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August 25, 2021

Bel Air-Beverly Crest Neighborhood Council  
City of Los Angeles  
P.O. Box 252007  
Los Angeles, CA 90025  
Email: Council@babnc.org

Re: 1826 Crisler Way, Case No. ZA-2020-7359-ZAA-ZAS  
Agenda Item: 13  
Meeting Date: August 25, 2021

Dear Hon. Members of the Neighborhood Council:

Our office represents several Marmont Avenue ("Marmont") homeowners that reside in single-family homes located at the top of Marmont and directly below the large cantilevered hillside developments proposed for 1800, 1806, 1812, 1818, and now 1826 N. Crisler Way. We write today to urge the Bel Air-Beverly Crest Neighborhood Council to recommend for the denial of the project proposed for 1826 Crisler Way, and/or request that the project be sent back to the Planning and Land Use Committee to be reconsidered in light of the serious safety issues this project poses to the neighboring homeowners.

As we have stated in the past, our client's primary concern is safety. This project, like the other Crisler projects proposed next to it, are located on an extremely steep hillside/cliff that drops directly into our client's homes on Marmont. In pursuing this project above our clients' homes, the project developer has not once attempted to contact our clients to discuss their plans or their strategy for safely developing their project. Our clients did not even receive notice of these hearings, the prior hearings, nor were they notified of the project applicant's submittal of the project application. Given the topography of the site, and the history of the Crisler Way developments, this seems like a serious lack of transparency and community engagement.

Notwithstanding the lack of engagement, in anticipation of this and the other projects proposed on the "Crisler Way" paper street, our clients commissioned an expert civil engineer to review the project plans and to advise on whether or not these projects pose a safety risk to the community. As detailed in the report included herein, the engineer confirmed our client's suspicions, concluding that even using modern construction methods that the "proposed development is not a safe scenario" for the community. While this conclusion seems obvious, the fact that an expert in hillside development shares these concerns, should be given serious consideration by the City before any of these projects move forward.

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Thank you in advance for your consideration, and we appreciate any assistance you can provide in stopping unsafe construction on this dangerous cliff above our clients' homes .

Very truly yours,

A handwritten signature in black ink, appearing to read 'D.F.M.', with a stylized, cursive script.

DANIEL FREEDMAN of  
Jeffer Mangels Butler & Mitchell LLP

DF:df

Attachment

cc: Mashael Majid, Planning Director, Council District 4.  
Meg Healy, Planning Manager, Council District 4  
Likyelesh Abera Gebre, Planning Assistant ([liku.abera@lacity.org](mailto:liku.abera@lacity.org))  
Aidan O'Brien M.D.

# **Exhibit A**

# JIM D. FAUL, PE, QSD

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May 16, 2021

Mr. Jason Hernandez, Department of City Planning, City of Los Angeles

c/o Jeffer Mangels Butler & Mitchell LLP | JMBM  
1900 Avenue of the Stars, 7th Floor  
Los Angeles, CA 90067

**Subject: 1800, 1806, 1812 and 1818 Crisler Way, Los Angeles, California  
Case No(s) ZA-2015-4125-ZAD; ZA 2015-4130-ZAD; ZA-2015-4146-ZAD;  
ZA-2015-4149-ZAD; ENV-2015-4131-MND**

Dear Mr. Hernandez:

Please accept this letter for your review and consideration in connection with the above referenced cases. For background, my name is Jim D. Faul, PE, QSD, and I am a California Registered Professional Civil Engineer with over thirty-five (35) years of career experience that includes all types of residential developments (incl. complex hillside and coastal), commercial centers, campuses (educational, corporate and institutional), hospitals, aviation facilities, and numerous public works projects (infrastructure, ports/marinas, streets, parks, buildings, freeway interchanges and rivers/channels/lakes). I have been involved with properties in, and all around, the subject property area. I have been retained by neighbors residing adjacent to the above referenced properties to review the proposed developments currently being processed by the Department of City Planning in case numbers ZA-2015-4125-ZAD, ZA 2015-4130-ZAD, ZA-2015-4146-ZAD, ZA-2015-4149-ZAD, and ENV-2015-4131-MND, and to provide my professional opinion, being a civil engineer, as to whether or not the proposed developments may have specific, adverse impacts upon the public health or safety.

As described below, it is my opinion that due to (1) the long history of slope failures and hillside stability issues in and around the project area, and (2) the proposed cantilevered layout of the roadway and the development, that there is a high risk that this project could cause additional slope instability that could produce debris flows, landslides, construction vibration and fallen debris/equipment that would travel onto neighboring homes and public rights-of-way as well as increased vehicle/pedestrian collision occurrences on the narrow and winding streets. Due to these potentials, it is my professional opinion that the proposed development will likely create specific, adverse impacts upon the public health and safety to the neighboring residents and roadways, and is therefore not a safe scenario for this community. My findings are further detailed below.

## **PROJECT UNDERSTANDING**

A proposed project that involves the improvement of a portion of Crisler Way, south of Grand View Drive, with four (4) proposed single-family residences within the hillside has been reviewed in the Initial Study and Mitigated Negative Declaration (MND) prepared by The City of Los Angeles dated September 2019. The property is located within the City of Los Angeles.

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## RESEARCH AND REVIEW

### Assessor Parcels

In a review of the current Assessor's Parcel data, there appears to be only three (3) legal parcels: APN #5556022002 includes 1812 Crisler Way and 1818 Crisler Way that are lot tied together. The other APN's are #5556022003 and #5556022004.

### Record Documents

A review of available public documents was performed. The limited documents included the City of Los Angeles Zimas website, the City of Los Angeles website, the County of Los Angeles website, the County of Los Angeles Assessors website, and the Initial Study & Mitigated Negative Declaration document prepared by the City of Los Angeles dated September 2019 that included graphical copies of the improvement plans prepared by Hovell & Pilarski Engineering, Inc dated April 2004 with geotechnical reference to Geomatrix, Inc. These plans were prepared for a development company referenced as CAC Development with "Robert Anderson" listed as the contact person with a phone number of 818-488-1327.

### Existing Conditions

Site visits were conducted on Monday, February 8, 2021 with a follow-up on Tuesday, March 30, 2021. Pictures and videos were taken. A limited site walk, due to safe site limitations, were performed from both the bottom (Marmont Avenue) and the top (Grand View Drive). Visual observations were conducted for a time period. The site area is extremely steep and no walking access available or safely accessible/advisable.

### Neighboring Context

The Grand View Drive area has historical slope failure issues. A drive along Grand View Drive, and side streets, illustrates the slope failure challenges as extensive engineered walls either hold back the steep slopes and/or hold up the roadway. In fact, Cole Crest Drive off Grand View Drive is a good example to review. Segments of Cole Crest Drive have been failing and sliding down for years to which the City of Los Angeles has been made aware of yet no actions have been taken to remedy – poles with electrical lines have been falling over, dirt and pavement having been falling into the adjacent private property all while heavy trash trucks and delivery vehicles continue to traverse this visually unsafe roadway condition. It's only a matter of time until a heavy vehicle topples over the side into a residential home with innocent residents living, all the while, the City of Los Angeles does not take any actions. This is the same scenario being proposed for the Crisler Way development, which sits immediately above several single-family homes located on Marmont Avenue. Page 103 of the MND states "Safety First: Design and operate streets in a way that enables safe access for all users and modes of travel." **The proposed roadway is not a safe scenario.**

Likewise the intersection of Cole Crest Drive and Grand View Drive is similar to the proposed intersection of Crisler Way and Grand View Drive whereby it is extremely challenging to navigate a turn in both coming inward and outward. There is not enough City right-of-way (or roadway) to allow a safe turn inward or outward. Just spend an hour at the intersection observing the challenging scenario and also attempt to drive it. Page 103 of the MND states "Safety First: Design and operate streets in a way

that enables safe access for all users and modes of travel.” **The proposed intersection is not a safe scenario.**

The existing slopes in, and around, the area are steep and inaccessible. As with other similar sites in the hills under (or completed), debris and equipment can and does fall to lower neighbors. However, generally there is either more room between lower neighbors, a public roadway or a flatter area before adjacent lower neighbors – all that will allow debris and/or equipment an area to rest and not deposited onto the lower neighbors. There have been sites that construction debris/equipment has fallen onto lower properties, even with debris walls. The MND states that a debris wall is to be constructed, however the plans do not show a debris wall. Another issue will be the constant disruption of the existing slopes during construction during the grading operations and the structural pile construction as construction equipment accesses, excavates, drills and other operations that can negatively affect the lower and adjacent properties. **The proposed steep hillside site is not a safe scenario.**

The existing slope drainage is being proposed to be altered in a manner that will concentrate the drainage to a single discharge area as the plans show a single storm water planter box located at the rear of the property (above the existing residences on Marmont Avenue). Besides being a “cross lot drainage issue for the proposed development, the development is diverting existing flow patterns and concentrating the discharge to a single area/point that could result in erosion and flood damage to the lower residences. **The proposed drainage diversion and concentration is not a safe scenario.**

## **CONCLUSIONS**

The subject site is both challenging and appears to be not the right place for this type of development. The plans show each of the rear yards that appear to exceed the current City of Los Angeles retaining wall code, the existing drainage pattern is proposed to be diverted and concentrated to a point source, and the development is stating four (4) separate homes with only three (3) legal lots per current records. There are many technical issues cited in this letter addressing why this is not the right place for this type of development – these technical issues are well beyond the typical “not in my backyard”, noise, construction traffic, neighborhood opposition, etc. **The proposed development in not a safe scenario.**

Sincerely,

A handwritten signature in blue ink, appearing to read "Jim D. Faul", is written over a horizontal line.

Jim D. Faul, PE, QSD