact greatly impact the neighborhood with noise. Because of the terrain, noise travels easily in this neighborhood and constant everyday noise at the project site will be heard much more intensely because the project sits in the middle of the neighborhood.

The city cannot mitigate what the neighbors know, because we live here, and we know how noise travels in this neighborhood. Someone writing a determination downtown doesn't understand this depth of this problem because they don't live here. The applicant isn't concerned because he doesn't live here. Noise is a profound issue and cannot be overly stated.

Last Saturday, a neighbor on San Feliciano, next to the proposed development, was building something small, and I could hear him hammering. I thought, what if I hear this all day long, five days a week for one or two years. Will I have to sell and move from my home? I'm 64 and will I be able to afford to move? I've lived in this house for 26 years, where would I go? In the 12 years that we have worried about this project being built, many neighbors have moved, especially on San Feliciano where they feared significant loss of property value or emotional distress.

The applicant claims he's the distressed party because he hasn't been able to build his development. He has no concept of how his actions have affected our neighborhood.

All-day grading and hauling of dirt and construction materials - in a quiet neighborhood on a busy neighborhood street that sits on a curved down slope of a hill. It will be exactly as bad as it sounds.

There is no mitigation that will change that. Everyone knows how big and loud and intrusive that will be. I will hear the grading machines, the loading of the dirt and the trucks leaving the site and going up and down the hill and everyone in the neighborhood will hear it all day long.

The only people who won't hear it are people who don't live here.

DUST and POLLUTION – the Applicant plans to dig up six acres of land and trees that hasn't been touched for as long as the land as been there. Six acres that has been a wildlife refuge. Land that is covered with animal and bird mites. Mites infest homes when the are disturbed.

I know this because when I moved here I redid my many decades old backyard. My house and body became infested with bird mites and I had to move out and have my house and yard exterminated to get rid of them. They live in land, weeds and trees that hasn't been disturbed for a very long time. They bite and cause fever.

6. **TREES - This acreage/open space is covered with hundred-year old protected Live Oaks. This is the last large grove of Live Oak trees in Los Angeles. There is absolutely no guarantee that the City can prevent the applicant from cutting down or gradually destroying these trees.**

The applicant will do what is beneficial for his project. The applicant has repeatedly expressed no interest in saving the trees. He has said he will “try” to save as many oak trees as he can. He has never made any guarantee to the community.

If he cuts the trees down or harms them so they die, all the City can do is reprimand him. The City cannot make hundred-year old live oak trees grow back.

Utility pipes, drip lines, curb cuts, street construction, retaining wall construction and other building construction will in fact kill one hundred-year old trees that have an extensive root system.

I asked an arborist. He said I can expect them to die if the roots aren't protected by a wide expanse of undisturbed earth.

Putting in 36-inch box trees doesn't replace hundred-year old live oaks.

Live Oaks are protected, yet the City, too often, finds ways to allow them to be destroyed.

You cannot mitigate this loss to the neighborhood and the community. There is simply no way to do that.

The Project WILL NOT Enhance the Neighborhood

Building 19 homes on 6 acres sounds reasonable until you look at the map and realize that much of the acreage is not buildable. Therefore, the applicant must build very tall two story homes on small lots close to the homes on San Feliciano to accomplish his goals. Therefore, these lot sizes and homes are vastly out of character with the neighborhood. The result is to cut up and possibly destroy what has been historically preserved and much needed open space in Woodland Hills.

It is the hope of the community that this land will become part of the Santa Monica Conservancy as it sits within the Mulholland Scenic Corridor and the City should work with the Conservancy to make every effort to protect this site.

1. Building nineteen two story homes in the middle of a long-established one-story neighborhood will not “enhance” the environment of the neighborhood. Removing or killing protected live oaks will not “enhance” the environment of the neighborhood. The loss of (6) acres of open space will not “enhance” the environment of the neighborhood. Displacing wild animals into the neighborhood will not “enhance” the environment of the neighborhood.
2. For mitigation purposes the writer notes that there is a two-story shopping center in Calabasas and that the project adds more “*luxury housing*” for sale in the neighborhood.

The two story shopping center is not in our neighborhood. It’s in Calabasas. Calabasas is a new and newish neighborhood of predominately large two story stucco homes.

The neighborhood is not enhanced by building new 33 foot tall stucco homes on our last open space in side an old residential neighborhood.

The applicant is NOT enhancing our lovely neighborhood.

What enhances our neighborhood is the preservation of open space, saving one hundred year old live oaks and preserving the lovely character of our unique neighborhood homes. I consider my neighborhood to be “luxurious” because it has these qualities.

3. RETAINING WALLS - The City allowing the applicant to build over-in-height retaining walls, by mitigation, says that the project is not compatible with the surrounding area.

The applicant is forcing the terrain to bend to his will to meet his goal to build (19) houses on a site that wasn’t a buildable location for this type of development when this neighborhood was originally built.

The writer of the mitigation says the applicant must provide landscaping to cover the walls. The City can’t enforce that. The applicant can initially plant small vines near the walls. But the City can’t make sure it grows, prevent it from dying and prevent the walls from becoming a permanent eyesore.

4. IMPACT - Adverse effects or impacts to public health, welfare and safety. The determination writer says “the (EIR) identifies no substantial environmental impact”.

That is one opinion by people who don't live in the neighborhood and won't be impacted.

It is always easy to make decisions for other people when those decisions don't affect you personally. I live here and I know how I will be impacted by loss of valuable open space, by noise and air pollution and safety issues when wild animals are displaced into my neighborhood.

The General Plan and citywide policy. The Warner Center Specific Plan.

When the City asked the citizens of Woodland Hills to sign off on the high-density development written into the Warner Center Specific Plan, we were told the following:

City Planners and the Council office said the Warner Center Specific Plan was going to protect the surrounding neighborhoods from density, preserve the character of the neighborhoods and preserve neighborhood open space, because all density was only going to be placed in Warner Center. The very dense development in Warner Center will remove the majority of open space in Warner Center, but there will be open space in the neighborhoods and we'll protect it. We promise.

Instead the City has approved and a developer has already built a very large high density new apartment complex between the 101 Freeway and Ventura Blvd. near the corner of Topanga Blvd. Now the City wants to approve this dense residential development inside my neighborhood.

The City must keep to its word and place density only in Warner Center and not inside long established neighborhoods.

As citizens we must be able to trust that you will keep your word and do the right thing for the neighborhood.

We must know that you have our backs when a developer makes the case that he owns the property and deserves to build whatever he wants in any neighborhood. That residents are nimby's and open space is for development.

Yet, when I ask applicants if they plan to live in their proposed developments ... they always say NO. They wouldn't live there themselves. They live somewhere else, in a “luxury” neighborhood or another city.

Please vote to support the neighbors. I have lived here 26 years. I'm not a nimby and neither are my neighbors. We aren't opposed to growth. But all people choose their neighborhood for its character and what they can afford. Some people choose to live in apartments, some in upscale neighborhoods with large houses, some in condos or duplexes. In LA there is something for everyone.

But this specific neighborhood is a safe, old, peaceful, quiet neighborhood with affordable homes and open space for wildlife..

Please help us maintain the character and safety of our neighborhood.
For the residents and animals that live here.

Thank you for time and consideration of this matter.

Best regards,

Peter Fletcher

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