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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.
- **“Day of Hearing Submissions”**: Submissions after the Secondary Submission deadline up to and including the day of the Commission meeting will be uploaded to this file within two business days after the Commission meeting.

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

SECONDARY SUBMISSIONS

MOUNT WASHINGTON HOMEOWNERS ALLIANCE



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Alliance Times Editor

Monique Gaudry

August 27, 2024

TO: Department of Planning, City of Los Angeles
Pablo Estrada, City Planning Associate
pablo.estrada@lacity.org (via email)

RE: Public Hearing September 11
ZA-2022-7295-ZAA-SPP-HCA
ENV-2023-3518-CE
504 West Avenue 44

The Mount Washington Homeowners Alliance (MWHHA) is in favor of the appeal submitted by Frontenac Avenue Safety Association (FASA). MWHHA is a non-profit 501 (C) 4 corporation of approximately 400 residents living in Mount Washington. We educate both residents and builders on the issues involved in building in our Hillside, Very High Fire Severity Hazard Zone. We are not opposed to construction; however, we ask that it be done safely and that the laws be enforced to protect the community.

The appeal requests:

1. Applicant must provide an 8-foot road dedication for improving West Ave 44 (LOD issilent and the attached plans state a request for waiver and no dedication. Although Applicant/builder withdrew a request for a waiver of the minimum adjacent roadway improvement along Avenue 44, there was no withdrawl of the request for a waiver of the full dedication);
2. Applicant must provide an 8-foot road dedication for improving Frontenac Avenue (LOD is silent and the attached plans state a request for waiver and no dedication);
3. Applicant must improve Frontenac Avenue to 20 feet wide along the boundary of the project property (the required "minimum adjacent roadway");
4. Applicant must improve Frontenac Avenue to 20 feet wide to the northeast where it intersects Avenue 44 (the NE "continuous roadside improvement");
5. Applicant must improve Frontenac Avenue to 20 feet wide to the southwest to meet the previously developed 20-foot wide roadway (the SW "continuous roadside improvement")
6. Applicant must provide at least 3 off street parking spaces (LOD says only 2— Finding 8(d, page 32); and
7. The project is not exempt from CEQA.

We also request that the road improvement be done before construction. On the Mt. Washington hillside (a roughly 2 mile area) there are 300 construction projects. We have experienced blocked streets, limited to no access of emergency vehicles.

P. O. Box 65855, Los Angeles, CA 90065-0855
www.mwha.us

There are examples of street widening in pockets throughout the hillside. Others have complied with the code, it is not unfeasable. Please see exhibit A. Exhibit B illustrates Frontenac present condition between approximately 500 to 533 Frontenac.

Additionally a recent ruling ZA-2018-5334 (ZAD/SPP) the zoning administrator determined that both Frontenac and Avenue 44 be improved per code LAMC Section 12.21 x28.

We are not opposed to this building simply ask that the builders/owners be held to the same standards and rules as others have been, and improve both roads to the 20 feet minimum. This is for both the safety of the future owners as well as residents of the hillsides.

We respectfully ask that the East Los Angeles Area Planning Commission, Zoning Administrator and City Planning Administrators and City Engineering support the appeal.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Juanita', followed by a long, sweeping horizontal line that extends to the right.

Juanita Martinez
VP Land Use
Mt. Washington Homeowner's Alliance

Via Email: andrea.maganawithers@lacity.org
cc: nashya.sadona-jensen@lacity.org | helen.campbell@lacity.org | kyle.hickey@lacity.org

Exhibits follow

EXHIBIT A

4670-4676 Glenalbyn Drive



Street improvements to 20'



3626-3612 Tacoma

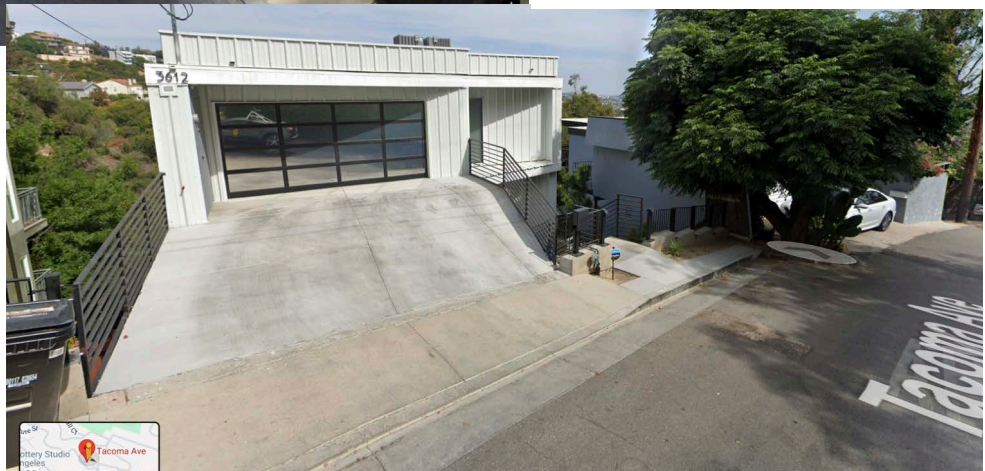


EXHIBIT A

4491 Frontenac

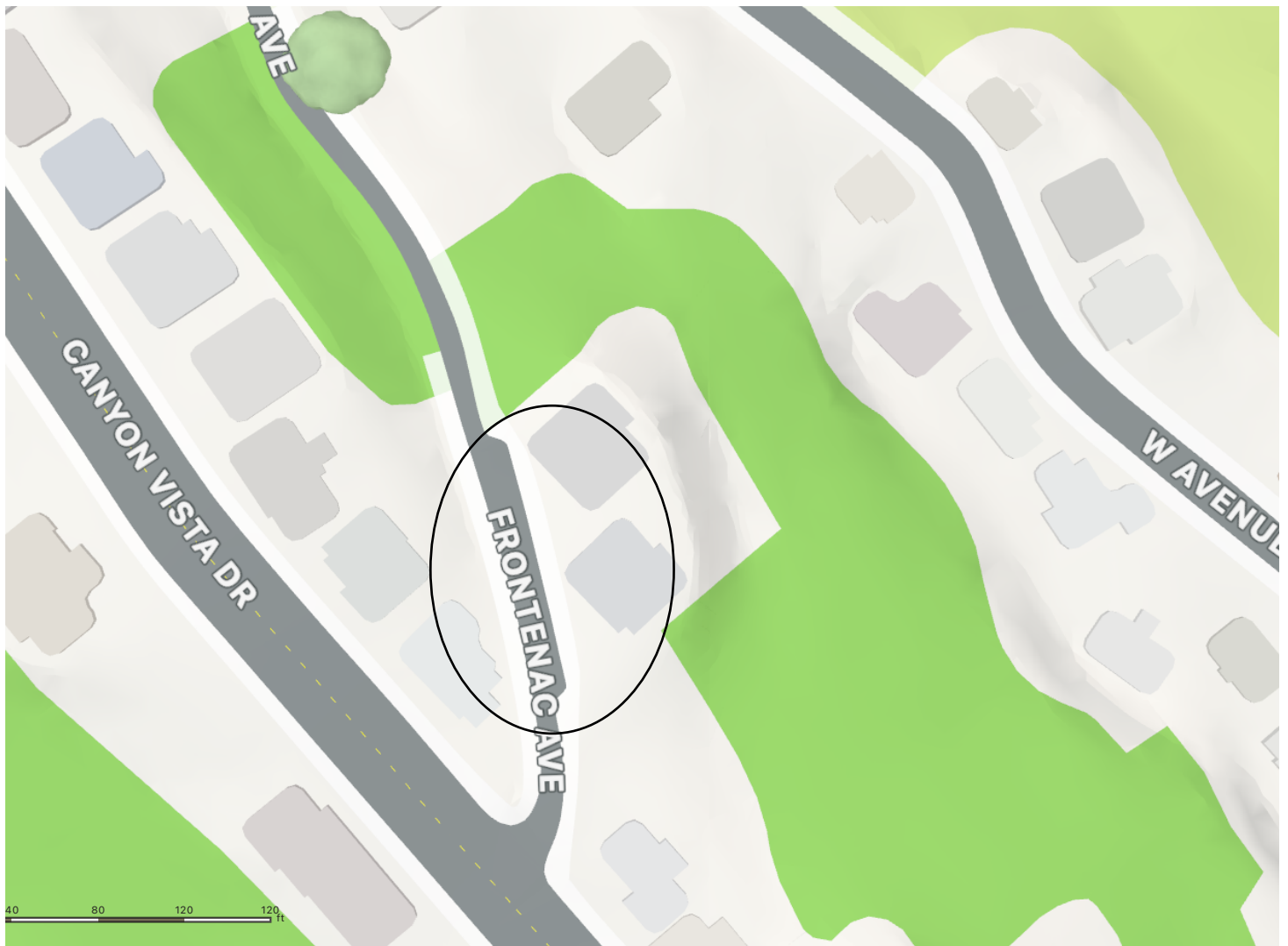


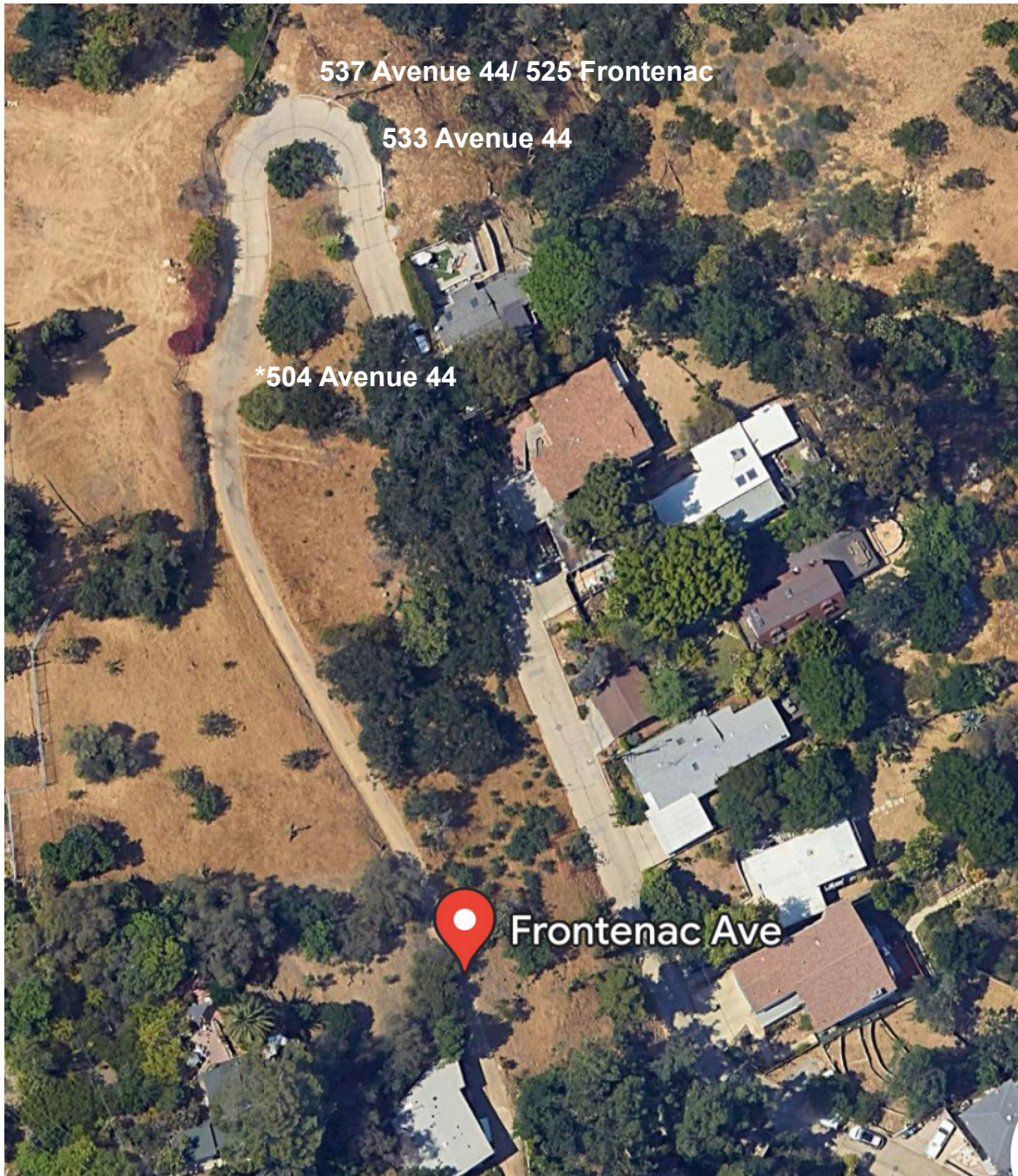
EXHIBIT B

Frontenac



EXHIBIT c

Frontenac



Proposed construction projects

* Project in this appeal



In support of appeal of ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE, 504 West Avenue 44

2 messages

Bohnie <bohnie@earthlink.net>

Wed, Sep 4, 2024 at 8:16 AM

To: apceastla@lacity.org, april.hood@lacity.org, pablo.estrada@lacity.org, Councilmember.Hernandez@lacity.org, helene.rotolo@lacity.org, kyle.hickey@lacity.org, Helen Campbell <helen.campbell@lacity.org>, jose.a.rodriguez@lacity.org
Cc: Juanita Martinez <mwha.juanita@gmail.com>, Pat Winters <mwha.pat@gmail.com>, Sarah Ramage <scramage@hotmail.com>, CGx99@hotmail.com

September 4, 2024

TO: East Los Angeles Area Planning Commission; CD1 Council Member and Staff Team
RE: In support of appeal of ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE, 504 West Avenue 44

Hello,

My husband and I reside at [450 Canyon Vista Dr., Los Angeles, 90065](#). We have owned our home since 1996, so we are very familiar with traffic and safety issues in the immediate area. We also know first hand how worrisome and unsafe it is to reside on a property that backs up to an unimproved street.

We **support the appeal** that was filed by the Frontenac Ave. Safety Association in response to the Zoning Administrator's decision to rule in favor of the developer's requests for waivers to improve the adjacent streets, as this jeopardizes our neighborhood's safety.

We have no problem with prospective neighbors wanting to buy lots on Ave. 44 and build their dream home. We are happy for them. However, we are concerned with the impact of their development regarding Frontenac Ave., a basically dirt road. Their **pre-construction** and **construction plan routes** would be quite unsafe. For instance, Ave. 44 is not even 20 feet wide. Therefore the excavation trucks, soil removal trucks, cement trucks etc. could never back down the street to exit, nor turn around. **Their only exit path is to go north on Ave. 44 to Frontenac Ave., make a hard left and continue on a dirt and undeveloped road, Frontenac Avenue, to Canyon Vista Drive.**

Frontenac Ave. is not sustainable to hold continuous loads from heavy trucks. The street is dirt. The street does not comply with being 20ft.wide. And it also does not have any strength integrity. Parts of Frontenac are collapsing down the hillside. One can see continuous erosion of the steep hillside that supports Frontenac. It is apparent that Frontenac Ave. would require re-engineering in order to hold the pressure from repeated trucks driving on it for this proposed construction project.

The fact that the ZA gave waivers to the builder to not improve Frontenac Ave. and Ave. 44 defies logic. It directly harms our neighborhood safety as well as the builder's family safety. Code requires the builder to make road improvements.

We ask that the appeal be supported so that all builders follow the law, especially in this particular area of Mt. Washington with a history of multiple fires and vehicle mishaps.

When it comes to the issue of fire and emergency vehicles. Frontenac is a safety hazard. Ave 44 does not allow for LAFD access. There is no turn-around space, and Frontenac is unsafe for the regular sized fire trucks. Last year in September 2023, a smaller fire truck from a Glendale station had to be called to a fire on Frontenac Ave, as our LAFD Station 44 could not access it (see photo below). **Mt. Washington is classified as a very high fire severity zone.** And Frontenac Ave has always been a sub-standard hillside street that emergency responders already struggle to access.

We hope the East Los Angeles Area Planning Commission will support the appeal filed by FASA that asks for road improvements adjacent to the property on both Ave. 44 and Frontenac and the required continuing road improvement northeast of the property where the fire hydrant is located. This appeal addresses the short-term and long-term safety risks, not just for the neighboring homeowners but for the future family residing at [504 W. Ave 44](#).

Sincerely,

Bohnie and Peter Avanzino

450 Canyon Vista Dr.
Los Angeles, CA 90065
bohnie@earthlink.net

Fire trucks parked at Frontenac and Canyon Vista Dr. unable to access fire on Frontenac. (September 3, 2023)



April Hood <april.hood@lacity.org>
To: Planning APC East LA <apceastla@lacity.org>

Wed, Sep 4, 2024 at 9:39 AM



LOS ANGELES
CITY PLANNING

Thank you,

April M. Hood
Secretary in lieu of CEA
City Planning/Commission office
200 N Spring St. Room 272
Los Angeles, CA 90012
T (213) 978-1300 | planningforLA.org
Direct: (213) 756-1741



[Quoted text hidden]



Protect our safety: I support the appeal before the East LA Area Planning Commission on 504 W Avenue 44 / ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE

Dominique Generaux <d.generaux@gmail.com>

Thu, Sep 5, 2024 at 12:15 PM

To: apceastla@lacity.org, april.hood@lacity.org

Cc: helen.campbell@lacity.org

Hi there,

I am in SUPPORT of the appeal of ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE, [504 West Avenue 44](#).

I don't think waivers should be given to the builder not to improve Frontenac. Unless the City of Los Angeles wants to repair the infrastructure of Mt Washington, our only way is for new development to slowly improve the roads. They know that building here is contingent upon that. Granting these kinds of waivers sets a snowball precedent.

This area in particular is unique as it has had 3 fires in about a decade - one of them fatal. Fire trucks already have a difficult time navigating this area. LAFD said a few inches on these roads is the difference between life and death.

Thank you for your consideration.

Best,

Dominique Generaux

Mt Washington resident



In support of appeal of ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE, 504 West Avenue 44

1 message

kazuo nimori <k4449@sbcglobal.net>

Thu, Sep 5, 2024 at 2:17 PM

Reply-To: kazuo nimori <k4449@sbcglobal.net>

To: "apceastla@lacity.org" <apceastla@lacity.org>, "april.hood@lacity.org" <april.hood@lacity.org>

Cc: Eunisses Hernandez <councilmember.hernandez@lacity.org>, Kyle Hickey <kyle.hickey@lacity.org>, Helen Campbell <helen.campbell@lacity.org>, "jose.a.rodriguez@lacity.org" <jose.a.rodriguez@lacity.org>, Juanita Martinez Poore <mwha.juanita@gmail.com>, Pat Winters <mwha.pat@gmail.com>, Pablo Estrada <pablo.estrada@lacity.org>

East Los Angeles Planning Committee:

My husband and I live on Avenue 44. We are 75 and 80. I mention our age because we wish you to know the perils that face us and our neighbors whenever we need a fire truck, paramedics, or an ambulance. Our street is narrow, but where our home is located the street narrows to as little as 17'8" and we are on the curve going towards Frontenac. Daily, we are challenged with the maneuverability required to pass an oncoming vehicle, especially when there is a parked car parked legally at the front of our property. Now imagine how perilous it is for a fire truck or an emergency vehicles to reach someone in need of fire or medical assistance on Avenue 44 an Frontenac which is dirt/gravel road. Frontenac is dangerous. Two cars can't pass without the chance of one of the vehicle slipping down the hill. One day soon, we will have a city sanitation truck, Amazon or UPS van come tumbling down Frontenac road because of its terrible condition and lack of curbs and pavement. We have observed on several occasions tow trucks coming to help out these drivers when they can no longer move forward because of they are stuck or moving forward would make them slide down the hill onto Avenue 44 and into homes or parked cars. God forbid rain during these episodes.

Last year, a fire truck accessed Frontenac to put out a fire but could not manage the narrowness to move forward towards the

brush fire. The truck had to stop and a resident's hose was used by the firemen to put out the fire. Once that was accomplished, the fire truck driver was tasked with careful trying to avoid a mishap on that soft surface road and with much caution was finally able to move the truck onto Avenue 44.

504 abuts both Frontenac and Avenue 44. The City's Code is pretty specific. The owners/builders of 504 need to improve both streets prior to beginning construction. Of special importance is Frontenac. It is a tie-in road from Canyon Vista onto Avenue 44. There is a definite safety need for this road to be improved and widened. From 504 to Avenue 44 there are no residences. So it should be something that can be addressed by the builders and requires a dedication for access on both streets. Should the builders not be required to improve Frontenac, any large flat bed trucks used for delivery would worsen the condition of the road. Frontenac cannot be blocked off as that is a road that ties Avenue 44 and Canyon Vista. Residents would be severely impacted as no emergency vehicles could access that part of the road. The same would be true for Avenue 44. It must be widened.

504 wishes to build a 4,000 sq. ft. structure (includes covered garage). But the plans also shows a 3rd parking space that is angled off the setback of the front yard. Avenue 44, again the street is narrows at this point. If they can cut out an apron for an extra car, perhaps a modification can lengthen that apron across the width of their property to accommodate the widening of the street and a space for their car in the garage.

It is not unreasonable for existing residents to expect your Commission to enforce codes that ensure the safety of City residents. Frontenac and Avenue 44 need dedications for widening these streets so improvements can be made prior to construction. Many residents walk on the street and have not area of safety because the city does not enforce the widening of the

streets to 20', per code. If that is not enough to convince you of our safety needs, we remind you that we lost a neighbor several years ago when his house burned down. The fire truck could not access the road onto Avenue 44 because of a legally parked car down on the corner where the truck had to turn. Frontenac was not an alternative because of the narrowness and the poor condition of the road.

Your decision to support this appeal is a decision to support our City's codes. The builders and owners could minimally modify their plans to ensure the safety of their neighbors. And enforcing the codes, helps our City.

Barbara Sanchez and Kaz Nimori
493 W. Avenue 44



Protect our safety: I support the appeal before the East LA Area Planning Commission on 504 W Avenue 44 / ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE

1 message

Paul Haitkin <paulkhaitkin@yahoo.com>

Fri, Sep 6, 2024 at 4:26 PM

To: "apceastla@lacity.org" <apceastla@lacity.org>, "april.hood@lacity.org" <april.hood@lacity.org>

Cc: "Councilmember.Hernandez@lacity.org" <Councilmember.Hernandez@lacity.org>, "helene.rotolo@lacity.org"

<helene.rotolo@lacity.org>, "kyle.hickey@lacity.org" <kyle.hickey@lacity.org>, "helen.campbell@lacity.org"

<helen.campbell@lacity.org>, "jose.a.rodriguez@lacity.org" <jose.a.rodriguez@lacity.org>, "mwha.pat@gmail.com"

<mwha.pat@gmail.com>

In support of appeal of ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE, [504 West Avenue 44](#)

To the East LA Planning Commission,

I wanted to send a letter in support of this appeal because I found the ZA's decision to grant street improvement waivers deeply concerning.

I am asking that you enforce the code for street improvements.

At the original hearing the ZA noted that there was a very large turnout from the public with comments about this project. That is NOT an accident. I have been present for 3 significant fires on this street in the last decade, one of which resulted in a fatality and one of which I had to keep under control with a garden hose until the fire department was able to get to the location.

The fire department has the same problem every time. They have to go door to door and ask people to move their cars because ave 44 is too narrow and Frontenac is too crumbly. If we continue to allow more building without street improvement, the problem is only going to get worse.

The builder's argument is that Frontenac is a 'paper' street and therefore not real so they shouldn't have to improve it. It is incredible that someone building a luxury single family home gets to effectively decide to close a street to the entire city forever.

The law is the law to help maintain our city streets, not abandon them when wealthy people decide they want to develop near them.

People have a right to develop property and I agree that it is in the long-term interests of the city to promote development. But that development should be for the benefit of the city. It should not be at the expense of its residents' safety.

I urge you to please grant the appeal and reject the waivers for the improvements. I'm urging you to enforce the law.

Thank you for your consideration.

Paul Haitkin
513 W Avenue 44



"Protect our safety: I support the appeal before the East LA Area Planning Commission on 504 W Avenue 44 / ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE"

1 message

Pat Williams <patjwilliams4@aol.com>

Fri, Sep 6, 2024 at 4:29 PM

To: "apceastla@lacity.org" <apceastla@lacity.org>, "april.hood@lacity.org" <april.hood@lacity.org>

Cc: "Councilmember.Hernandez@lacity.org" <Councilmember.Hernandez@lacity.org>, "helene.rotolo@lacity.org"

<helene.rotolo@lacity.org>, "kyle.hickey@lacity.org" <kyle.hickey@lacity.org>, "helen.campbell@lacity.org"

<helen.campbell@lacity.org>, "jose.a.rodriquez@lacity.org" <jose.a.rodriquez@lacity.org>, "mwha.juanita@gmail.com"

<mwha.juanita@gmail.com>, "mwha.pat@gmail.com" <mwha.pat@gmail.com>

I am writing in SUPPORT of the Appeal to the determination from the ZA to which I disagree
<https://planning.lacity.gov/pdiscaseinfo/document/MTgyMzk0/fe3b456d-e5a5-4f0e-9fa7-879f1ff43502/pdd>.

The laws were put in place to protect the lives and safety of residents who live in the hill areas with narrow streets. Please do not ignore the laws and codes and the spirit in which they were created.

We have now had 2 fires on W. Ave 44, 1 in which a person died and another more recently that could have had dire consequences had it spread due to the narrow street and lack of access by LAFD.

If the appeal by the owner to not comply with the laws that are in place is allowed it will have a domino effect on all the lots that border both W Ave 44 and Frontenac. Each owner who wants to expand or build will want the same consideration, which will mean that at no time will the streets be upgraded and made safe in the event of an emergency of any type where people need to evacuate.

I urge you to please understand the danger this means to residents, and all people who use these roads, which includes delivery trucks, trash trucks, residents and others.

Again, PLEASE SUPPORT THE APPEAL as submitted by the Frontenac Ave. Safety Association

Pat Williams
Home owner
476 W. Ave 44

DAY OF HEARING SUBMISSIONS



Protect our safety: I support the appeal before the East LA Area Planning Commission on 504 W Avenue 44 / ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE

1 message

Colin Sonner <colin.sonner@gmail.com>

Wed, Sep 11, 2024 at 1:33 PM

To: apceastla@lacity.org, april.hood@lacity.org, Councilmember.Hernandez@lacity.org, helene.rotolo@lacity.org, kyle.hickey@lacity.org, helen.campbell@lacity.org, jose.a.rodriguez@lacity.org, pablo.estrada@lacity.org

In support of appeal of ZA-2022-7295-ZAA-SPP-HCA ENV-2023-3518-CE, [504 West Avenue 44](#)

To whom it may concern,

I am the owner of the property at [481 W Ave 44, Los Angeles, CA 90065](#). I've seen first hand how dangerous the road above my house can be. My concerns are as follows:

- W Ave 44 is very narrow. If blocked (which is often is, by delivery trucks, construction trucks, etc), Frontenac is the only exit.
- Frontenac itself is not only a dirt road, but it is un-passable by many vehicles. Potholes, bumps, and extreme disrepair make it unnavigable, especially in the rain or the late summer (with about 1ft of dust).
- Over the course of 3+ years since I've lived on W Ave 44, I've already seen multiple vehicles stuck on Frontenac that tow trucks for removal. If both Frontenac and W Ave 44 are blocked, residents will have no escape from Acts of God.
- There has already been one **death** on Ave 44 from fire. This death could have been avoided if firetrucks had more ready access to the property (they were blocked and stuck). This is especially concerning as many GPS navigators send vehicles down Frontenac to access Ave 44.

I am in full support of construction in the area, but find it an enormous breach of public safety and concern for the community that this construction should even be considered (especially with the increase in parked construction vehicles it will require) without road improvements.

The roads, and especially, Frontenac, must be improved by the builders of this lot as is in the code when one begins new construction. Further, the dedications of Frontenac and Ave. 44 must be wide enough on this 504 property to make road improvements.

Thank you,

Colin Sonner

--

colinsonner.com
843.364.3652



September 11, 2024

East Los Angeles Area Planning Commissions

Re: 504 W. Avenue 44, ZA-2022-7295-ZAA-ZAD-SPP-HCA-1A, Appeal Support Letter

Dear East Los Angeles Area Planning Commissioners,

Our Office would like to thank the local community for expressing their concerns regarding the proposed development of 504 W. Avenue 44, a new single-family home proposed in a Very High Fire Hazard Severity Zone (VHFHSZ) and adjacent to two substandard roads. We support the Frontenac Avenue Safety Association's (FASA) appeal of the Zoning Administrator Determination dated June 18, 2024.

We want to uplift and honor the memory of Francisco Hernandez, who passed away in a house fire in 2014 next door to this new development and whose family subsequently donated the property to the State of California Mountains and Conservation Authority ([Salliant, C. 2014, February 22, Mount Washington house fire kills man, 89, LA Times](#)). It is also critical that the Commissioners are made aware of a brush fire that occurred on the property last summer. Neighbors were forced to use their garden hoses to help keep it under control for over 20 minutes because fire trucks have difficulty accessing property in the Mt. Washington community.

The frequency and severity of wildfires will only increase over time in VHFHSZ, given the real and present danger of climate change. Allowing developers to waive the requirement to develop the roadway adjacent to their property sets a dangerous precedent for ignoring the real and special infrastructure needs in hillside communities.

The Council Office finds fault in the findings in the original Letter of Determination as they pertain to fire safety. Street Access Finding #2 addresses the issue of fire safety by arguing that compliance with Building and Fire Codes, and regulation compliance conditions in the Letter, is sufficient to ensure public safety and welfare. However, page 10 of the findings submitted by the applicant, dated October 7, 2022 admits "emergency vehicle access is impaired by the current street width." Given this admission, the designation of adjacent streets as "red flag streets," the grave history of emergency vehicle access issues in this area, and a landslide on Frontenac that destroyed 11 homes, it is crucial that roadway improvements are completed as a matter of public safety. It is incumbent upon the East Area Planning Commission to ensure resident safety and to not grant special privileges to this developer.

An objective of the Northeast Los Angeles Community Plan is to "ensure the availability of paved streets...fire protection facilities and services, and other emergency services and public utilities to support development in hillside areas." The Plan states that "decision makers should adopt findings which address

the availability of these services and utilities as part of any decision relating to hillside residential development.”

In accordance with the critical need for emergency vehicle access in this high-risk area, our Office recommends that the following waivers be denied:

1. Pursuant to LAMC §12.24 X.28, a Zoning Administrator’s Determination to permit the construction, use, and maintenance of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street (West Avenue 44) that is improved with an Adjacent Minimum Roadway width less than 20 feet, as required by LAMC §12.21 C.10(i)(2);
2. Pursuant to LAMC §12.24 X.28, a Zoning Administrator’s Determination to permit the construction, use, and maintenance of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street (Frontenac Avenue) that is improved with an Adjacent Minimum Roadway width less than 20 feet, as required by LAMC §12.21 C.10(i)(2); and
3. Pursuant to LAMC §12.24 X.28, a Zoning Administrator’s Determination to permit the construction of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street, where a 20-foot-wide Continuous Paved Roadway is not provided from the driveway apron to the boundary of the hillside area, as required by LAMC §12.21 C.10(i)(3).

In summary, we request that all adjacent roadways be improved to a width of 20 feet and that a Continuous Paved Roadway be provided, as required by LAMC. Denial of waivers for roadway improvements is in line with the precedent set by the September 2022 determinations for two cases for the development of single family homes at 487 Avenue 44 and 475 Avenue 44. The standard set in those cases, and many others throughout the years, should be applied in this case as well.

Our Office supports the development of new homes but wants to caution that unique characteristics such as developing within a Very High Fire Hazard Severity Zone and a hillside community with many infrastructure challenges should not deviate from the development standards that are in place, especially given the unique opportunity to improve the road surrounding and benefitting this property. Our office is committed to ensuring that road infrastructure adjacent to new development keeps the entire community safe while setting a clear precedent for similar development in the Mt. Washington community.

Thank you for your consideration,



Eunisses Hernandez
Los Angeles Councilmember, 1st District



Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

September 11, 2024

TO: East Los Angeles Area Planning Commission

FROM: Tim Fargo, Associate Zoning Administrator

TECHNICAL MODIFICATIONS ZONING ADMINISTRATOR'S PACKET CASE NO. ZA-2022-7295-ZAA-ZAD-SPP-HCA-1A LOCATED AT 504 WEST AVENUE 44

The following is technical modification to the Zoning Administrator's packet to include slides from the Applicant that were presented at the original Zoning Administrator's hearing and referred to in the Zoning Administrator's original determination in this case.



Case No.: ZA-2022-7295-ZAA-SPP-HCA-1A 504 W Avenue 44

1 message

Lisa Anne Auerbach <lisa.anne@me.com>

Wed, Sep 11, 2024 at 2:44 PM

To: apceastla@lacity.org, Councilmember.Hernandez@lacity.org

East Los Angeles Area Planning Commission

Case No.: ZA-2022-7295-ZAA-SPP-HCA-1A

504 W Avenue 44

Dear East LA Area Planning Commission,

I live in Mount Washington, not far from the project proposed to be built at **504 W Avenue 44**.

Many of our roads in Mount Washington, including those at this project site, are substandard, and hillside developers are asked to shoulder the cost of road improvement, because the city will not improve roads in our area.

I ask that you approve this appeal and require the developers of this project to improve the roads.

Keeping our community safe, with proper roads that will allow residents to circulate, as well as emergency vehicles to safely navigate our neighborhood, is a priority.

Thank you.

All the best,

Lisa Anne Auerbach

787 Mount Washington Drive, LA, CA 90065



Case No.: ZA-2022-7295-ZAA-SPP-HCA-1A 504 W Avenue 44

1 message

lisa lorentson <lisalorentson@gmail.com>

Wed, Sep 11, 2024 at 10:27 AM

To: apceastla@lacity.org

Cc: councilmember.hernandez@lacity.org

East Los Angeles Area Planning Commission

Case No.: ZA-2022-7295-ZAA-SPP-HCA-1A

504 W Avenue 44

I live in Mt Washington and I ask that the appeal be approved and that the law be enforced. These builders, like other builders on the hill, should be required to build the road along the entire frontage of their property. It is not uncommon for builders to construct retaining walls for roads they are required to build.

For the safety of future members of the community, it is the builders' obligation and responsibility to build the road. We ask that these builders comply with the law and build the road.

We have had fires on this hill, and access is almost always limited because of poor road conditions. On this particular street we had a neighbor perish due to a fire, and the inability for firetrucks to access the property due to the narrowness of Avenue 44 and inaccessibility of Frontenac. I deal in real estate and am pro-building, but every build must include a demand that surrounding infrastructure be strengthened to endure more congestion.

Under Los Angeles law, the only way that roads are built and improved on hillsides is when new construction is built. It is a well-known cost of building in hillsides and essential for the infrastructure of the hill.

Please approve the appeal and require the builders to construct the road along the entire area of Frontenac to provide safe access, and that road improvements be made prior to construction.

Thank you.

Lisa Lorentson

Mt. Washington Homeowner

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AREA PLANNING COMMISSION

East Los Angeles Area Planning Commission
Case No.: ZA-2022-7295-ZAA-SPP-HCA-1A
504 W Avenue 44

Dear East LA Area Planning Commission,

I live in Mount Washington, not far from the project proposed to be built at 504 W Avenue 44.

Many of our roads in Mount Washington, including those at this project site, are substandard, and hillside developers are asked to shoulder the cost of road improvement, because the city will not improve roads in our area.

I ask that you approve this appeal and require the developers of this project to improve the roads.

Keeping our community safe, with proper roads that will allow residents to circulate, as well as emergency vehicles to safely navigate our neighborhood, is a priority.

Thank you.

All the best,
Lisa Anne Auerbach
787 Mount Washington Drive, LA, CA 90065

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September 11, 2024

East Los Angeles Area Planning Commissions

Re: 504 W. Avenue 44, ZA-2022-7295-ZAA-ZAD-SPP-HCA-1A, Appeal Support Letter

Dear East Los Angeles Area Planning Commissioners,

Our Office would like to thank the local community for expressing their concerns regarding the proposed development of 504 W. Avenue 44, a new single-family home proposed in a Very High Fire Hazard Severity Zone (VHFHSZ) and adjacent to two substandard roads. We support the Frontenac Avenue Safety Association's (FASA) appeal of the Zoning Administrator Determination dated June 18, 2024.

We want to uplift and honor the memory of Francisco Hernandez, who passed away in a house fire in 2014 next door to this new development and whose family subsequently donated the property to the State of California Mountains and Conservation Authority ([Salliant, C. 2014. February 22. Mount Washington house fire kills man. 89, LA Times](#)). It is also critical that the Commissioners are made aware of a brush fire that occurred on the property last summer. Neighbors were forced to use their garden hoses to help keep it under control for over 20 minutes because fire trucks have difficulty accessing property in the Mt. Washington community.

The frequency and severity of wildfires will only increase over time in VHFHSZ, given the real and present danger of climate change. Allowing developers to waive the requirement to develop the roadway adjacent to their property sets a dangerous precedent for ignoring the real and special infrastructure needs in hillside communities.

The Council Office finds fault in the findings in the original Letter of Determination as they pertain to fire safety. Street Access Finding #2 addresses the issue of fire safety by arguing that compliance with Building and Fire Codes, and regulation compliance conditions in the Letter, is sufficient to ensure public safety and welfare. However, page 10 of the findings submitted by the applicant, dated October 7, 2022 admits "emergency vehicle access is impaired by the current street width." Given this admission, the designation of adjacent streets as "red flag streets," the grave history of emergency vehicle access issues in this area, and a landslide on Frontenac that destroyed 11 homes, it is crucial that roadway improvements are completed as a matter of public safety. It is incumbent upon the East Area Planning Commission to ensure resident safety and to not grant special privileges to this developer.

An objective of the Northeast Los Angeles Community Plan is to "ensure the availability of paved streets...fire protection facilities and services, and other emergency services and public utilities to support development in hillside areas." The Plan states that "decision makers should adopt findings which address



the availability of these services and utilities as part of any decision relating to hillside residential development.”

In accordance with the critical need for emergency vehicle access in this high-risk area, our Office recommends that the following waivers be denied:

1. Pursuant to LAMC §12.24 X.28, a Zoning Administrator’s Determination to permit the construction, use, and maintenance of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street (West Avenue 44) that is improved with an Adjacent Minimum Roadway width less than 20 feet, as required by LAMC §12.21 C.10(i)(2);
2. Pursuant to LAMC §12.24 X.28, a Zoning Administrator’s Determination to permit the construction, use, and maintenance of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street (Frontenac Avenue) that is improved with an Adjacent Minimum Roadway width less than 20 feet, as required by LAMC §12.21 C.10(i)(2); and
3. Pursuant to LAMC §12.24 X.28, a Zoning Administrator’s Determination to permit the construction of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street, where a 20-foot-wide Continuous Paved Roadway is not provided from the driveway apron to the boundary of the hillside area, as required by LAMC §12.21 C.10(i)(3).

In summary, we request that all adjacent roadways be improved to a width of 20 feet and that a Continuous Paved Roadway be provided, as required by LAMC. Denial of waivers for roadway improvements is in line with the precedent set by the September 2022 determinations for two cases for the development of single family homes at 487 Avenue 44 and 475 Avenue 44. The standard set in those cases, and many others throughout the years, should be applied in this case as well.

Our Office supports the development of new homes but wants to caution that unique characteristics such as developing within a Very High Fire Hazard Severity Zone and a hillside community with many infrastructure challenges should not deviate from the development standards that are in place, especially given the unique opportunity to improve the road surrounding and benefitting this property. Our office is committed to ensuring that road infrastructure adjacent to new development keeps the entire community safe while setting a clear precedent for similar development in the Mt. Washington community.

Thank you for your consideration,

Eunisses Hernandez
Los Angeles Councilmember, 1st District

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Mark Kenyon
505 W Avenue 44, Los Angeles 90065

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The Appeal must be granted - the project is unsafe as proposed

CITY PLANNING DEPT.
AREA PLANNING COMMISSION

Precedents for Fire Safety and Code Compliance are Bogus and don't apply for obvious reasons

I write to update the commission on the Fire Safety concerning the proposed project. I stated that the ZA in his decision did not provide any specifics as to the precedents concerning the Fire Code requirement that a secondary ingress/egress shall be provided if the dead end is greater than 700 feet. The project is over 915 feet from a secondary access.

The ZA has now (a mere 48 hours prior to the hearing - I just received a mere 2.5 hours prior to the hearing) provided his "so-called" precedents. Hi is wrong, the two cases are not similar as both meet the Fire Code by having less than 700 feet to a secondary access. Since the issue is fire safety these two precedents are not applicable to the existing project. Per Zimas and my visual inspection:

4547 E Cleland Avenue is within 450 feet of a secondary access.

4547 E San Andreas Avenue is within 75 feet of a secondary access.

Therefore, there are no precedents for the current project. And in any case, as I already pointed out, a precedent cannot be used to violate the law. Two wrongs don't make a right.

Precedent at 1654 Fair Park Avenue for implacability is also bogus

Firstly, the idea that it is practicable and feasible to widen the road at 504 W Avenue 44 along E Frontenac Avenue is demonstrated that the road has already been widened at 449 and 453 E Frontenac (see DIR-2003-2665-SPP and DIR-2003-2667-SPP).

These two lots are on the same side of the Frontenac as the proposed project (six lots separate them), are also on the same steep downslope, retaining walls and a driveway bridges were built, and the homes are occupied.

449 and 453 are better precedents than a random lot in Eagle Rock. The ZA is stretching mightily to make a connection. 1654 Fair Park is neither in a Very High Fire Severity Zone nor in a Red Flag Zone. W Avenue 44 and E Frontenac are both!

The ZA's appears to want to save this Owner/Developer money at the expense of public safety. I urge you to reject his bogus precedents. Financial feasibility is NOT a requirement to make or reject Finding #7 - The Owner/Developer knew the situation of this lot prior to his/her purchasing it and what the state of the law was at that time. None of the applicable laws or context has changed. His type of hardship is not something a ZA should consider. The Owner/Developer does not have a constitutional right to a Variance merely for financial reasons. There are a number of practical projects within his/her constitutional rights that could be proposed here. But the one before you is not one of them.

Lastly, even if you are able to make Finding #7 you cannot make any of the others that relate to Public Health and Safety - as proposed the project violates the Fire Code and no Finding could ever be made in this type of situation.

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CITY PLANNING DEPT.
AREA PLANNING COMMISSION

September 11, 2024

Dear East LA Planning Commission,

I write today to support the appeal of the finding for 504 W. Avenue 44. As a resident of Mt. Washington for 14 years, I have witnessed firsthand the safety concerns of the neighborhood. Our streets are too narrow and substandard. On multiple occasions, our street has been impacted by fires and the inability of emergency vehicles to access our homes.

In 2014, a fire broke out at the top of Mt. Washington. Emergency vehicles were unable to access the home quickly via Avenue 44, and fire trucks refused to access the home via Frontenac due to the fact that the road was unsafe. As a result, my 89-year-old neighbor, Francisco Hernandez, perished in the fire. If Frontenac had been improved, it is possible—even likely—that he could have been saved.

More recently, in September 2023, an arson fire broke out on Frontenac, and my home and my neighbors' homes were threatened. Once again, emergency vehicles could not access the site through Avenue 44 or Frontenac. Firefighters had to extinguish the fire using a garden hose.

This level of potential harm is inexcusable. The city refuses to improve Frontenac and increase the safety of the residents of Avenue 44 and Frontenac. We are left with only the law and regulations of the city that REQUIRE new home builders to improve all necessary roads. The ZA claims improvements to the road are "impractical"—I would argue that not only are these improvements practical, they are necessary. The hubris of a city bureaucrat to put my life, the lives of my family, and my neighbors at risk due to "impracticality" is not only insulting, it is indefensible.

I ask the East LA Planning Commission to support the appeal of the ZA finding for 504 W. Avenue 44 and show that the lives of the community members of Mt. Washington and Avenue 44 come before developer concerns.

Thank you,

Sarah Ramage

497 W. Avenue 44

Los Angeles, CA 90065



Department of City Planning

City Hall, 200 N. Spring Street, Room 272, Los Angeles, CA 90012

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**Item No. 5
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SEP 11 2024

**CITY PLANNING DEPT.
AREA PLANNING COMMISSION**

September 11, 2024

TO: East Los Angeles Area Planning Commission

FROM: Pablo Estrada, City Planning Associate

TECHNICAL MODIFICATIONS ZONING ADMINISTRATOR'S PACKET CASE NO. ZA-2022-7295-ZAA-ZAD-SPP-HCA-1A LOCATED AT 504 WEST AVENUE 44

The following is technical modification to the Zoning Administrator's packet to include slides from the Applicant that were presented at the original Zoning Administrator's hearing and referred to in the Zoning Administrator's original determination in this case.

YOUN FAMILY RESIDENCE

504 W AVE 44, LOS ANGELES, CA 90065



PROJECT INFORMATION

Allowable Area per Mount Washington Glassell Park (MWGP) Specific Plan Equation: 3,739.6 ft²
 $0.5 - \{[(\text{LOT AREA} - 5,000) \times 0.10] \div 5000\}$
 $0.5 - \{[(8,696.80 - 5,000) \times 0.10] \div 5000\} = 0.43$
 $0.43 \times 8,696.8 = 3,739.624$

Allowable Height: 45'-0"

Required Parking per MWGP Specific Plan: 3 spaces

Actual Area: 3,731.2 ft²
FA L1 + L2: 3,012.7 ft²
SEMI-COVERED FA L1+L2: 325.13 ft²
GARAGE AREA: 393.39 ft²

Actual Height: 28'-4"
*as measured from the center of front lot line from street curb elevation per MWGP Specific Plan -- see slide 6 for stepbacks

Actual Parking: 3 spaces

Required Setbacks per MWGP Specific Plan
Front Yard 5'-3"
Side Yard 5'-0"
Rear Yard 12'-3"

By Right Grading Quantity per
Baseline Hillside Ordinance: 1000 CU YD

Actual Setbacks
Front Yard 12'-3"
Side Yard NE 15'-0"
Side Yard NW 33'-0"
Rear Yard 12'-3"

Total Grading Quantity: 948 cu. yd.
Actual Grading Export: 848 cu. yd.
Actual Earth Import: 100 cu. yd.

YOUN FAMILY RESIDENCE ZA REQUESTS ZA-2022-7295-ZAA-ZAD-SPP-HCA

ZAA Request #1: Fences or Walls Over 8'

An adjustment to fences or walls (including latticework, gates, pilasters, hedges or thick growths of shrubs or trees) in the required yard areas and which also exceed 8 feet in height.

ZAD Request #1: Substandard Hillside Limited Street Improvements

A Zoning Administrator's Determination to permit construction of a single-family dwelling on a lot fronting on a Substandard Hillside Limited Street improved to a width of less than 20 feet adjacent to the subject property

* This request is to ~~(a) waive the street widening of the portion of Avenue 44 abutting the property, which is already paved and improved with curb and gutter, but not sidewalk; and, (b) to waive the width and improvements (sidewalk, curb, and gutter) of the portion of Frontenac Avenue abutting the parcel, which is an unimproved street without sidewalk, curb, or gutter.~~

ZAD Request #2: Continuous Paved Roadway

A Zoning Administrator Determination to permit the construction, use and maintenance of a Single-Family dwelling on a lot that does not have vehicular access route from a street improved to a minimum 20-foot wide continuous paved roadway (CPR) width for the driveway apron to the boundary of the hillside area

ZAD Request #3: Street Dedication

Pursuant to ~~LAMC §12.21.A.17(c)(1) and 12.37.I, a waiver of the street dedication requirements of 12.27.A.1 (c)(1) for ½ of a Substandard Hillside Limited Street for Frontenac Avenue and Avenue 44.~~

ZAD Request #4: Additional Retaining Walls

Pursuant to ~~LAMC §12.24.X.26, a Determination to allow for the construction of two (2) new retaining walls of varying heights in addition to the permitted two (2) retaining walls with a maximum height of 10 feet per LAMC §12.21.C.8.(a).~~

SPP Request #1: MWGP Specific Plan Project Permit

The applicant is requesting a Specific Plan Project Permit for Mt. Washington-Glassell Park Specific Plan.

ENV Request #1: CEQA Exemption

A Categorical Exemption from CEQA pursuant to §15303, Class 3(a) New Construction of Small Structures



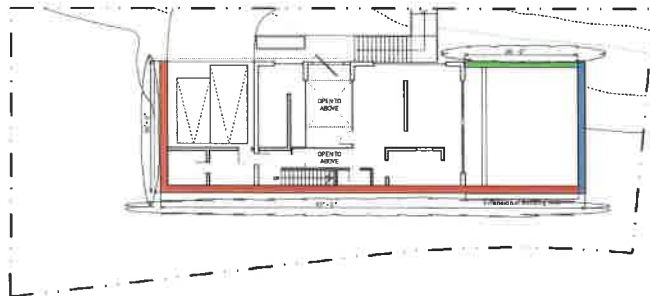




EXISTING SITE



SURROUNDING CONDITIONS



Wall Legend

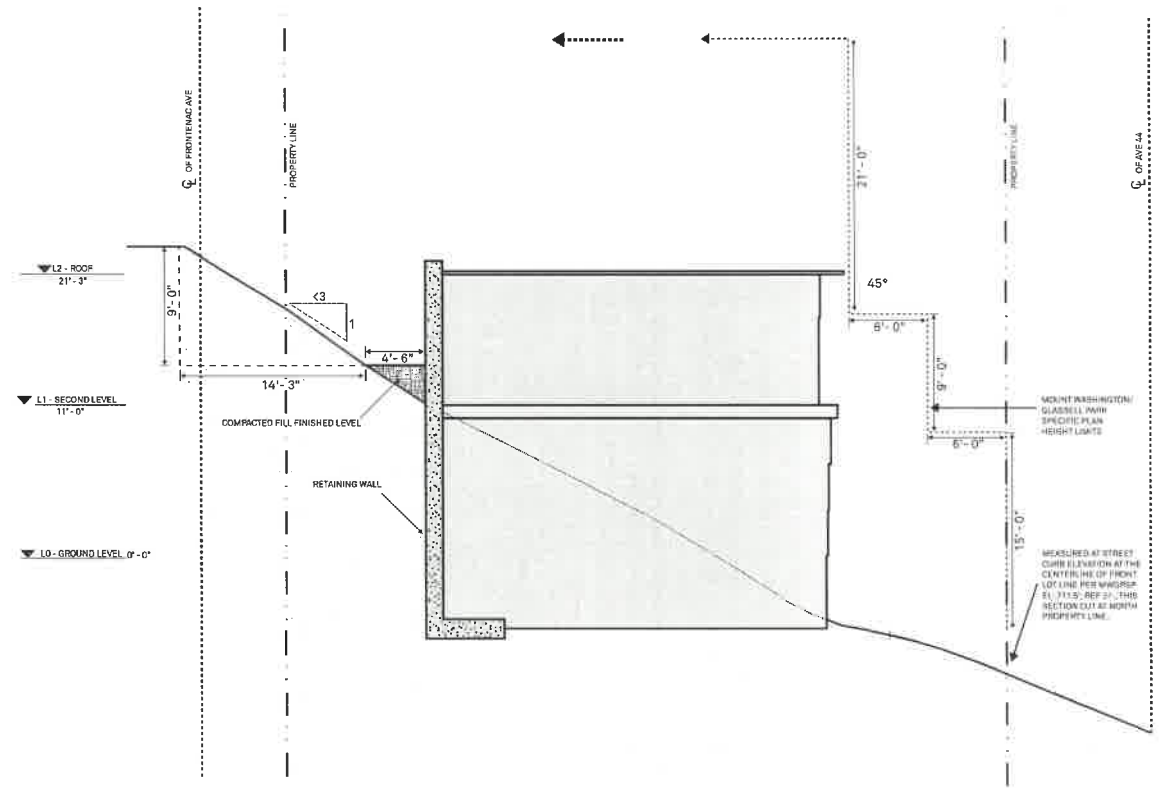
- Building Wall
-  10' - 0" Max. Retaining Wall
- 10' - 0" Wall Non-Retaining

Note:

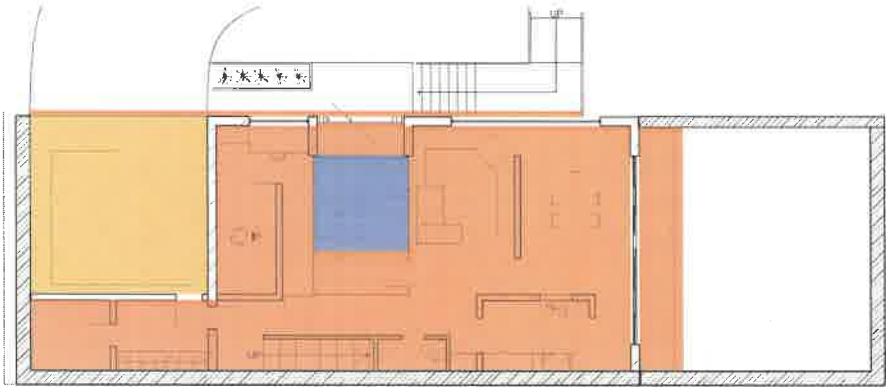
- Note:
1. Per ZAA Request #1, "Pursuant to LAMC §12.28, an Adjustment to fences or walls (including latticework, gates, pilasters, hedges or thick growths of shrubs or trees) in the required yard areas as prohibited by LAMC §12.21.C.1(G) and which also exceed 8 feet in height."



RETAINING WALL DIAGRAM



SLOPE SETBACKS AND BUILDING HEIGHT SETBACKS



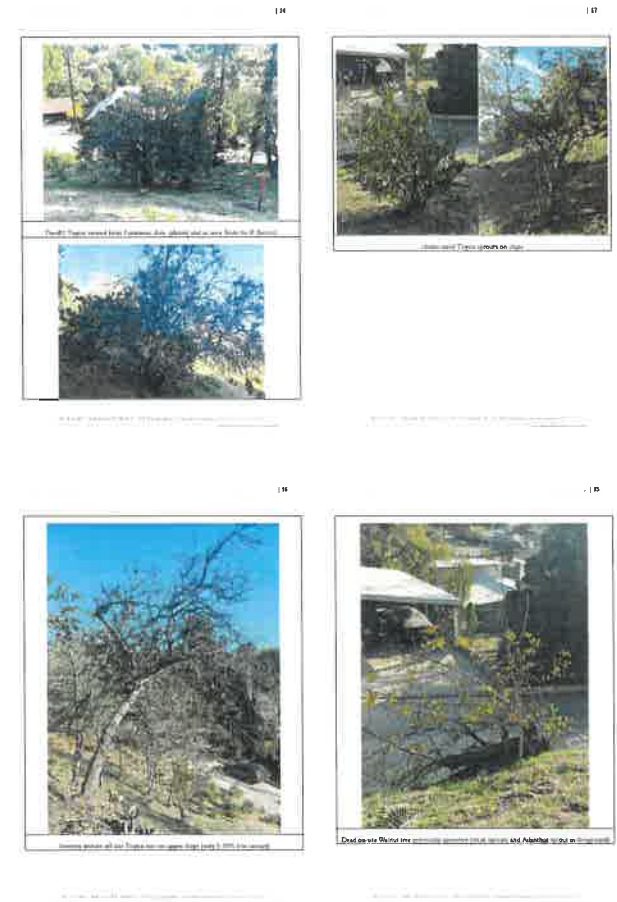
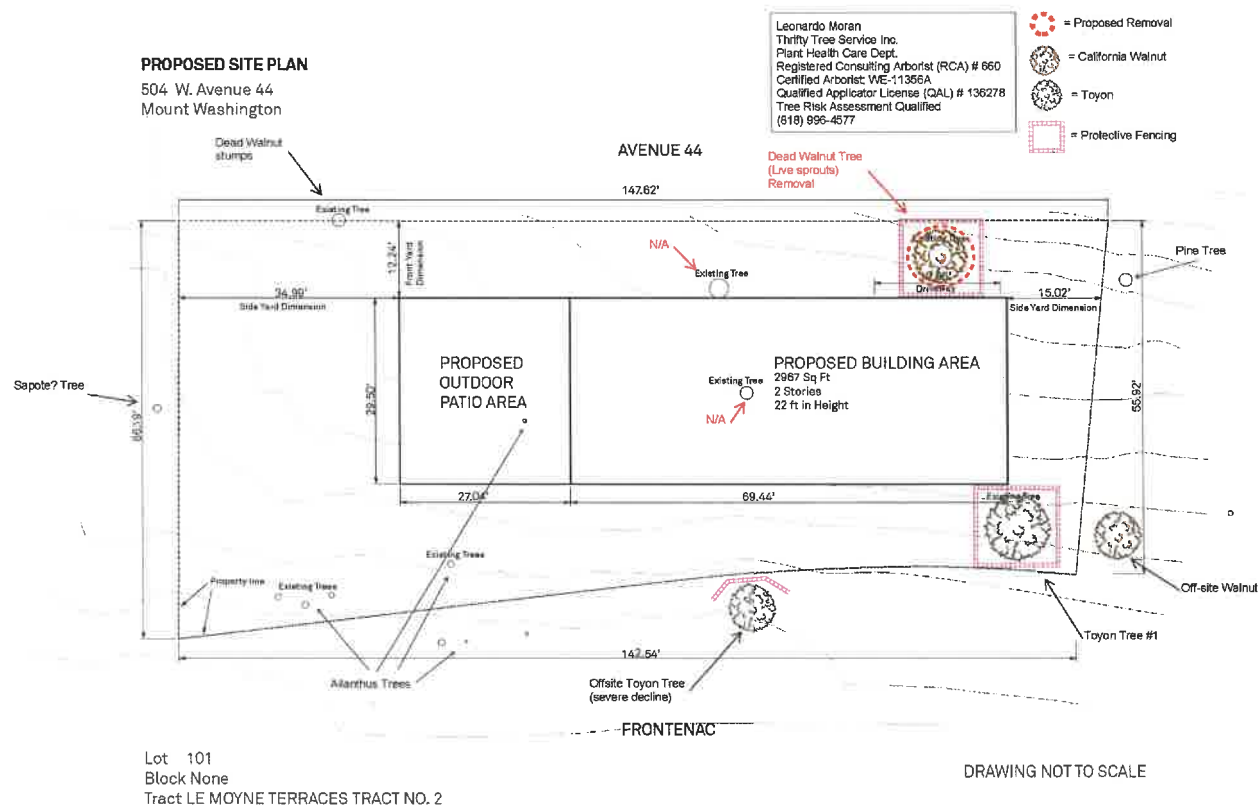
- L1 FA: 1,505.83 SF
- L1 SEMI-COVERED: 113.44 SF
- L1 COVERED PARKING: 393.39 SF

GROUND LEVEL PLAN AREA



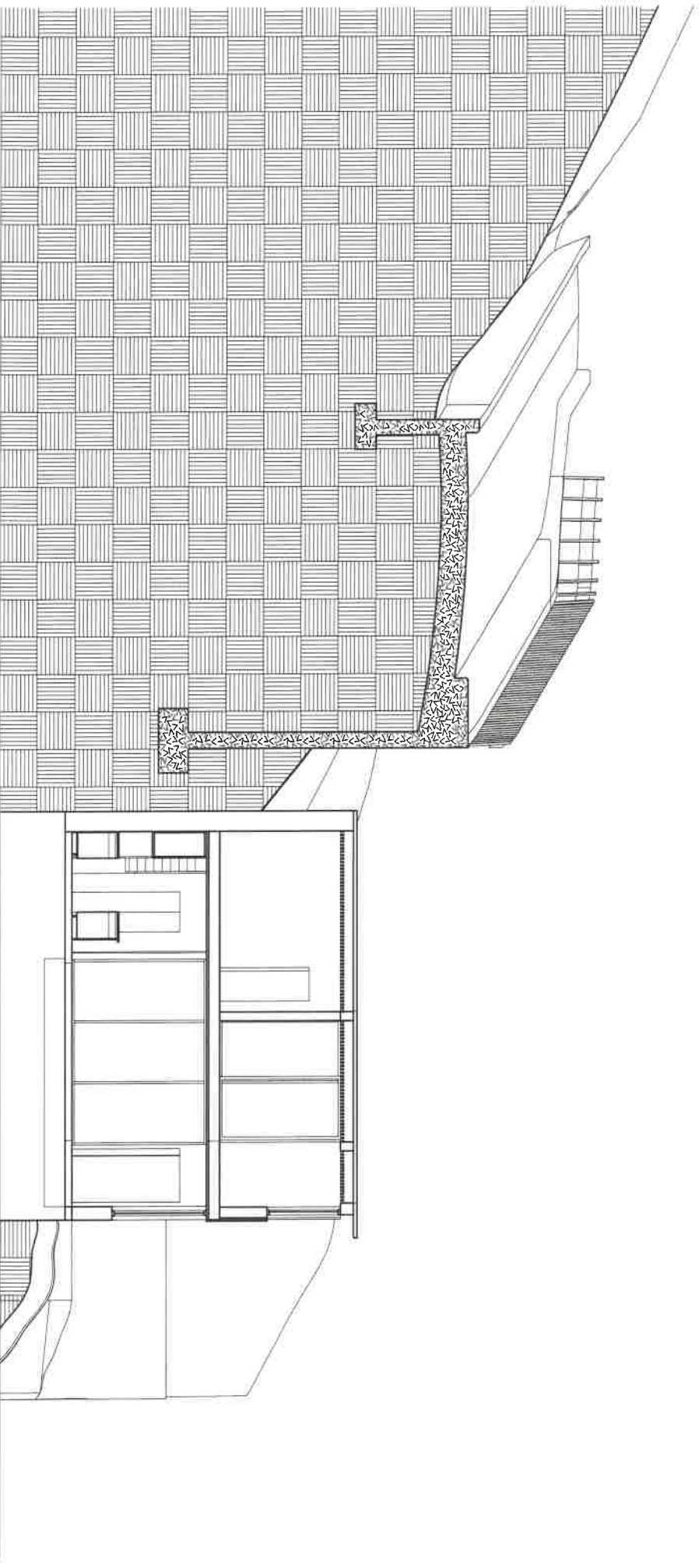
- L2 FA: 1,506.87 SF
- L2 SEMI-COVERED: 211.69 SF

SECOND LEVEL PLAN AREA

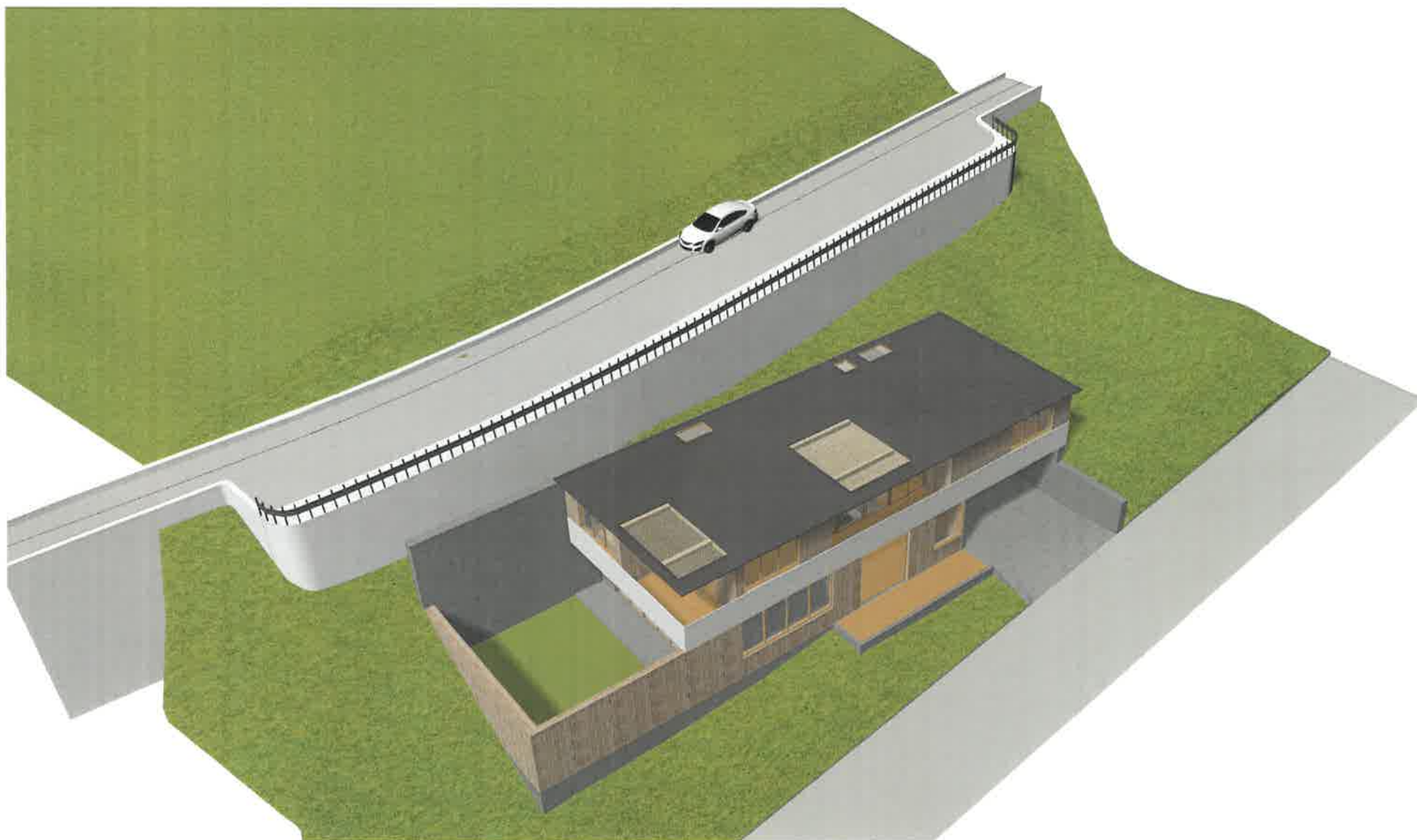


TREE REPORT FINDINGS

CLOCKWISE FROM TOP LEFT: EXISTING TOYON TREE SEEN FROM FRONTENAC, UNDERSIZED TOYON ON SLOPE, SEVERLY DECLINING OFF-SITE TOYON ON UPPER SLOPE, DEAD ON-SITE WALNUT TREE PREVIOUSLY UPROOTED

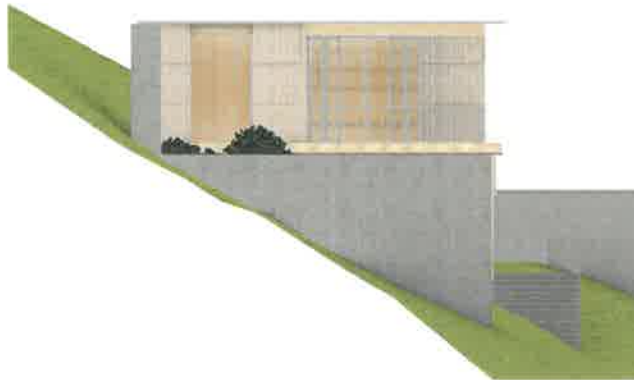


YOUNG HOUSE AND FRONTENAC SECTION WITH STREET IMPROVEMENTS

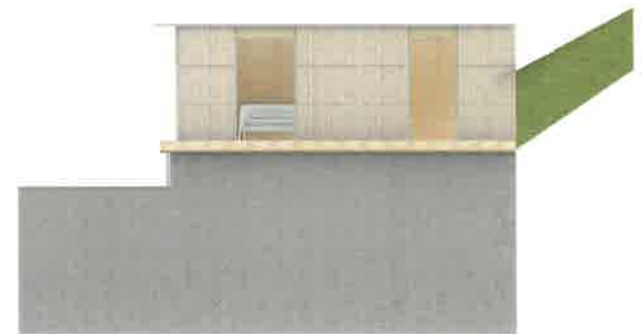




SOUTH ELEVATION RENDER INSIDE COURTYARD



SOUTH ELEVATION RENDER



NORTH ELEVATION RENDER



EAST ELEVATION RENDER



PERSPECTIVE RENDER



- Developed or Insufficient Lots (38/45)
- Developable Lots (7/45 Lots)
- Subject Site
- Fire Hydrant

