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All compliant submissions may be accessed as follows:

- **“Initial Submissions”**: Compliant submissions received no later than by end of day Monday of the week prior to the meeting, which are not integrated by reference or exhibit in the Staff Report, will be appended at the end of the Staff Report. The Staff Report is linked to the case number on the specific meeting agenda.
- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
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If you are using Chrome, the bookmarks are on the upper right-side of the screen. If you do not want to use the bookmarks, simply scroll through the file.

If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS



Fire Safety turnarounds on dead end streets

2 messages

Stephen Gibson <stephen.r.gibson@gmail.com>

Mon, Nov 7, 2022 at 10:33 AM

To: apceastla@lacity.org

To whom it may concern,

I, Stephen Gibson, [924 Elyria Drive, Los Angeles, Ca 90065](#)

Object to any waiver asking to not to make road improvements allowing emergency vehicles access to turn around.

The house built at the end of Elyria Drive got a waiver to not widen road. In the years since we have had to have many emergency vehicles come to our street as we have aged residence. In every case the response was slower risking minutes to transport for vital medical services.

Sensible growth with safety of residence is paramount concern.

Thank you

Stephen Gibson

[924 Elyria Drive](#)

[Los Angeles, Ca 90065](#)

Stephen.r.gibson@gmail.com

323-394-5331

--

Stephen Gibson

Planning APC East LA <apceastla@lacity.org>

Mon, Nov 7, 2022 at 1:00 PM

To: Stephen Gibson <stephen.r.gibson@gmail.com>

Good afternoon Mr. Gibson,

Thank you for your email. Your secondary submission will be distributed to the East LA Area Planning Commission for the meeting of November 9, 2022.

Please contact me if you have any questions.

Thank you,

Eva Bencomo, Commission Executive Assistant
East Los Angeles Area Planning Commission
North Valley Area Planning Commission

[Quoted text hidden]



LAW OFFICE OF ALEXIS DJIVRE

November 2, 2022

East Los Angeles Area Planning Commission
Vincent Bertoni, AICP Director
Jacob Stevens, President ELAAPC
Alice Inawat, Committee Executive Assistant, apceastla@lacity.org
Nashya Sadono Jensen, nashya.sadono-jensen@lacity.org

RE: Hearing Date: Wednesday, November 9 at 4:30 p.m.
Case no. DIR-2021-10882-SPP-HCA-1A (4487-97 E Bend Dr)

Dear Commissioners:

I have been a resident of Mt. Washington since 2009. In that time, I have seen development on the hill explode. It is my understanding that there are nearly 300 active construction sites in a roughly 2-square mile area. I also understand that a waiver of a fire safety turnaround was granted to the developers of 4487-4497 E. Bend Dr. This is an absolute tragedy, or shall I say, it **will** be a tragedy. I say this because Mt. Washington is a high fire severity area. My home insurance carrier recently canceled renewal of my policy for this reason. I have seen fire engines attempt to turn around on our substandard streets, and become trapped. If there is a fire in that area of Bend, residents will be trapped, and firefighters will not be able to maneuver their trucks without a turnaround.

I wholeheartedly support the Bend Drive Safety Coalition's Appeal. Their request for a fire safety turnaround follows well established state and local laws. It also follows precedent set by the East Los Angeles Area Planning Commission, Zoning Administrators' Determinations after full public hearings and Neighborhood Council Determinations, as well as representations made by LAFD Hydrants regarding this site. Failure to follow precedent and enforce these laws sets a dangerous precedent by this Commission which endangers the lives of residents and firefighters both now and in the future. These are not theoretical issues for our neighborhood: residents have died on dead-end streets because fire fighters were unable to access the area and residents were unable to evacuate. This truly is a life-or-death issue.

LAMC section 503.2.5 and 14 CCR section 1273.05 mandate turnarounds on dead-end streets. LAMC section 12.21.C.10(i) mandates improvement of substandard hillside streets. All we are asking for is that the City follow the laws it currently has in place. Please consider this appeal and help reverse the waiver of the turnaround.

Sincerely,

Alexis Djivre, Esq.

1155 North Central Avenue, Suite 201
Glendale, CA 91202
(213) 700-3436 p/ (213) 279-2099 f
alexisdjivre@gmail.com

November 3, 2022

East Los Angeles Area Planning Commission
Vincent Bertoni, AICP Director
Jacob Stevens, President ELAAPC
Alice Inawat, Committee Executive Assistant, apceastla@lacity.org
Nashya Sadono Jensen, nashya.sadono-jensen@lacity.org

RE: Hearing Date: Wednesday, November 9 at 4:30 p.m.
Case no. DIR-2021-10882-SPP-HCA-1A (4487-97 E Bend Dr)

Commissioners:

Marilyn Evans, and I, Chris Evans, own the home at 914 Nordica Drive. Our home is located at the top of the hill, directly above the properties in question in this case, 4487-97 E Bend Drive.

We were dismayed to learn that a variance had been granted to a developer for them to avoid having to meet well-established fire safety regulations. We have owned 914 Nordica Drive for 20 years and not one fire season goes by that we don't count our lucky stars that the fires that ravage Southern California on a regular basis have avoided this area. The limited access and neglected infrastructure in the Mount Washington area compounds the risk of a devastating fire and we are disappointed in our city officials for intentionally allowing the sad state of affairs to continue by allowing new developments to shirk the responsibility of basic infrastructure.

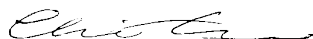
Can we ignore red traffic lights on the street because they are an inconvenience? Can we not pay our state and local taxes because it's an undue burden? Of course not – these laws and regulations are in place for the safety and welfare of all citizens and cannot be selectively enforced based on convenience. The same is true for established fire safety and infrastructure regulations that have been on the books for years.

We urge the commission to reverse the Director's prior determination and require compliance with mandatory state and local fire safety turnaround laws. Failure to do so sets the precedent that these laws can be willfully ignored and selectively enforced, which undermines not only the stability of our society, but its safety as well.

Thank you for your attention to this matter,



Chris & Marilyn Evans
Owners, 914 Nordica Drive





Case no. DIR-2021-10882-SPP-HCA-1A (4487-97 E Bend Dr)

1 message

Dan Peirson <dan.peirson@gmail.com>

Mon, Nov 7, 2022 at 2:36 PM

To: apceastla@lacity.org, nashya.sadono-jensen@lacity.org

To Whom It May Concern,

I am a local resident in Mount Washington, Los Angeles, 90065 and wish to register my concern about the waivers granted to the construction project on Bend Drive. I support the appeal to overturn the previous decision to allow the project to go ahead without a fire safety turn out being added to the dead end street.

The risk of wildfire is high in Mt Washington. Many local residents are finding it harder and harder to secure home insurance because of this elevated risk.

Construction of new dwellings takes place at a record pace. There are more and more people living on the hill and LAFD access and resident evacuation needs to be factored into these projects.

Additionally:

1. State law mandates fire turnarounds on dead-end streets
2. Local law mandates fire turnarounds on dead-end streets
3. Road needs to be improved to at least 20 feet wide

Please do not jeopardize the safety of residents - including the future occupants of this construction - by allowing this waiver to stand.

Thank you

Dan Peirson
[910 Elyria Drive, Los Angeles, CA 90065](#)



CASE No. DIR-2021-10882-SPP-HCA-1A (4487-97 E. Bend Drive)

2 messages

Jessica Huebner <themartinlady@earthlink.net>

Mon, Nov 7, 2022 at 11:58 AM

To: apceastla@lacity.org

Cc: Pat Winters <mwha.pat@gmail.com>

Dear Alice Inawat,

I am a long time resident of Mount Washington, in Los Angeles. I grew up there and have been through several big fires, including the one that destroyed my parents house in 1997.

I can't stress enough how important it is for fire turnarounds and street improvements to exist in the case of fires on Mount Washington, especially with the onslaught of so much new construction.

My parents house was on a dead-end street, with a turnaround, but the fire department still chose not to endanger their two million dollar pumper unit and did not enter the street until our house was fully engulfed in fire- a good two hours from when the fire first started across Elyria Canyon. They did not form a defensive line on my parents street (Rome Drive) while the fire raged in front of it. It came out in court that they had made a conscious decision to not do that, to not lose the pumper unit and possibly get trapped (along with none of the fire hydrants working, either -but that's another story). I was there and a witness, regardless.

That was back in 1997. Insurance companies were canceling houses right and left (including mine) and they had canceled my parents right before the fire, as well.

Now our mountain population has increased by double? Something like that? And there are over 300 active construction sites currently taking place with many of them receiving waivers to not improve the streets and to not accommodate any sort of need for fire engines or emergency vehicles to pass through unobstructed? We need to curb that trend.

As I witnessed in 1997, the fire department can choose to not enter a dangerous street and save your house, and the insurance company underwriters can choose to cancel you at any moment because the area is "too dangerous". I know 5 people right now who have been recently canceled and/or the premiums have doubled (including mine) because of our "high fire severity" zone here on Mount Washington.

So that then translates into 4487-97 E. Bend Drive, a 10,000 square foot structure on Mount Washington, not having to comply with any State and Local Laws requiring street improvements and/or fire turnarounds on a dead-end street?

That's insane.

Please follow the basic laws already on the books for fire turnarounds on dead-end streets and basic road improvements.

We aren't asking for much. Fires jump around, embers jump around, fly uphill, fly downhill, and endanger us all. Not just the one house that the fire engine can't get to because of the dead-end street with no turnaround. It endangers all of us.

Thank you for your time.

Sincerely,

Jessica Huebner
715 Museum Drive
Los Angeles, CA 90065
213-91-0910

Planning APC East LA <apceastla@lacity.org>
To: Jessica Huebner <themartinlady@earthlink.net>

Mon, Nov 7, 2022 at 1:12 PM

Good afternoon Ms. Huebner,
Thank you for your email. Your secondary submission will be distributed to the East Los Angeles Area Planning Commission for their review at the meeting of November 9, 2022,

Let me know if you have any questions,

Regards,

Eva Bencomo, Commission Executive Assistant
East Los Angeles Area Planning Commission

[Quoted text hidden]



Fwd: building site at 4487-97 Bend Drive

1 message

Nashya Sadono-Jensen <nashya.sadono-jensen@lacity.org>

Tue, Nov 1, 2022 at 2:25 PM

To: Eva Bencomo <eva.m.bencomo@lacity.org>, Planning APC East LA <apceastla@lacity.org>

Hi Eva,

I received this public comment for the appeal of DIR-2021-10882-SPP-HCA-1A for next week's meeting.
Thank you.

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

From: **Dominique Generaux** <d.generaux@gmail.com>

Date: Tue, Nov 1, 2022 at 11:41 AM

Subject: building site at 4487-97 Bend Drive

To: <nashya.sadono-jensen@lacity.org>

Hi Nashya,

I wanted to urge LA city planning to require road improvements and a mandatory fire safety turnaround. These requirements are part of the law for good reason. We are already dealing with dangerous situations in Mt Washington where emergency vehicles are unable to access parts of the community. We have 300 building sites currently on 2.7 square miles. If each receives waivers on our crumbling road infrastructures we will have even more life and death situations. Thank you for your consideration.

Best,

Dominique Generaux
Mt Washington resident

--



Nashya Sadono-Jensen

Pronouns: She, Her, Hers

Planning Assistant

Los Angeles City Planning

200 N. Spring St., Room 621

Los Angeles, CA 90012

T: (213) 978-1363 | Planning4LA.org





Fwd: DIR-2021-10882-SPP-HCA-1A Appeal

2 messages

Nashya Sadono-Jensen <nashya.sadono-jensen@lacity.org>

Mon, Nov 7, 2022 at 2:26 PM

To: "bhofstadter@gmail.com" <bhofstadter@gmail.com>, Planning APC East LA <apceastla@lacity.org>

Hi Bill,

Thank you for your email. I am forwarding this to the Commission office for the Commissioners' review.

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

From: **Bill Hofstadter** <bhofstadter@gmail.com>

Date: Mon, Nov 7, 2022 at 1:56 PM

Subject: DIR-2021-10882-SPP-HCA-1A Appeal

To: <nashya.sadono-jensen@lacity.org>

Hello,

I am a neighbor with property adjacent to the project at [4487-4497 East Bend Drive](#).

My address is [4354 Palmero Dr, Los Angeles, CA 90065](#).

I just want to be on the record that this property should follow all the fire safety guidelines and have fire turnarounds and a proper 20 foot wide road so emergency vehicles can safely access the site.

Thank you,

William Hofstadter

Laura Duncan

Bill Hofstadter | Post Production Supervisor

p: 323.632.1417 | Bill.Hofstadter@eone.co

Bill Hofstadter <bhofstadter@gmail.com>

Mon, Nov 7, 2022 at 2:27 PM

To: Nashya Sadono-Jensen <nashya.sadono-jensen@lacity.org>

Cc: Planning APC East LA <apceastla@lacity.org>

Thank you.

Bill Hofstadter | Post Production Supervisor

p: 323.632.1417 | Bill.Hofstadter@eone.co

[Quoted text hidden]

DAY OF HEARING SUBMISSIONS



Planning APC East LA <apceastla@lacity.org>

11/9/2022 4: 30 PM Hearing re 4497 East Bend Drive LA 90065- DIR-2021-10882-SPP-HCA-1A Council District: 1 – Cedillo

1 message

Ed Pfister <rep@pfisterlaw.com>

Wed, Nov 9, 2022 at 2:14 PM

To: "Alice Inawat, Committee Executive Assistant," <apceastla@lacity.org>, "Nashya Sadono Jensen," <nashya.sadono-jensen@lacity.org>

Cc: Maria Hernandez <mgh@pfisterlaw.com>, Cyndy Procope <crprocope@gmail.com>

Comments regarding today's 11/9/22 at 4:30 PM reconsideration/ partial appeal of the previous decisions.

DIR-2021-10882-SPP-HCA-1A Council District: 1 – Cedillo

CEQA: ENV-2021-10883-CE **Last Day to Act: 11-10-22

Plan Area: Northeast Los Angeles

PUBLIC HEARING REQUIRED**PROJECT SITE:** 4497 East Bend Drive**PROPOSED PROJECT:**

Construction, use, and maintenance of a new 9,796-square foot single-family dwelling with an attached garage, and an attached 1,155-square foot Accessory Dwelling Unit (ADU) (under separate Administrative Review), on a 55,069-square foot vacant lot that is within the Mount Washington-Glassell Park Specific Plan area.

East Los Angeles Area Planning Commission

Vincent Bertoni, AICP Director

Jacob Stevens, President ELAAPC

Alice Inawat, Committee Executive Assistant, apceastla@lacity.orgNashya Sadono Jensen, nashya.sadono-jensen@lacity.org

Gentlepersion on the East LA Area Planning Commission:

My wife and are more than 30 year residents of Mt. Washington. And during that time we have become more and more acutely aware of the huge fire risks as well as the lack of minimally required infrastructure to our entire neighborhood. The Mt Washington population has exploded and continues to do so.

Please remember that in the middle of Mt Washington there is a 35 acre wild / natural park. It has NO water sources if there is a fire. Other than what is minimally required 200 feet or less from nearby structures, it is basically not brushed. And dead branches/ wood remain – all providing explosive fuel for the spread of wildfire across our neighborhood.

The roads are so narrow and not maintained that a mass evacuation due to a huge fire of even a block or two is virtually impossible.

We strongly support reconsidering and requiring as the FIRST STEP in the building of this new home/ ADU/ pool the widening of the street in front of the lot AND the completing of a turnaround for LA Fire Department and First Responder personnel.

Remember that

1. State law mandates fire turnarounds on dead-end streets
2. Local law mandates fire turnarounds on dead-end streets- And this needs to be done as Step One in this project.
3. Roads/ streets need to be improved to at least 20 feet wide—and this should be done as Step One in any building project.

(the road widening and turnaound could be finished except for the final top layer- and that would permit building to proceed both much more safely AND with less impact on neighbors living on adjoining streets and also near this large new development.

None of these rules were followed in this case.
If they are not now.

Thank you for your consideration and hopeful ruling in favor of human safety and the environment in our Mt. Washington.

Respectfully,

Ed Pfiester

Auto typos are my gift to you

*** Please update your records with our new telephone numbers below.**

R. Edward Pfiester, Jr., Esq. | A Law Corporation
2000 Riverside Drive, Los Angeles, CA 90039
(323) 663-7000 | (323) 662-2266 (fax) | rep@pfiesterlaw.com

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Eva Bencomo
Commission Executive Assistant

This letter is in support of appeal by the Bend Drive Safety Coalition endorsed by the Mount Washington Homeowners alliance regarding proposed construction @ 4487-97 Bend Drive. As a homeowner in this area I have great concern our safety. I see no reason to NOT apply & enforce every law that seeks to ensure increased fire & evacuation safety in our hillside, high fire severity hazard zone.

To not mandate turn around & street widening with street improvements on this project sets a terrible precedent for future construction. There should be no CEQA exemptions or exemptions to the Hillside ordinance for any construction in this area. Why have laws if they are not to be enforced?

Consideration should be paid by planning & LAFD regarding the presence of "paper" streets when granting waivers & exemptions. Our neighborhood is a fire fighters nightmare. No need to add to the risks.

Sincerely,
Leann McLeod
666 Pheasant Drive, L.A., Ca

Eva Bencomo
Commission Executive Assistant

This letter is in support of appeal by the Bend Drive Safety Coalition endorsed by the Mount Washington Homeowners alliance regarding proposed construction @ 4487-97 Bend Drive. As a homeowner in this area I have great concern our safety. I see no reason to NOT apply & enforce every law that seeks to ensure increased fire & evacuation safety in our hillside, high fire severity hazard zone.

To not mandate turn around & street widening with street improvements on this project sets a terrible precedent for future construction. There should be no CEQA exemptions or exemptions to the Hillside ordinance for any construction in this area. Why have laws if they are not to be enforced?

Consideration should be paid by planning & LAFD regarding the presence of "paper" streets when granting waivers & exemptions. Our neighborhood is a fire fighters nightmare. No need to add to the risks.

Sincerely,
Leann McLeod
666 Pheasant Drive, L.A., Ca



Planning APC East LA <apceastla@lacity.org>

Case #DIR-2021-10882-SPP-HCA-1A (4487-97 E. Bend Dr.)

1 message

pam sipchen <pamsipchen@gmail.com>

Wed, Nov 9, 2022 at 4:07 PM

To: apceastla@lacity.org

Cc: "nashya.sadono-jensen@lacity.org" <nashya.sadono-jensen@lacity.org>

As long time homeowners (33 years) in the district of Mount Washington, we have seen many changes here, including the building of new homes. We believe that anyone who purchases land and obtains proper permits to build has that right to have their vision materialize. We have also seen the impact of fires that have rampaged through the canyons during the Santa Ana winds and times of drought. Local and state law mandates turnarounds on dead end streets and that road improvements must be at least 20 feet wide. These are very basic improvements for fire engines to access these hard to maneuver roads. We want to keep Mount Washington safe and for anyone interested in living here to feel the community has its best interests at heart. Therefore, we fully support the Mt Washington Homeowners Alliance in their stance on the mandates of turnarounds and 20 ft road improvements.

Thank you,

Pamela Sipchen and family
884 Mount Washington Drive



Planning APC East LA <apceastla@lacity.org>

Bend Dr Safety Appeal Comments for hearing

1 message

Rachel Livingston <livingston.rachel@gmail.com>
To: apceastla@lacity.org

Wed, Nov 9, 2022 at 4:04 PM

I am writing with my concern about the Bend Dr waiver of creating a turn around for emergency vehicles. This is a genuine hazard in our neighborhood, and not one that is hypothetical. I have lived above Bend Dr for more than 20 years and have seen real scenarios where fire has caused serious challenges on the hill. I am deeply concerned that not having a proper turnaround on Bend will put the safety of our homes and lives at risk, as well as the lives of firefighters.

It is my understanding that both state and local law requires the fire turnaround, so I do not understand why the requirement is being waived. This is a real safety issue for the homes and homeowners living in the neighborhood - including the owners of the new home being proposed. The lack of turn around puts their house at risk as well.

I am strongly requesting that the builders be required to follow state and local law and improve the street to 20 ft wide so that emergency vehicles can gain proper access if/when their services are needed.

Thank you!

Rachel Livingston
[4360 Palmero Dr](#) homeowner (directly above Bend Dr)

Rachel Livingston
Education Consultant

cell (310) 592-2792

MOUNT WASHINGTON HOMEOWNERS ALLIANCE



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November 7, 2022

East Los Angeles Area Planning Commission

Vincent Bertoni, AICP Director

Jacob Stevens, President ELAAPC

Alice Inawat, Committee Executive Assistant, apceastla@lacity.org

Nashya Sadono Jensen, nashya.sadono-jensen@lacity.org

RE: Hearing Date: Wednesday, November 9 at 4:30 p.m.

Case no. DIR-2021-10882-SPP-HCA-1A (4487-97 E Bend Dr)

Commissioners:

MWHA respectfully submits that Applicant's Presentation contains errors, omissions and misstatements that illustrate the need for this Commission to reverse the Director's decision and grant this appeal. Accordingly, on behalf of its approximately 400 members, MWHA respectfully asks this Commission to grant the Appeal by the Bend Drive Safety Coalition.

For example, Applicants contend that the housing accountability act prevents this Commission and the City from correcting safety problems with the project. This is not accurate. Rather, the Housing Crisis Act of 2019, Govt. Code sec. 66300 arose in part because of fire safety problems and Section 66300(f)(2)(D)(4) explicitly provides that:

This section **shall not apply to a housing development project located within a very high fire hazard severity zone.** . . [Emph Added]

There is no question that this project is within a Very High Fire Severity Hazard Zone and is, therefore, exempt from section 66300. This should come as no surprise to the Applicants.

Indeed, the Planning Department explicitly recognized this "carve out" safety provision in recent hearings before the Los Angeles City Planning Commission regarding adoption of the Hillside Construction Regulations. Planning explicitly recognized that Very High Fire Severity Hazard Zones need protections and are exempt from section 66300.

Applicants state that they have "made great efforts to ensure that their home will enrich the community". While we are sure that Applicants will be happy with their project, we do not believe that the health and safety needs of the community have been addressed. On behalf of the community, MWHA attempted to discuss the project several times in person, on the MWHA Land Use monthly agenda and at neighborhood council. MWHA did not contest the

P. O. Box 65855, Los Angeles, CA 90065-0855
www.mwha.us; www.facebook.com/MWHAAlliance

size of the project (it is at least 3 times the average size of other projects and existing homes in the area-data can be provided upon request), but did repeatedly explain why fire safety issues were critical and that a turnaround was needed for the safety of all concerned, including future residents of these buildings. MWAHA also explained the need for safe construction practices such as those included in the HCR. Applicants did not compromise or waiver from their original position that they refuse to do road improvements or a turnaround, nor did they work with the community on safe community construction practices.

The Applicants state that the project complies with “all” fire safety regulations, citing only that the buildings will have sprinklers. They do not address the mandatory provisions of the state law (14 CCR sec. 1273.05) or local law (LAMC sec 503.2.5) which require fire safety turnarounds for the safety of first responders and residents. Nor do they address the fact that after discussions with Applicants were unproductive, community members met with LAFD Hydrants to discuss this site (and others), reviewing the “real-life” situation versus erroneous city maps and data. At that meeting, the community was told a turnaround should be required on this project and that the existence of sprinklers was not pertinent to the turnaround requirement.

Applicants contend that Appellants failed to provide sufficient evidence for a CEQA analysis. Applicants do not address the very evidence Applicants themselves submitted: the inescapable cumulative effect of 48 to 50 sites within a ½ mile radius.

Applicants also do not address the Attorney General’s requirements for CEQA analysis in Very High Fire Severity Hazard Zones such as this. California Attorney General Bonta has issued “Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act”. <https://oag.ca.gov/system/files/attachments/press-docs/Wildfire%20guidance%20final%20%283%29.pdf> These guidelines apply to Very High Fire Hazard Severity Zones such as Mt Washington. They also apply to areas in the wildland-urban interface defined as where the built environment meets or intermingles with the natural environment which also includes Mt Washington. https://frap.fire.ca.gov/media/10300/wui_19_ada.pdf.

The Attorney General requires that this project, at a minimum, be evaluated for:

1. Emergency access including evaluation of road capacity to accommodate the project and community evacuation and simultaneous emergency access;
2. Slope, prevailing winds and other factors that exacerbate fire risks;
3. Infrastructure that may exacerbate fire risks including inadequate roads (such as the failure to provide fire safety turnarounds as required by state and local laws); and
4. Exposure of people or structures to risks including downslope landslides, drainage changes and instability.

Applicant does not address any of these issues, nor have they been evaluated for this site.

Additional data and citations are available upon request; however, since the Presentations were not available online until shortly before the 48 hours required for supplemental submissions, MWAHA is bound by the two page rule for day of submissions.

Respectfully submitted,



Pat Winters, 2022 VP Land Use
Mount Washington Homeowners Alliance
MWAHA.Pat@gmail.com

MOUNT WASHINGTON HOMEOWNERS ALLIANCE



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November 7, 2022

East Los Angeles Area Planning Commission

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RE: Hearing Date: Wednesday, November 9 at 4:30 p.m.

Case no. DIR-2021-10882-SPP-HCA-1A (4487-97 E Bend Dr)

Commissioners:

MWHA respectfully submits that Applicant's Presentation contains errors, omissions and misstatements that illustrate the need for this Commission to reverse the Director's decision and grant this appeal. Accordingly, on behalf of its approximately 400 members, MWHA respectfully asks this Commission to grant the Appeal by the Bend Drive Safety Coalition.

For example, Applicants contend that the housing accountability act prevents this Commission and the City from correcting safety problems with the project. This is not accurate. Rather, the Housing Crisis Act of 2019, Govt. Code sec. 66300 arose in part because of fire safety problems and Section 66300(f)(2)(D)(4) explicitly provides that:

This section **shall not apply to a housing development project located within a very high fire hazard severity zone.** . . [Emph Added]

There is no question that this project is within a Very High Fire Severity Hazard Zone and is, therefore, exempt from section 66300. This should come as no surprise to the Applicants.

Indeed, the Planning Department explicitly recognized this "carve out" safety provision in recent hearings before the Los Angeles City Planning Commission regarding adoption of the Hillside Construction Regulations. Planning explicitly recognized that Very High Fire Severity Hazard Zones need protections and are exempt from section 66300.

Applicants state that they have "made great efforts to ensure that their home will enrich the community". While we are sure that Applicants will be happy with their project, we do not believe that the health and safety needs of the community have been addressed. On behalf of the community, MWHA attempted to discuss the project several times in person, on the MWHA Land Use monthly agenda and at neighborhood council. MWHA did not contest the

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size of the project (it is at least 3 times the average size of other projects and existing homes in the area-data can be provided upon request), but did repeatedly explain why fire safety issues were critical and that a turnaround was needed for the safety of all concerned, including future residents of these buildings. MWAHA also explained the need for safe construction practices such as those included in the HCR. Applicants did not compromise or waiver from their original position that they refuse to do road improvements or a turnaround, nor did they work with the community on safe community construction practices.

The Applicants state that the project complies with “all” fire safety regulations, citing only that the buildings will have sprinklers. They do not address the mandatory provisions of the state law (14 CCR sec. 1273.05) or local law (LAMC sec 503.2.5) which require fire safety turnarounds for the safety of first responders and residents. Nor do they address the fact that after discussions with Applicants were unproductive, community members met with LAFD Hydrants to discuss this site (and others), reviewing the “real-life” situation versus erroneous city maps and data. At that meeting, the community was told a turnaround should be required on this project and that the existence of sprinklers was not pertinent to the turnaround requirement.

Applicants contend that Appellants failed to provide sufficient evidence for a CEQA analysis. Applicants do not address the very evidence Applicants themselves submitted: the inescapable cumulative effect of 48 to 50 sites within a ½ mile radius.

Applicants also do not address the Attorney General’s requirements for CEQA analysis in Very High Fire Severity Hazard Zones such as this. California Attorney General Bonta has issued “Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act”. <https://oag.ca.gov/system/files/attachments/press-docs/Wildfire%20guidance%20final%20%283%29.pdf> These guidelines apply to Very High Fire Hazard Severity Zones such as Mt Washington. They also apply to areas in the wildland-urban interface defined as where the built environment meets or intermingles with the natural environment which also includes Mt Washington. https://frap.fire.ca.gov/media/10300/wui_19_ada.pdf.

The Attorney General requires that this project, at a minimum, be evaluated for:

1. Emergency access including evaluation of road capacity to accommodate the project and community evacuation and simultaneous emergency access;
2. Slope, prevailing winds and other factors that exacerbate fire risks;
3. Infrastructure that may exacerbate fire risks including inadequate roads (such as the failure to provide fire safety turnarounds as required by state and local laws); and
4. Exposure of people or structures to risks including downslope landslides, drainage changes and instability.

Applicant does not address any of these issues, nor have they been evaluated for this site.

Additional data and citations are available upon request; however, since the Presentations were not available online until shortly before the 48 hours required for supplemental submissions, MWAHA is bound by the two page rule for day of submissions.

Respectfully submitted,



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