

LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING

AMY J. BODEK, AICP
Director,
Regional Planning

DENNIS SLAVIN
Chief Deputy Director,
Regional Planning

CONNIE CHUNG, AICP
Deputy Director,
Advance Planning

DAVID DE GRAZIA
Deputy Director,
Current Planning

SHARON GUIDRY
Deputy Director,
Land Use Regulation

JOSEPH HORVATH
Administrative Deputy,
Administration

January 27, 2026

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

**PROJECT NO. 2015-01232-(2)
VESTING TENTATIVE TRACT MAP NO. 073082
CONDITIONAL USE PERMIT NO. 201500052
ENVIRONMENTAL ASSESSMENT NO. 201500089
STATE CLEARINGHOUSE NO. 2017041016
APPLICANT/OWNER: THE BEDFORD GROUP / PEAK CAPITAL INVESTMENTS, LLC
LOCATION: 5101 SOUTH OVERHILL DRIVE (APN: 5009-007-022)
WITHIN THE WESTSIDE PLANNING AREA AND VIEW PARK ZONED DISTRICT
SECOND SUPERVISORIAL DISTRICT (3-VOTES)**

SUBJECT

This item is an appeal of a decision of the Los Angeles County (County) Regional Planning Commission (Commission) to certify the Environmental Impact Report (EIR), Findings of Fact (FF), and Mitigation Monitoring and Reporting Program (MMRP), and approve Project Number 2015-01232-(2), including Vesting Tentative Tract Map (VTTM) No. 073082 (RTM-TR073082), and Conditional Use Permit (CUP) No. 201500052. This Commission's decision was made at a duly-noticed hearing held on November 19, 2025, with four votes for approval, no votes against, and one Commissioner absent. Collectively, the project is referred to as the "Project" or "The View Project."

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Affirm the actions of the Commission.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Project includes a VTTM to create one multi-family lot with 88 attached condominium units in one building on 1.84 gross (1.77 net) acres, within the unincorporated community of Ladera Heights/View Park-Windsor Hills. A CUP is also required to authorize residential uses in a C-1 (Restricted Business - 5,000 Square Feet Minimum Required Lot Area) Zone, and for development within a designated Hillside Management Area (HMA). The Project site will be accessible from two points of ingress/egress along Overhill Drive. These include the northerly driveway extending from the subterranean parking structure, and the southerly driveway, which leads to a 28-foot-wide private driveway and fire lane and a 41-foot radius turnaround, which will also provide access to the parking structure.

The Project includes 139,281 square feet of habitable living space within a five-story, 65-foot-high building, along with a subterranean parking garage for 198 vehicular parking spaces, including 22 guest parking spaces, and 53 bicycle parking spaces, including nine short-term and 44 long-term spaces. The Project also provides pedestrian walkways and 21,098 square feet of improved open space (27 percent of the Project site), including common areas such as an outdoor swimming pool, and community and exercise rooms. Project modifications include a request to exceed the height limit of 35 feet for a total maximum height of 65 feet, and a request to reduce the front yard setback area from 20 to 15 feet. Total grading for the Project is 28,450 Cubic Yards (CY), with 28,150 cy of cut, 300 cy of fill, and 27,850 cy of export.

The Project includes ten (10) dwelling units voluntarily set aside for moderate-income households with incomes no greater than 120 percent of the Average Median Income (AMI). Additionally, the Project will provide pedestrian and sidewalk improvements along extended portions of the west and east side of Overhill Drive for approximately 1,500 linear feet (including the Project's frontage). These off-site improvements include parkways with landscaping and 24-inch box trees. The Project site is currently vacant.

On August 2, 2017, the Commission adopted a Mitigated Negative Declaration (MND) and MMRP and approved the Project. The Commission's approval was appealed to the County Board of Supervisors (Board), and the Board took final action on March 6, 2018, denying the appeal and upholding the approval of the Project. A Petition for Writ of Mandate was then timely filed by the United Homeowner's Association (UHA) in the Los Angeles County Superior Court (Court). UHA legally challenged the County's approval of the Project, including adoption of the MND and MMRP. In June 2019, the Court issued a ruling that the MND did not fully satisfy the requirements of the California Environmental Quality Act (CEQA) as to impacts to Traffic and Circulation, and in October 2019, issued an order clarifying that an EIR must be prepared and completed to assess the potential for the Project to result in Traffic and Circulation impacts.

An EIR has been prepared for the Project to comply with the Court order. As the Project retains its deemed complete status of August 24, 2016, it is subject to the General Plan and County Code requirements in place at that time. As such, the Project is not subject to the Westside Area Plan, which became effective on April 11, 2025.

The Project supports the implementation of the following Goals and Strategies of the 2024-2030 County Strategic Plan:

North Star Priority 1: Make Investments That Transform Lives, Focus Area A – Healthy Individuals & Families, Focus Area B – Employment and Sustainable Wages, and Healthy C – Housing and Homelessness

The Project supports the County's housing goals to "increase access to housing," "develop more

quality affordable housing for those who live in LA County,” and “sustain homeownership opportunities.” The Project will develop 88 new for-sale dwelling units, including 10 dwelling units to be set aside for moderate income households with incomes less than 120 percent AMI. This set aside was agreed to by the applicant, as the Project is not required to comply with the County’s Inclusionary Housing Ordinance (IHO). Given the Project’s provision of this new housing, the Project would help the County meet the demand for homeownership opportunities; ease pressure on the rental market by freeing up units; and help stabilize rents, which tend to rise with increased rental demand. The Project will contribute to the County’s housing stock, helping to alleviate the County’s critical housing shortage as well as directly address its shortage of affordable housing. The Project includes pedestrian and right-of-way improvements that will support multi-modal transportation, and specifically pedestrian access to existing nearby transit. As a condition of approval, the Project will also be required to develop a Local Hire Program, contributing to local employment opportunities, and utilizing sustainable wages.

Additionally, the Project is sited within 500 feet of the Kenneth Hahn State Recreation Area, Norman O. Houston Park, Rueben Ingold Park, and the Park to Playa Trail. These existing amenities provide future residents with convenient healthy recreational opportunities.

North Star Priority 2: Foster Vibrant and Resilient Communities, Focus Area D - Sustainability, Strategies 1 (Climate Health) and 2 (Green Economy), Focus Area F – Community Connections

The Project is considered infill development as it is surrounded by existing development and infrastructure in an urbanized area, and within 0.5-mile of high-quality transit (LA Metro Route 212 is within 800 feet of the Project Site and has 15-minute or less headways during peak hours). The Project also includes features that enhance building energy efficiency as follows:

1. The Project will be required to comply with California Title 24 (Building Energy Efficiency Standards) related to solar photovoltaics (e.g., solar panels) for multi-family residential buildings with four or more stories.
2. The Project includes 198 parking spaces, and a minimum of 10 percent of these spaces will be pre-wired for Electric Vehicles (EV) in compliance with CAL Green Building standards for all other units.

North Star Priority 2: Foster Vibrant and Resilient Communities, Focus Area D - Sustainability, Strategy 3 (Natural Resources)

As mentioned above, the Project will include several energy efficiency features, and upgrades to existing pedestrian and right-of-way infrastructure along Overhill Drive, which will contribute to the County’s sustainability goals. The Project is considered urban infill and though it is on a Project site within an HMA, the site is disturbed and vacant, and therefore the Project does not impact existing natural resources. Additionally, the Project includes several mitigation measures, which include the preparation and review of Site Lighting Plan to ensure minimizing exterior light pollution; various dust mitigation and the preparation of an Air Quality Assessment; obtaining Archaeologist and Paleontologist proper treatment of human remains if encountered, including contacting the Native American Heritage Commission; an Acoustical Analysis, and several noise controls during construction; 24-hour neighbor notification prior to impactful outdoor construction activities; Tribal notification if tribal cultural resources are identified; and the submission of an annual compliance report for all mitigation measures. These mitigation measures are the same as previously adopted, are included as an attachment to the Initial Study, and will continue to apply upon final approval of the Project.

North Star Priority 2: Foster Vibrant and Resilient Communities, F - Community Connections, Strategy 1 (Engagement).

The Project would provide enhanced public connectivity to existing adjacent and nearby transit and open space areas and established trails by providing pedestrian and right of way improvements along Overhill Drive. This would provide improved access to the Kenneth Hahn State Recreation Area, Norman O. Houston Park, Rueben Ingold Park, and the Park to Playa Trail. In addition to nearby convenient healthy recreational opportunities for residents, the enhanced pedestrian connectivity will facilitate positive social connection while promoting healthy communities.

FISCAL IMPACT/FINANCING

The Project consists of a total of 88 for-sale attached dwelling units including 10 affordable dwelling units set aside for moderate income households with incomes less than 120 percent AMI. The applicant will bear the cost of construction and operation of the development, and the County will not be fiscally responsible for any development costs. The Project is located on a single parcel fronting La Brea Avenue to the west, and Overhill Drive to the east, both Major Highways on the Los Angeles County Master Plan of Highways, with a variety of land uses including oil fields to the west, commercial uses and open spaces to the north, a school and residential to the east, and single-family residential uses to the south. The Project will connect to existing public sewer, water, electrical, and road infrastructure already located on or near the Project site. The applicant will fully cover the associated costs of making such connections and any required upgrades to existing infrastructure. This will include extended pedestrian and sidewalk improvements along Overhill Drive, as well as upgrades to the existing water system to meet the fire flow requirements for the Project. The applicant is also required to fully cover the costs associated with physical improvements and inspections required by the County Departments of Public Works (Public Works), Fire (Fire), and Public Health.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Commission Hearing Proceedings

The Commission opened the public hearing on September 10, 2025, after an initial continuance without opening the public hearing from June 4, 2025. After presentations by Los Angeles County staff (Staff) and the applicant's representatives, 16 members of the public testified in opposition to the Project. Specific concerns raised in opposition included potential impacts to traffic congestion and safety, existing water system problems, existing fire hazards, proximity to the nearby oil fields, criticism of the Project's geotechnical review and analysis given its adjacency to earthquake fault lines and location within an HMA, and the proposed building's height. The Commission discussed the Project and asked questions about the Project's southern setbacks, balconies, building height, EV parking, geotechnical review, and the existing water system and required upgrades to meet fire flow requirements. Staff confirmed that the southern setback is a minimum of 10 feet and that geotechnical review would need to be completed and cleared prior to final map recordation. Fire confirmed that the required upgrades to the existing water system necessary to meet the fire flow requirements would also need to be reviewed and approved prior to final map recordation. The matter was continued to

October 8, 2025, upon the Commission's request for an updated water will serve letter from the local water purveyor, Cal American Water. The matter was subsequently continued to October 8, 2025,

and subsequently continued without discussion to November 19, 2025, at the request of the subdivider.

The Commission held a continued public hearing on November 19, 2025. Chair Louie disclosed he met with members of the United Homeowners Association II (UHAI) before the November 19, 2025, hearing, and his meeting does not impair his ability to fairly and impartially decide the Project. The Chair also informed the Commission that the UHAI requested 15 minutes for their attorney to make a presentation. However, since the Brown Act dictates that all members of the public are granted equal time for public comment (which County Counsel confirmed), the Chair indicated that granting the request to one party would be improper. The Chair also noted that written public comments are always welcome.

The November 19, 2025, continued public hearing proceeded with Staff's presentation confirming receipt of Cal American Water's updated conditional water will serve letter dated November 18, 2025, as well as updates to conditions of approval based on Fire's memo dated September 25, 2025. Staff also presented that the Project site was recently downgraded from a Very High Fire Hazard Severity Zone (VHFHSZ) to a High and Moderate Fire Hazard Severity Zone (FHSZ), which was reflected in updated findings provided to the Commission.

After Staff's presentation, the Commission asked about the number of meetings held thus far. Staff confirmed that the November 19, 2025, meeting was the fifth public hearing held on the Project, requiring the Commission to decide on the Project pursuant to the Housing Accountability Act and SB330. The Commission also asked if Cal American Water had provided a reason that they were not able to attend the November 19, 2025, public hearing, to which Staff said that they had not. Staff further shared that Cal American Water stated that the required water system upgrades would be project specific and would not impact the community's existing water supply either negatively or positively, and that Cal American Water indicated other separate water system improvement plans underway in the area.

Next, the applicant's representatives presented to the Commission in response to prior questions raised at the September 10, 2025, continued public hearing. The architect explained the design strategy of siting the building as far north and as far away as possible from the single-family residences to the south, which takes advantage of the existing views to the west, north, and east and thus orienting the primary living spaces to mutually maximize privacy for the proposed units and the existing single-family residences to the south. The applicant's representatives further confirmed that while some units within the building's U-shape and courtyard design face south, these units are 131 feet away from the residential property line to the south, with the closet setback being 41 feet away from the side elevation of the nearest unit. The swimming pool was also oriented to the west, and the hours of operation would be regulated by Homeowner's Association to limit potential noise disturbances; code-compliant walls and vegetation would also serve as a buffer to the south. Regarding parking, the applicant's representatives clarified that 10 percent of the parking spaces will be wired for EV charging. Furthermore, the applicant's representatives asserted that with recent changes in State laws regarding density bonuses, a project with much greater density could be proposed, estimated between 127 to 155 or 160 dwelling units, depending on the proposed number of affordable units.

The Commission asked questions for the applicant, including whether additional affordable housing could be provided, whether southern facing windows could be treated to address privacy concerns, whether water system improvements would benefit the project only or surrounding area, and whether any subsequent community outreach was done. The applicant's representatives agreed to double the number of affordable units from the original proposed five (5) to ten (10) moderate-income

dwelling units; and agreed to make southern facing windows as opaque as possible given would not conflict with applicable fire and/or building codes, such as for natural light and ventilation. The applicant's representative also reached out and communicated with one community member. Lastly, the applicant's representatives responded that while the required water system upgrades will be project specific, the public fire hydrant to be replaced and two newly proposed hydrants (one public and one private) will improve safeguards for the community in the immediate vicinity of the Project.

The Commission then called for public testimony and 15 members of the public, including existing residents in the area, members of the UHAI, and their legal counsel, expressed opposition to the Project. Concerns raised included impacts on natural light due to the proposed building's height, particularly to the existing residences directly to the south, and an elementary school to the east; potential financial impacts to property values in the surrounding neighborhood; reduced water supply and pressure for the surrounding neighborhood; and deficiencies in the fire flow rates for existing hydrants in the area. Testifiers alluded to the recent wildfires in Los Angeles County, and denials for new Accessory Dwelling Units (ADUs) in the area reportedly due to Cal American Water declining to serve water to new units. Other comments were related to the Project's vesting status, the alternatives analysis in the EIR, and to the limitations of Housing Accountability Act to prevent changes to the Project scope. Additionally, community members voiced concerns regarding building within an existing earthquake fault line, citing the proposed subterranean parking; possible traffic safety impacts; and the lack of community outreach.

The applicant's representatives responded during rebuttal that they read the prior Court's ruling, which mandated preparation of an EIR focused on traffic and circulation only, and with instructions for the County to set aside the approvals of the entitlements. County Counsel confirmed that the Project's deemed complete status dates to August 2016, or to when the Project application was complete, and that the entitlements have been set aside for the County to comply with the Court's instructions.

The Commission asked further questions of Staff about fire flow requirements for the surrounding neighborhood. Fire stated that the minimum fire flow requirements specified in their approval apply to the Project only. Staff and Fire confirmed that water system upgrades to the vicinity would be required when another new development is proposed, such as the case for new ADUs. Staff also confirmed that theoretically, given recent changes in State law limiting local discretion over housing projects, potentially larger projects could be proposed and approved on the Project site without a discretionary process. Fire also confirmed that CalFire sets the parameters for the FHSZ maps.

After presentation, testimony, rebuttal and Commission discussion, the Commission closed the public hearing and certified the EIR along with the required FF and adopted MMRP, pursuant to state local CEQA guidelines with a vote of 4-0-1 (absent). The Commission also approved the Project, as modified to include a total of 10 moderately affordable dwelling units for families with incomes less than 120 percent of the AMI; require opaque windows, where feasible and compliant with building codes along the southern facing façade; with the attached findings and conditions for the Project with a vote of 4-0-1 (absent).

Appeal of the Commission's Decision

On December 1, 2025, the County received one appeal of the Commission's approval of the Project and its environmental documents, including the EIR, FF, and MMRP.

UHAI filed an appeal of the Commission's approval, and provided the following reasons for the appeal, raising issues regarding:

- 1) The Project's deemed complete status since August 24, 2016;
- 2) The potentially harmful impacts of the project's water system on the existing water system infrastructure, and failure to analyze this;
- 3) Requirement for an updated Geotechnical report;
- 4) Application of the County's IHO;
- 5) Safety issues regarding the Project's northern driveway;
- 6) No analysis regarding potential adverse impacts to property values; and
- 7) No environmental assessment of the proposed water system impacts and reduced density alternative.

Responses to Appellant Claims

Responses to UHAI

- 1) The Project's deemed complete status since August 24, 2016, and 2019 Court order to set aside the previous Project approvals from 2017.

In the appeal from UHAI (appellant), dated December 1, 2025 (See Exhibit 1), the appellant claims that the Project's deemed complete status from 2016, is invalid since the County set aside its prior approvals in 2020, in compliance with the 2019, Court order. As previously stated in the Project's supplemental hearing package materials, "deemed complete" is specifically defined in the California Government Code (see Government Code Section 65589.5). "Deemed complete" refers to the date when the applicant submitted a completed application. This Project's deemed complete date continues to be August 24, 2016, when the Project application was deemed complete by the County Subdivision Committee (SC) as noted in the Project's

SC report clearing the maps dated August 24, 2016, with a recommendation to proceed to a public hearing with a recommendation for approval from Staff. When the County set aside the Project's prior approvals, its deemed complete status remained intact. Furthermore, the vacation of the Project's prior approval was predicated on the completion of the EIR with a revised analysis for Traffic and Circulation only, pursuant to the Court's 2019 order. Therefore, the Project Scope did not change, and the Project did not undergo re-review of all prior approvals. The directive from the Court was to complete a transportation-focused EIR for the Project. Additionally, the Project's deemed complete status means that subsequent changes to local zoning and land use regulations do not apply to the Project. However, subsequent changes to California State law do apply to the Project. For example, the Housing Crisis Act (SB330) enacted in 2019, and its successor, the HAA, do apply to the Project.

- 2) The potentially harmful impacts of the Project's water system on the existing water system infrastructure, and failure to analyze this.

The appellant claims that the Project does not comply with County Code Section 22.158.040, formerly Section 22.56.180 (CUPs – Adequate Water Supply - Criteria), which states that if the use requested requires a greater water supply for fire protection than the existing use or any use permitted without a CUP, and will not comply with the provisions of Division 1 (Water) of Title 20 of the County Code, then the facts will be *prima facie* evidence that the requested use will adversely affect and be materially detrimental to adjacent uses. However, the Project will comply with the requirements of Division 1 (Water) of Title 20 of the County Code. The Commission found that the Project will be required to comply with all County Code (Public Works, Fire, etc.) requirements as they pertain to adequate fire protection (e.g., fire flow requirements) and utilities, including upgrades to the existing water supply system, as conditioned. The Commission therefore found that the Project will not adversely affect, nor be materially detrimental to, adjacent uses, buildings, and structures, in

compliance with County Code Section 22.56.180 (CUPs - Adequate Water Supply - Criteria), and all other findings required by Chapter 22.56 (Part 1 - CUPs) of the County Code.

The appellant further cited County Code Section 20.16.060 (Minimum fire flow and fire hydrant requirements). This County Code section is enforced by Fire, and states that “the minimum fire flow and fire hydrant requirements shall be determined by the fire chief of marshal. Fire reviewed and approved the Project and issued updated conditions of approval in their letter dated September 25, 2025, specifying the minimum fire flow requirements, confirming that the required water system upgrades and public fire hydrants will be installed or bonded for, prior to final map recordation. (See Exhibit 2 – Commission Approval Package, see Conditions of Approval, PDF page 77) Furthermore, the Project’s conditions of approval require that these improvements be fully constructed and complete, prior to issuance of building permits for the Project. (See Exhibit 2 – Commission Approval Package, see Conditions of Approval (PDF pages 45 - 99)

County Code Section 20.16.060.A.1 specifies additional requirements for developments within VHFHSZ and mountainous areas, which include the provision of “storage located at an elevation capable of delivering the fire flow by gravity”, as well as certain alternative systems that may be substituted for a gravity system. However, this Project is no longer located within a VHFHSZ and so this subsection does not apply; although the Project is also within an HMA, the Project Site is disturbed.

The Project’s proposed water system upgrades will be project-specific, intended to serve the Project only, and there are no anticipated negative impacts to the existing water system as a result of these upgrades. Though conceptual analysis has been carried out regarding the scope of these improvements, the final engineering plans will be reviewed and approved prior to final map recordation, as noted in the Project’s conditions of approval, and per the County’s typical process. An updated will serve letter was obtained for the Project on November 17, 2025. (See Exhibit 2 – Commission Approval Package, see Conditions of Approval, PDF pages 74 - 75)

3) Requirement for an updated Geotechnical report

The appellant claims that an updated geotechnical should have been required prior to the Commission’s approval. A geotechnical report dated November 21, 2014, was prepared for and reviewed by Public Works prior to Project clearance. Per the Public Works letter dated September 13, 2016, an updated geotechnical report is required prior to final map recordation. (See Exhibit 2 – Commission Approval Package, see Conditions of Approval, PDF pages 64 - 65) Public Works’ letter also establishes related conditions for approvals including a requirement that all geologic hazards must be eliminated, and other requirements prior to grading plan approval and related to design.

4) Application of the County’s IHO

The appellant claims that the Project should be subject to the County’s IHO. However, given the Project’s deemed complete date of August 24, 2016, the IHO does not apply to this Project. At the request of the Commission on November 19, 2025, the Project will include five additional moderately affordable dwelling units for families with incomes less than 120 percent of the AMI, for a total of 10 affordable units. Previously, the Project included five affordable dwelling units.

5) Safety Issues regarding the Project’s northern driveway

The appellant claims that serious safety issues affecting the Project’s northern driveway remain unaddressed. However, as a result of the Draft EIR comments, which included a letter from Traffic

Engineer Tom Brohard, P.E. dated January 3, 2023, Public Works re-reviewed the proposed conceptual signage and requested the preparation of a striping plan and a sight distance memorandum for the Project and provided comments to the applicant. While requested for this Project, these documents are typically reviewed and approved after the final map recordation as part of the plan check process. Public Works approved the revised Signing and Striping Plan (EIMP2019000001) on August 20, 2024. These documents were found to align with the County's Community Traffic and Safety Plan released in December 2023, which implements and supports the Guiding Principles and other goals and policies of the General Plan.

Additionally, Dudek, the County's environmental consultant, issued several responses to the comments raised in Tom Brohard, P.E.'s subsequent letter dated August 19, 2025, in a technical memo dated September 3, 2025 (See Exhibit 3 - Memo – Response to Transportation-Related Comments, September 3, 2025). This memo concluded that the comments raised by Tom Brohard, P.E., in the letter dated August 19, 2025, did not result in any new significant environmental impacts. Thus, given the Project and its accesses have been designed to comply with applicable County requirements, and no significant transportation impacts have been identified in the Project's EIR, no additional mitigation measures are required.

6) No analysis regarding potential adverse impacts to property values

The appellant claims that the Commission made no attempt to analyze the potential harmful impacts of the Project, despite concerns and comments regarding this. The Project includes several findings as they relate to consistency with local land use regulations and the General Plan as well as adequacy of the proposed Project Site, compatibility with the community character, open space preservation. The Commission concluded that the Project will not adversely affect the health, peace, comfort or welfare of person residing or working in the surrounding area. Findings regarding potential impacts to property values are not required, nor provided, and economic analyses are not customary included as part of the Project entitlement or environmental review process. (See Exhibit 2 – Commission Approval Package, see Conditions of Approval (PDF pages 3 - 44)

7) No environmental assessment of the proposed water system impacts and reduced density alternative.

The appellant claims that a supplemental EIR is needed considering a reduced project size or reduced project alternative in consideration of various concerns raised, including the need for existing water system upgrades. However, a Supplemental Errata was added to the EIR to clarify that the Project will be required to install two new fire hydrants (one private and one public) to meet County Fire Code requirements, and to make any necessary off-site water system upgrades to the satisfaction of Fire and Public Works in order to meet the required fire flow requirements. The clarifying information in the Supplemental Errata would not change the impact determination or conclusions presented in the Draft EIR. Therefore, recirculation of the Draft EIR is not required by CEQA Guidelines. (See Exhibit 4 - Memo – EIR Supplemental Errata, August 26, 2025). Furthermore, the EIR considered the following four project alternatives, as follows:

1. Alternative 1: No Project/No Build Alternative
2. Alternative 2: Commercial Development Alternative
3. Alternative 3: Mixed Use Development Alternative
4. Alternative 4: Reduced Mixed Use Development Alternative

These alternatives propose reduced densities than the Project, ranging from no residential dwelling units, to up to 30 residential dwelling units. (See Exhibit 5 - Draft EIR, with Alternatives Analysis, PDF

ENVIRONMENTAL DOCUMENTATION

In response to the October 10, 2019, Court order, an EIR focused on Traffic and Circulation impacts only was prepared for this Project. On November 2, 2020, a Notice of Preparation (NOP) for the EIR was prepared and distributed for public review to solicit input on the EIR. The NOP and comments received within the 45-day review period were considered in the preparation of the Draft EIR, and are included as part of its Appendix A. As part of the NOP process, the County prepared an updated Environmental Checklist (“Initial Study”) to confirm the findings of the previous MND, except Traffic and Circulation, to be analyzed in the Draft EIR. The Initial Study examines all environmental topic areas, and it is included as Appendix B of the Draft EIR. The previously adopted MMRP was included as an attachment to the Initial Study, as those measures would continue to apply to the Project in accordance with the Court order and upon final approval of the Project. The Draft EIR, including the Initial Study, addresses the environmental effects associated with the Project. The Project scope has not changed from what was analyzed under the adopted MND, except for the off-site pedestrian and sidewalk improvements required along the right-of-way on Overhill Drive extending north across from the adjacent parcel and south to Northridge Drive. The Draft EIR analyzed the same Project as was analyzed in the MND, excluding the off-site pedestrian and sidewalk improvements along the right-of-way on Overhill Drive; the off-site improvements are addressed in the Final EIR. The Notice of Completion and Availability for the Project was issued on November 7, 2022. The public review and comment period for the Draft EIR was from November 7, 2022, to January 6, 2023 (60 days), exceeding the 45-day minimum required pursuant to Title 14, Section 15105(a) of the California Code of Regulations. A Hearing Examiner meeting was held virtually on December 8, 2022, to receive public testimony on the adequacy of the Draft EIR prior to preparation of the Final EIR and subsequent Project consideration by the Commission.

The Draft EIR (including the Initial Study) concluded the Project would not result in any significant and unavoidable impacts after implementation of all mitigation measures. The determinations of the environmental analysis are listed below, per Section 15087 of the CEQA Guidelines.

No Impacts without Mitigation

The three areas of environmental impact for which no impacts would occur are Agriculture/Forest, Mineral Resources, and Wildfire.

Less Than Significant Impacts without Mitigation Measures

The 11 areas of environmental impact identified as less than significant, requiring no mitigation, are listed below:

Energy	Population and Housing
Geology and Soils	Public Services
Greenhouse Gas Emissions	Recreation

Hazards and Hazardous Materials	Traffic and Circulation
Utilities and Service Systems	Hydrology and Water Quality
Land Use and Planning	

Specifically, regarding Traffic and Circulation, the less-than-significant determination for the Traffic and Circulation chapter was based on the Vehicle Miles Traveled (VMT) Screening Analysis

submitted to Public Works in compliance with screening criteria set by the Public Work's Traffic Impact Analysis (TIA) Guidelines developed in 2020. The TIA guidelines provide several criteria to determine whether projects may be screened out of further VMT analysis when presumed to have a less than significant impact and not requiring mitigation. Specifically in this case, the Project meets the screening out criteria because it is located within 0.5-mile of an existing stop along a high-quality transit corridor. LA Metro Route 212 is within 800 feet of the Project Site and has 15-minute or less headways during peak hours. The Project is also considered to be located within a Transit Priority Area, as defined by the Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy (Connect SoCal). Additionally, although not required as mitigation under CEQA, the Project will be conditioned to require pedestrian and sidewalk improvements along extended portions of the west and east side of Overhill Drive extending north across from the adjacent parcel as well as south to Northridge Drive for an approximate total of 1,500 linear feet, including the Project's frontage, further bolstering pedestrian connectivity to nearby transit. Finally, pursuant to SB 743, the Project was not required to submit a Levels of Service Analysis; however, an analysis was prepared and included as part of the VMT Screening Analysis for informational purposes only included as Appendix C of the Draft EIR.

Less Than Significant with Mitigation Measures

The six areas of environmental impact identified as less than significant with mitigation incorporated are listed below:

Aesthetics	Cultural Resources
Air Quality	Noise
Biological Resources	Tribal Cultural Resources

As described above, the mitigation measures included for these topic areas include the preparation and review of Site Lighting Plan to ensure minimizing exterior light pollution; various dust mitigation and the preparation of an Air Quality Assessment; obtaining Archaeologist and Paleontologist proper treatment of human remains if encountered including contacting the Native American Heritage Commission; an Acoustical Analysis, and several noise controls during construction; 24-hour neighbor notification prior to impactful outdoor construction activities; Tribal notification if tribal cultural resources are identified; and the submission of an annual compliance report for all mitigation measures. Note: These mitigation measures are the same as previously adopted, are included as an attachment to the Initial Study, and will continue to apply upon final approval of the Project.

During the Draft EIR public comment period, Staff received a total of 36 comments. These included a letter from the County Sanitation District, nine letters of support, and 27 letters in opposition to the Project. The County Sanitation District commented on wastewater flow, generation, and treatment for the Project. Supporters of the Project cited the need for housing, particularly potentially entry-level housing and including a variety of housing types. Those in opposition raised concerns about the Project's density, traffic, congestion and vehicle safety concerns, lack of community compatibility, and privacy and views of the residents and property owners of adjacent lots. As a result of the Draft EIR comments as described above, including a letter from Tom Brohard, P.E., dated June 3, 2023, Public Works re-reviewed the proposed conceptual signage and ultimately approved a revised Signing and Striping Plan (EIMP2019000001) on August 20, 2024. These documents were found to align with the County's Community Traffic and Safety Plan released in December 2023, which implements and supports the Guiding Principles and other goals and policies of the General Plan.

The Final EIR includes the written responses to all comments received during the Draft EIR review period, along with the Initial Study, Draft EIR, FF and MMRP. There were minor updates to the Draft EIR and no changes to the MMRP as a result of these comments.

Finally, a Supplemental Errata has been added to the EIR to clarify that the Project will be required to install two new fire hydrants (one private and one public) to meet LA County Fire Code requirements, and to make any necessary off-site water system upgrades to the satisfaction of Fire and Public Works in order to meet the required fire flow requirements. The clarifying information in the Supplemental Errata would not change the impact determination or conclusions presented in the Draft EIR. Therefore, recirculation of the Draft EIR is not required by CEQA Guidelines.

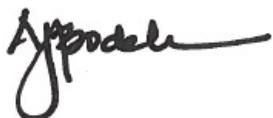
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the Project is not anticipated to have negative impacts on current projects and services, inclusive of all conditions of approval, mitigation measures, and payment of all requirement development fees.

CONCLUSION

For further information, please contact Erica G. Aguirre, AICP, Principal Planner, of the Subdivisions Section at (213) 893-7020 or eaguirre@planning.lacounty.gov.

Respectfully submitted,



Amy J. Bodek, AICP
Director

AJB:DD:SMT:JSH:EGA:Im

Enclosures

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office
County Counsel
Public Works

APPEAL FORM NON-APPLICANT

SUBDIVISION PROJECT APPEAL: YES NO

ADMINISTRATIVE CALIFORNIA ENVIRONMENTAL
QUALITY ACT (CEQA) ONLY APPEAL: YES NO

COASTAL DEVELOPMENT PERMIT APPEAL: YES NO

DATE: December 1, 2025

DEPARTMENT: Department of Regional Planning

PROJECT NUMBER: 2015-01232-(2)

APPLICANT NAME: The Bedford Group / Peak Capital Investments, LLC

PROJECT LOCATION: 5101 South Overhill Drive, Windsor Hills

ZONED DISTRICT: View Park - Windsor Hills; currently zoned C-1 (Restricted Business)

Related Zoning Matters: Zoning Case No. 90060 (changed zoning to CPD)
2015 General Plan Update (changed zoning to C-1)

CONDITIONAL USE PERMIT (CUP) NUMBER(S): 201500052

VARIANCE NUMBER(S): N/A

ZONE CHANGE NUMBER(S): N/A

This is an appeal of the decision of the Regional Planning Commission regarding the project above. This form is to be filed in person with a form of personal identification and a check or money order made payable to the “Board of Supervisors” during regular business hours of 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the address below. Appeal fees subject to change. Contact the Executive Office of the Board of Supervisors for information at (213) 974-1426.

This is to appeal: (Check one)

The Denial of this Project: \$1,181*

The Approval of this Project: \$1,181*

*Except for Subdivision appeals: \$130.00 of this appeal fee amount will be allocated to the Board of Supervisors’ Hearing.

APPEAL FORM NON-APPLICANT

SUBDIVISION PROJECT APPEAL: YES NO

ADMINISTRATIVE CALIFORNIA ENVIRONMENTAL
QUALITY ACT (CEQA) ONLY APPEAL: YES NO

COASTAL DEVELOPMENT PERMIT APPEAL: YES NO

DATE: December 1, 2025

DEPARTMENT: Department of Regional Planning

PROJECT NUMBER: 2015-01232-(2)

APPLICANT NAME: The Bedford Group / Peak Capital Investments, LLC

PROJECT LOCATION: 5101 South Overhill Drive, Windsor Hills

ZONED DISTRICT: View Park - Windsor Hills; currently zoned C-1 (Restricted Business)

Related Zoning Matters: Zoning Case No. 90060 (changed zoning to CPD)
2015 General Plan Update (changed zoning to C-1)

CONDITIONAL USE PERMIT (CUP) NUMBER(S): 201500052

VARIANCE NUMBER(S): N/A

ZONE CHANGE NUMBER(S): N/A

This is an appeal of the decision of the Regional Planning Commission regarding the project above. This form is to be filed in person with a form of personal identification and a check or money order made payable to the "Board of Supervisors" during regular business hours of 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the address below. Appeal fees subject to change. Contact the Executive Office of the Board of Supervisors for information at (213) 974-1426.

This is to appeal: (Check one)

The Denial of this Project: \$1,181*

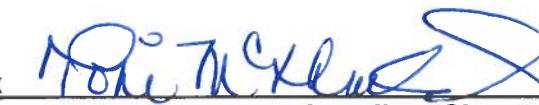
The Approval of this Project: \$1,181*

*Except for Subdivision appeals: \$130.00 of this appeal fee amount will be allocated to the Board of Supervisors' Hearing.

APPEAL FORM NON-APPLICANT

Briefly, explain the reason for the appeal. Attach additional information if necessary.

If the project proceeds as approved by the Commission, the County will violate the Court's 2019 writ of mandate ordering the County to set aside the tract map and CUP. If these entitlements were properly vacated and set aside in 2020 as represented by County Counsel, there is no legal basis for the County's claim that the project was deemed complete in 2016. As detailed in the attached documentation, the County ignored clear evidence of adverse impacts on the existing water system, failed to analyze or mitigate the traffic safety hazards created by the northern driveway, did not require an updated geotech report per the County's own policy, and never considered a reduced density alternative as part of the EIR process. The County also does not have sufficient information to confirm the project can provide fire flow from storage using gravity per Section 20.16.060 of the Code.

x 
Appellant Signature

TONI MCDONALD
Print Name

4859 West Slauson Avenue/332
Street Address

Los Angeles, 90056
City/Zip

(323) 248-1699
Day Time Telephone Number

info@UHAWHVP.ORG
E-mail Address



December 1, 2025

Hon. Kathryn Barger, Chair
Los Angeles County Board of Supervisors
500 West Temple Street, Room 383
Los Angeles, California 90012

Re: Appeal of Regional Planning Commission November 19, 2025 Approval of Project
No. 2015-01232-(2) "The View Condos" at 5101 Overhill Drive
Project No. 2015-01232-(2)
Vesting Tentative Map No. 073082
Conditional Use Permit No. 201500052
Environmental Assessment No. 201500089

Honorable Supervisors:

United Homeowners' Association II (UHA) together with the undersigned constituents hereby submit the enclosed appeal of the above-captioned action by the Regional Planning Commission (RPC or the Commission) in connection with RPC's recent approval of a proposed 88-unit high-rise condominium development at 5101 Overhill Drive (the "Project"). UHA and most of our 11,000+ members are very concerned because this is the second time that UHA has appealed RPC's approval of the Project to your Board based on a faulty record with numerous incorrect and/or incomplete findings by the Commission. We hope that your Board will take time to carefully consider this appeal, noting the very serious public health and safety issues concerning the Project's adverse impacts on the existing water distribution system, traffic safety, and nearby residents, and reverse the Commission's approval of this harmful and dangerous project.

UHA incorporates by reference all objections and comments raised during the limited EIR process and the Project's hearings proceedings, including all objections and evidence submitted to RPC by other parties that have testified and/or submitted written comments in connection with the Project. UHA reserves its rights at law and equity and thanks your Board for its consideration.

Sincerely,

Toni McDonald Tabor
UHA President

Enclosures

c: UHA Board Members

**ADDITIONAL APPELLANTS
PROJECT NO. R2015-01232-(2)**

Paula Adams 5719 S. Harcourt Avenue View Park, CA 90043	Belinda & Reggie Jackson 5124 Onacrest Drive Windsor Hills, CA 90043	Linda Schwartz 4030 Olympiad Drive View Park, CA 90043
Jaymie Bailey 5108 West Boulevard View Park, CA 90043	Nora & Herb Matthews 5208 Onacrest Drive Windsor Hills, CA 90043	Dr. Helen Sellers 5127 Dawn View Place Windsor Hills, CA 90043
Angela Sherick-Bright 5007 Escalon Avenue View Park, CA 90043	Toni Mc Donald 4507 Whelan Place Windsor Hills, CA 90043	Kim Shabazz 5027 Inadale Avenue Windsor Hills, CA 90043
Allison & Glen Bryant 5154 Onacrest Drive Windsor Hills, CA 90043	John Meigs 4160 Olympiad Drive View Park, CA 90043	Said Shamsuddin 5027 Inadale Avenue Windsor Hills, CA 90043
Andreas & Nicole Buchanan 5134 Onacrest Drive Windsor Hills, CA 90043	Terri Minor 5152 Onacrest Drive Windsor Hills, CA 90043	Alecia & John Smith 5146 Onacrest Drive Windsor Hills, CA 90043
Naimah Byers 5027 Inadale Avenue Windsor Hills, CA 90043	Mike & Rosa Nash 5160 Onacrest Drive Windsor Hills, CA 90043	Mr. & Mrs. Robert Taylor & Victoria Taylor 4525 Whelan Place Windsor Hills, CA 90043
LeVonne & NaNotchka Chumley 5200 Onacrest Drive Windsor Hills, CA 90043	Keith, Kevin & Kim Nathaniel 5120 Onacrest Drive Windsor Hills, CA 90043	Keith Hollis Thompson 5165 Onacrest Drive Windsor Hills, CA 90043
Catherine Cottles 4928 Southridge Avenue View Park, CA 90043	Hao Nguyen 5141 Onacrest Drive Windsor Hills, CA 90043	Roxanne Vallien 5121 Onacrest Drive Windsor Hills, CA 90043
Dia Fountain 5102 Onacrest Drive Windsor Hills, CA 90043	Valeria Norwood 5153 Onacrest Drive Windsor Hills, CA 90043	Florence Ward 5157 Onacrest Drive Windsor Hills, CA 90043
Troy Green 5165 Angeles Vista Blvd. View Park, CA 90043	Anya Pearson 4512 Whelan Place Windsor Hills, CA 90043	Cyreeta Williams 5130 Onacrest Drive Windsor Hills, CA 90043
Dolly Harris 5101 Brea Crest Drive Windsor Hills, CA 90043	Tracy Purifoy 5021 Escalon Avenue View Park, CA 90043	JoAnn Williams 4904 Inadale Avenue View Park, CA 90043
John & Keasha Dumas Heath 4108 Olympiad Drive View Park, CA 90043	Fredricka Recasner 4501 Whelan Place Windsor Hills, CA 90043	Deborah Wood 4575 Northridge Drive Windsor Hills, CA 90043

UHA APPEAL RE: CASE NO. 2015-01232-(2)

The Regional Planning Commission (RPC or the Commission) made several critical errors in its determination to approve the 88-unit condominium project at 5101 Overhill Drive. UHA and the individual appellants respectfully request that the Board of Supervisors vacate the approval and remand to the Regional Planning Department for further review and analysis.

THE 2019 WRIT VACATED AND SET ASIDE THE TRACT MAP AND THE CONDITIONAL USE PERMIT, SO RPC VIOLATED THE COURT'S 2019 ORDER BY DEEMING THE PROJECT APPLICATION COMPLETE AS OF AUGUST 2016

Attached as Exhibit 1 is the Board of Supervisors' November 24, 2020 resolution that vacated and set aside adoption of the traffic and circulation part of the MND, and approval of the CUP and Vesting Tract Map associated with the Project, along with the writ of mandate issued December 5, 2019 in Superior Court Case No. BS 172990. As explained in a June 3, 2025 letter to RPC from UHA's legal counsel (see Exhibit 2), County Code § 21.38.060 provides "[t]he approval or conditional approval of a vesting tentative map by the advisory agency shall establish a vested right to proceed with applicable ordinances and general and specific plans in effect at the date the accompanying application is deemed complete...." Since the County set aside both the vesting map and the CUP in 2020 to comply with the Court's writ of mandate, neither of these entitlements can be used to support the Commission's errant conclusion that the Project was deemed complete on August 24, 2016. The Board should overturn the Commission's approval of the Project since RPC is required to make findings consistent with the ordinances and specific plans in effect at the time of the Project's approval – which is 2025, not 2016. County Counsel is required to report the County's actions to the Court, which retains jurisdiction over the matter until the Court determines that the County has fully complied with the writ of mandate, which requires compliance with the California Environmental Quality Act (CEQA).

RPC ABUSED ITS DISCRETION BY FAILING TO ANALYZE THE POTENTIALLY HARMFUL IMPACT OF THE PROJECT'S WATER SYSTEM ON THE EXISTING WATER SYSTEM INFRASTRUCTURE

Per County Code Section 22.158.040, if it appears that (i) the Project requires more fire flow water supply than the existing use (vacant lot) or other uses in the C-1 zone without a CUP (such as the commercial properties adjacent to and across the street from the Project site), and

(ii) the Project will not comply with the County's water ordinance, the Commission should deny the CUP based on "prima facie evidence that such requested use will adversely affect and be materially detrimental to adjacent uses...and will not comply with the findings required by this Chapter."¹ The Commission acknowledges that the Project requires more water supply than the existing use, and that it "may require a greater water supply" than the adjacent C-1 zone properties, but its finding that the 88-unit proposed density of the Project does not exceed the maximum allowable density on the Project site fails to address multiple areas of potential non-compliance with Division 1 of Title 20 of the County Code (the water ordinance) and should therefore be reversed.

Section 20.16.060 A.1. provides that for developments in "Mountainous Areas" with a slope of 8% grade or higher, "the fire flow duration should be provided from storage located at an elevation capable of delivering the fire flow by gravity." The Project site lies within a Hillside Management Area due to the presence of slopes in excess of 25%, so the Commission should have confirmed that the proposed water system fully complies with Section 20.16.060 A.1. Given the documented history of inadequate water distribution system performance in the surrounding area (see Exhibit 3), RPC should have followed the tenets of § 20.16.010 and requested additional information to allow RPC to consider "the quantity of water pumped and stored, the adequacy and dependability of all waterworks facilities, the physical conditions known to exist at the time and place of installation, and the probable operating requirements."²

The Commission should have also requested more information to confirm that the water system is capable of providing the total water flow pursuant to County Code § 20.06.030 (minimum fire flow plus two times the average daily water flow requirement). Instead, it relied on erroneous advice from staff and limited its analysis to inconsistent representations by the developer's agent (who testified on September 10th that the water system improvements would also benefit the existing system, then reversed course at the November 19th hearing by claiming the new improvements will only benefit the Project) and a conditional will-serve letter

¹ See County Code Section 22.158.040 A.

² See County Code Section 20.16.010.

provided by the water company (attached as Exhibit 4) that assigns full responsibility for legal and regulatory compliance and the total cost of required infrastructure improvements on the developer. More analysis of the Project's proposed water delivery system is required to analyze its actual impact on the existing water distribution system, which is particularly important since it appears the County is unable to require the local water company to make the necessary improvements to bring the existing system up to current standards unless new construction is involved (Exhibit 5 is a letter from LA County Fire describing how this same issue of inadequate fire flow adversely impacted another unincorporated community of color).

THE COMMISSION SHOULD HAVE REQUIRED AN UPDATED GEOTECHNICAL STUDY PER THE COUNTY'S OWN GUIDELINES

Presumably the developer has compelling reasons to contend that the Project's entitlements were somehow retroactively revived after being vacated and set aside in 2020, but as previously explained the Project cannot be deemed complete as of 2016 in reliance on a statute that was not enacted until 2018 (or by depending on entitlements that were subsequently vacated and set aside). This portion of the Housing Accountability Act does not operate retroactively to allow the Project to be deemed complete, and as UHA's counsel explained in its June 3, 2025 letter (see Exhibit 2) the vesting map was set aside in 2020 so it cannot support the developer's twisted logic alleging a 2016 Project approval date. Perhaps the developer clings to the 2016 vesting date to avoid complying with the County's requirement that geotechnical reports must be updated within one year of their submittal date to "at a minimum, verify the validity and applicability of the original report."³ In any event, RPC erred and abused its discretion by allowing the Project to proceed based on a 2014 geotechnical report – a clear violation of the County's own policy and procedures.

SINCE THE PROJECT WAS DEEMED COMPLETE IN 2016 IN ERROR, THE INCLUSIONARY HOUSING ORDINANCE APPLIES TO THE PROJECT

Since the Project was erroneously deemed complete as of 2016, the Commission should find that County Code § 22.151.050 applies to the Project and require 20% of the total number

³ Los Angeles County Public Works Geotechnical and Materials Engineering Division – Manual for Preparation of Geotechnical Reports, Section 1.5 (see excerpt in Exhibit 6 hereto).

of units (18) be set aside for purchase by moderate income households with incomes that do not exceed 120% of area median income. The affordable housing crisis should inspire the County to require developers to do more to require the creation of more affordable housing opportunities, and if a housing development for this site is authorized it should be required to produce more opportunities for first time homebuyers to purchase a home in a high resource area.

NOTWITHSTANDING CLAIMS BY THE DEVELOPER'S CONSULTANT, SERIOUS SAFETY ISSUES AFFECTING THE PROJECT'S NORTHERN DRIVEWAY REMAIN UNADDRESSED

As detailed in the attached August 19, 2025 letter (see Exhibit 7), Traffic Engineer Tom Brohard raises several serious public health and safety issues arising from the Project's ingress & egress that RPC should have considered in its findings regarding the Project's traffic and circulation impacts. Specifically, the proposed northern driveway does not have sufficient queuing space to accommodate vehicles that accidentally turn into that entrance without resident access, and anyone who has traveled on Overhill Drive appreciates how the deadly combination of high vehicle speeds and limited sight distance make left turns along this stretch of roadway especially dangerous. Also, there is not enough clear sight distance to avoid collisions with southbound vehicles and insufficient restrictions to prevent unsafe left turns into and out of the northern driveway.

Furthermore, considering the fact that La Brea Avenue (a designated highway disaster response route) borders the Project site to the west, the close proximity of both the southern and northern driveways, and the Project's location within both seismic and fire hazard zones, the Commission should evaluate the Project to ensure compliance with Gov't Code § 65302(g)(5).⁴ If RPC were to make actual findings regarding the Project's adverse public health and safety impacts of this project on traffic safety alone, it would be required to impose additional conditions (traffic signals, more effective left turn restrictions) as suggested in Mr.

⁴ Gov't Code § 65302(g)(5) provides: "Upon the next revision of the housing element on or after January 1, 2020, the safety element shall be reviewed and updated as necessary to identify residential developments in any hazard area identified in the safety element that do not have at least two emergency evacuation routes."

Brohard's letter to try to mitigate the hazardous traffic safety issues created and exacerbated by this project.

NO ANALYSIS WAS CONDUCTED TO JUSTIFY RPC'S CONCLUSION THAT THE PROJECT WILL NOT ADVERSELY IMPACT ADJACENT PROPERTY VALUES

Notwithstanding the numerous comments and evidence provided by residents of Onacrest Drive and other neighbors close to the Project site (see Exhibit 8), the Commission apparently made no attempt to analyze the harmful economic impact of the Project on adjacent and nearby properties. RPC should have consulted with an independent real estate professional to provide testimony regarding their opinion regarding the potential impact of the Project on nearby property values, particularly noting the fact that there are no other high-rise buildings in Windsor Hills / View Park, as well as the ongoing subsidence issues documented by nearby property owners. The burden of proof finding that the Project will not be materially detrimental to the use, enjoyment or valuation of other property nearby was apparently made without any serious analysis and notwithstanding compelling evidence and testimony provided to the Commission.

RPC SHOULD HAVE REQUIRED AN ENVIRONMENTAL ASSESSMENT OF THE PROPOSED WATER DELIVERY SYSTEM IMPACTS AND A REDUCED DENSITY ALTERNATIVE

As explained in both letters provided to the Commission by UHA's counsel (see Exhibit 2), the EIR should have considered a reduced sized project as part of the environmental analysis, especially since the Project's objectives include reducing vehicle use and preserving the physical integrity of this Hillside Management Area to the greatest extent feasible. Considering the concerns associated with the Project's traffic safety and circulation impacts on the surrounding community, the increased hazards associated with development in both a seismic and fire hazard zone, and serious questions about the water system infrastructure in this area, the Commission should have insisted on the inclusion of a smaller less dense building as part of the EIR to compare the environmental impacts of a reduced size project with the version that was ultimately approved.

Section 21166(c) of the Public Resources Code requires the EIR to be supplemented whenever significant new information "which was not known and could not have been known

UHA APPEAL RE: CASE NO. 2015-01232-(2)

at the time the environmental impact report was certified as complete, becomes available.” Considering the fact that the developer has submitted conceptual plans to the water company, and the water distribution system serving the Project may include a gravity-fed supply with pumps, backup pumping systems and other equipment to be determined, RPC should circulate a supplemental EIR to assess the potential environmental impacts of the Project’s water infrastructure.

CONCLUSION

Based on the Commission’s failure to properly consider the Project’s adverse public health and safety impacts and its incorrect and/or incomplete findings with respect to the CUP, along with the need to supplement the EIR to address the water system impacts, your Board should grant this appeal and vacate the Project’s approval based on the record before the Board.

EXHIBIT 1



November 24, 2020

ADOPTED

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

27 November 24, 2020

A handwritten signature in black ink, which appears to read "Celia Zavala".

CELIA ZAVALA
EXECUTIVE OFFICER

PROJECT NO. R2015-01232-(2)
VACATION OF: PORTION OF MITIGATED NEGATIVE DECLARATION;
CONDITIONAL USE PERMIT NO. 2015-00052-(2); AND
VESTING TENTATIVE TRACT MAP NO. 073082-(2)
APPLICANT: BEDFORD GROUP
SECOND SUPERVISORIAL DISTRICT (3-VOTES)

SUBJECT

Recommendation to vacate and set aside certain project approvals for the development of an 88 single-family condominium project in the Second Supervisorial District to comply with a court order issued in *United Homeowners' Association II v. County of Los Angeles, et al.*

JOINT RECOMMENDATION WITH THE DIRECTOR OF REGIONAL PLANNING THAT YOUR BOARD:

Adopt the attached resolution vacating and setting aside adoption of the traffic and circulation section of the Mitigated Negative Declaration (MND), and approval of Conditional Use Permit (CUP) No. 2015-00052-(2) and Vesting Tract Map (Vesting Map) No. 073082-(2) for Project No. R2015-01232-(2).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On November 26, 2019, the court granted a Writ of Mandate in favor of United Homeowners' Association II (UHA) and against the County in UHA's challenge to the

EXHIBIT 1

County's approval of land use entitlements for the development of an 88 single-family condominium project located at 5101 South Overhill Drive in the Second Supervisorial District (the Project). By performing the recommended actions, the County will be in compliance with the court's order and will further permit the Bedford Group (Applicant) to work with the Department of Regional Planning (DRP) to proceed with the preparation of a Focused Environmental Impact Report (EIR), solely as to traffic and circulation, to enable the County's Regional Planning Commission to reconsider the Project.

FISCAL IMPACT/FINANCING

Vacating the adoption of the traffic and circulation section of the MND, and approval of the CUP and Vesting Map, would not result in any new significant costs to the County, as the proposed project is a private development. Any related costs will be borne by the Applicant.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On May 31, 2017 and August 2, 2017, the Commission adopted an MND and approved a CUP and Vesting Map for the Project, a development of 88 single-family condominiums located at 5101 South Overhill Drive in the Second Supervisorial District.

Pursuant to Subsection A of Section 22.240.020 of the Los Angeles County Code (County Code), UHA appealed the Commission's approval to the Board of Supervisors (Board) on October 24, 2017. Your Board heard the matter on October 24, 2017, continued it to November 21, 2017, and then denied the appeal.

UHA filed a Writ of Mandate on April 6, 2018, pursuant to the California Environmental Quality Act (CEQA) challenging the Board's decision to adopt an MND and approve a CUP and Vesting Map. The matter proceeded to trial on June 14, 2019. On November 26, 2019, the court issued a judgment granting the Writ of Mandate in favor of UHA and against the County and real parties in interest, Peak Capital Investments, LLC and the Applicant. The court ruled that the Initial Study and MND did not satisfy the requirements of CEQA as to impacts from traffic and circulation, and required that the County set aside the adoption of that section of the MND and the Project's entitlements (the CUP and Vesting Map). The court found substantial evidence to support a fair argument the Project may have a significant unmitigatable environmental impact as to traffic and circulation. The Project now requires the preparation of a Focused EIR on traffic and circulation, before the Project can be reconsidered.

EXHIBIT 1

ENVIRONMENTAL DOCUMENTATION

Approval of the recommended actions does not require compliance with CEQA. The Applicant will work with DRP to prepare a Focused EIR, solely as to traffic and circulation, prior to the Project being reconsidered.

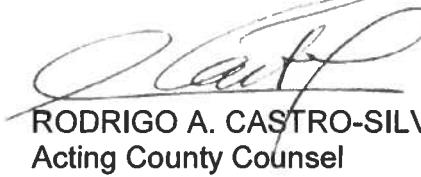
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the MND, CUP, and Vesting Map is not anticipated to have a negative impact on current services.

CONCLUSION

County Counsel and DRP recommend that your Board adopt the attached resolution vacating and setting aside the adoption of the traffic and circulation section of the MND and the approval of CUP No. 2015-00052-(2) and Vesting Map No. 073082-(2) by the Board on October 24, 2017, and November 21, 2017.

Very truly yours,



RODRIGO A. CASTRO-SILVA
Acting County Counsel

SC:KRM:ll

Attachment: Resolution

c: Amy J. Bodek, Director
Department of Regional Planning

EXHIBIT 1

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES VACATING ADOPTION OF MITIGATED NEGATIVE DECLARATION AND APPROVAL OF CONDITIONAL USE PERMIT NO. 2015-00052-(2) AND VESTING TENTATIVE TRACT MAP NO. 073082-(2)

WHEREAS, on October 24, 2017, and November 21, 2017, the Board of Supervisors ("Board") held public hearings regarding an appeal of the Regional Planning Commission's ("Commission") adoption of the related Mitigated Negative Declaration ("MND") and approval of Conditional Use Permit No. 2015-00052-(2) ("CUP") and Vesting Tentative Tract Map No. 073082-(2) ("Vesting Map") (collectively, the "Project") for the creation of one multi-family residential lot developed with 88 new, single-family condominium units within one building on 1.84 gross acres, whereby the owners will hold an undivided interest in the common areas, which, in turn, provide the necessary access and utility easements for all the units;

WHEREAS, on October 24, 2017, the Board heard a presentation by Department of Regional Planning staff, testimonies from the appellant United Homeowners' Association II ("UHA"), and members of the public;

WHEREAS, the Board closed the public hearing on October 24, 2017, and continued the matter to November 21, 2017. On November 21, 2017, the Board denied the appeal, certified the MND, adopted the Mitigation Monitoring and Reporting Program, upheld the findings of the Commission to approve the CUP and Vesting Map, and instructed County Counsel to prepare the necessary findings and conditions to approve the Project for the Board's consideration;

WHEREAS, on March 6, 2018, the Board voted to approve the CUP and Vesting Map;

WHEREAS, UHA filed a writ petition on April 6, 2018, challenging the Board's decision. The matter proceeded to a hearing on June 14, 2019, and the court issued a judgment granting the writ of mandate; and

WHEREAS, on December 5, 2019, the court issued a peremptory writ of mandate ordering respondent, County of Los Angeles, to set aside the adoption of the MND, only as to traffic and circulation, and set aside the entitlements, which include the CUP and Vesting Map.

EXHIBIT 1

NOW, THEREFORE, BE IT RESOLVED that the Board hereby vacates and sets aside its adoption of the MND as to traffic and circulation, and the approval of the CUP and Vesting Map.

The foregoing resolution was adopted on the 24TH day of November, 2020, by the BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES.

CELIA ZAVALA, Executive Officer
Clerk of the Board of Supervisors

By: *Sandy Leach*

Deputy



APPROVED AS TO FORM

RODRIGO A. CASTRO-SILVA
Acting County Counsel

By: *ASL*

Starr Coleman
Assistant County Counsel

EXHIBIT 1

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

13 UNITED HOMEOWNERS' ASSOCIATION
14 II, a California nonprofit mutual benefit
corporation,

15 Petitioner and Plaintiff,

16

17 COUNTY OF LOS ANGELES; LOS
18 ANGELES COUNTY BOARD OF
SUPERVISORS; and DOES 1 through 100,
inclusive

19 | Respondents and Defendants.

Case No. BS 172990

[REVISED PROPOSED] WRIT OF
MANDATE

[Code Civ. Proc., §§ 1094.5, 1085; Pub. Res. Code, § 21000, et seq.; 14 Cal. Code Regs., § 15000, et seq.; Code Civ. Proc., §§ 526(a), 1060]

Judge: Hon. Mitchell L. Beckloff
Dept.: 86

22 PEAK CAPITAL INVESTMENTS, LLC,
23 a California limited liability company; THE
24 BEDFORD GROUP, a California corporation,

Real Parties in Interest.

4

2

2

2

16467.1:9709793.1

[REVISED PROPOSED] WRIT OF MANDATE

EXHIBIT 1

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 The Court having determined that the First Amended Verified Petition for Writ of Mandate
3 should be granted, and having entered a Judgment ordering issuance of a writ of mandate as set
4 forth herein:

5 NOW THEREFORE, RESPONDENTS COUNTY OF LOS ANGELES AND THE LOS
6 ANGELES COUNTY BOARD OF SUPERVISORS are hereby commanded, immediately upon
7 receipt of this Writ, as follows:

8 1. Respondents are ordered to set aside the conditional use permit and vesting
9 tentative tract map, of Real Parties in Interest's proposed construction of a condominium project at
10 5101 South Overhill Drive (the "Project");

11 2. Pursuant to Public Resources Code §21168.9(b), as the court found the County's
12 actions and determinations were justified as to Air Quality, Land Use and Aesthetics but not as to
13 Traffic and Circulation, that these activities are severable, that severance will not prejudice
14 complete and full compliance with this division and the Court has not found the remainder of the
15 project to be in non compliance with this division, the County shall prepare an Environmental
16 Impact Report (EIR) addressing the significance of environmental impacts regarding Traffic and
17 Circulation. The EIR to be prepared need not include those issues for which the record justifies the
18 County's actions and determinations;

19 3. Respondents are ordered to set aside the adoption of the Mitigated Negative
20 Declaration only as to traffic and circulation;

21 4. Should Respondents again consider approval of the Project or a substantially
22 similar project, and consistent with the Court's finding that the County's actions and
23 determinations were justified as to Air Quality, Land Use and Aesthetics, but not as to Traffic and
24 Circulation Respondents shall prepare an Environmental Impact Report (EIR) addressing the
25 significance of environmental impacts regarding Traffic and Circulation which need not include
26 those issues for which the record justifies the County's actions and determinations; and

27 5. Respondents shall refrain from taking any action to approve or otherwise permit the
28 construction of the Project or a substantially similar project until after fully complying with this

EXHIBIT 1

1 Writ of Mandate.

2 6. Respondents shall file a return to the peremptory writ of mandate documenting the
3 set aside of the Conditional Use Permit, the Vesting Tentative Tract Map, and the Mitigated
4 Negative Declaration as to traffic and circulation within 180 days of service of the writ.

5 7. Respondents shall file a further return to the writ of mandate if Respondents again
6 consider approval of the Project after Respondents have completed and certified an Environmental
7 Impact Report as to traffic and circulation.

8 8. This Court retains jurisdiction over these proceedings until after this Court has
9 determined that Respondents have complied with the California Environmental Quality Act.

10

11 LET THE WRIT ISSUE.



12 Sherri R. Carter Executive Officer / Clerk of Court

13

14 Dated: 12/05/2019, 2019

Kelly Encinas
Clerk, Superior Court

15

16

17

18

19 SUBMITTED BY:

20

21 DATED: October 22, 2019

STRUMWASSER & WOOCHELLP
Fredric D. Woocher
Beverly Grossman Palmer
Dale K. Larson

22

23

24

25

26

27

28

By:

Beverly Grossman Palmer
Attorneys for Petitioner and Plaintiff
United Homeowners' Association II

Michael J. Strumwasser
Beverly Grossman Palmer
Dale Larson
Salvador Pérez
Julia Michel †
Tessa Baizer
Samantha McNichols

Senior Counsels:
Fredric D. Woocher
Bryce Gee
Andrea Sheridan Ordin

† Also admitted to practice
in Washington

June 3, 2025

Los Angeles County Regional Planning Commission
329 W. Temple Street
Los Angeles CA 90012
Email: comment@planning.lacounty.gov

Via electronic mail

**Re: June 4, 2025 Agenda Item 7, Comment from United Homeowners
Association II**

Dear Chair and Commissioners:

Strumwasser & Woocher LLP provides the following comments on behalf of the United Homeowners Association II (UHA). UHA's objective is to promote the interests of and improve the social welfare, economic, and environmental conditions affecting the residents of the unincorporated communities commonly known as Windsor Hills, View Park, and View Heights. In 2017, UHA successfully petitioned for a writ of mandate because the County's approval of The View project (hereinafter, the Project) was not based upon a legally adequate environmental review under the California Environmental Quality Act (CEQA). The purpose of this letter is to provide our assessment of the significant legal and factual errors in the staff report, the environmental review, and the approval process.

Prior Project Approvals Vacated

Contrary to the statements in the staff report that the prior project has a vesting date of August 24, 2016, the project's entitlements were all vacated by action of the Board of Supervisors on November 24, 2020. That Resolution provided that "the Board hereby vacates and sets aside its adoption of the [Mitigated Negative Declaration] as to traffic and circulation, and the approval of the CUP and Vesting Map." This action was consistent with the writ of mandate that compelled the Board of Supervisors to "set aside the conditional use permit and vesting tentative tract map, of Real Parties in Interest's proposed construction of a condominium project at 5101 South Overhill Drive." The Court retained jurisdiction over the matter if the County approves a substantially similar project. The staff report provides no basis for the statement that the project's approvals vested on the date of August 24, 2016, even though the Court order the County to set aside the project entitlements (over the objection of the project proponents).

Staff should be required to explain the basis for this statement on the record, as the issue of "vesting" underlies the staff report's erroneous conclusion that the Project is only subject to nearly 10-year old General Plan and County Code requirements, as

EXHIBIT 2

Regional Planning Commission
June 3, 2025
Page 2

well as not being subject to the Westside Area Plan. It is unclear what the relevance of August 24, 2016 is to the approval of the current Project. If staff is basing its conclusion about vesting on the Housing Accountability Act, it should be noted that the provisions vesting a project on the date that an application was “deemed complete” was not even codified until 2018 (or even proposed until 2017). The County cannot retroactively apply this statute that was in effect in at the time of its 2016 actions. (*California Department of Corrections v. State Personnel Board* (2004) 121 Cal.App.4th 1601, 1615-1616 [must apply version of statute in effect at time of action; retroactive application requires clear legislative intent].)¹ County code does not include a vesting conditional use permit, and under County Code section 21.38.060, it is the *approval* of the vesting tentative tract map that vests a project with the ability to proceed in accordance with the ordinances and plans in effect at the time of approval. The vesting map was set aside, so as a matter of law, it is not approved and cannot serve as a basis for the project’s alleged August 24, 2016 vesting. The County will have to report its action to the Court, which specifically required the entitlements to be vacated even though the applicant argued that the entitlements should merely be suspended. In light of this history, for the County to apply a 2016 vesting date and refuse to consider current-day planning and zoning requirements will have the appearance of improper gamesmanship.

Shockingly, there are no new findings proposed for the approval of the Project, instead relying entirely on the 2018 findings, *more than seven years later*. The entire project should be sent back for analysis of consistency with *current* requirements and should not rely on 2018 findings based on requirements that have been imposed in more recent years. For a project that was required to have its entitlements set aside because of a failure to conduct an adequate environmental to evade protective requirements imposed in recent years by relying on an erroneous vesting concept is particularly improper and an egregious error.

Inadequate and Inaccurate Hearing Notice and Agenda

The County’s hearing notice failed to include information regarding the CEQA document that has been agendized. The public therefore was not provided information that it could provide comment on the CEQA document at the same time as it was informed about the hearing. Los Angeles County Code section 22.222.140 includes in the required notice content for an application for a CUP “a statement that the application’s CEQA document will be considered if applicable.” There is no evidence in the record that the County has complied with this requirement for the current iteration of the Project. Moreover, the Environmental Impact Report and the County’s environmental file is not directly linked to the Agenda item for the project, making it unclear whether the Commission has actually received the materials in this file. Certainly for the public, the environmental file requires additional research to locate, and based on the hearing notice, one might not know to search for it. Because certification of the EIR is at issue in this hearing, this omission is particularly troubling.

The County is Not Required by the Housing Accountability Act to Approve the Project

The staff will likely claim that the Housing Accountability Act requires it to approve the proposed project, but this claim is erroneous for several reasons. First, as discussed above, the Project was submitted long before the Housing Accountability Act was amended to require approval under the law in effect at the time an application was deemed complete, and thus the County must consider the Project under today’s law.

Second, the record contains sufficient evidence to deny the Project due to specific, adverse impacts on public health and safety, which cannot be mitigated unless the Project is substantially reduced.

¹ Interestingly, the County seems to have had no qualms about allowing this project submitted in 2015 to dodge the Level of Service (LOS) traffic analysis because it is no longer applied. The Project cannot pick and chose what year of laws to have applied to it. Is it 2016 or today?

EXHIBIT 2

Regional Planning Commission
June 3, 2025
Page 3

UHA's traffic expert has already identified significant adverse and safety impacts from the Project's access design and the high speed of travel that is routinely seen on Overhill. Several fatal accidents on Overhill only underscore the risks.

Moreover, County Code specifically establishes an adverse health impact under the following conditions: "Adequate Water Supply – Criteria: If it appears that the use requested will require a greater water supply for adequate fire protection than does either the existing use or any use permitted without a Conditional Use Permit in the same zone, and will not comply with the provisions of Division 1 (Water) of Title 20 of the County Code, such facts shall be *prima facie* evidence that such requested use will adversely affect and be materially detrimental to adjacent uses, buildings and structures and will not comply with the findings required by this Chapter." (Los Angeles County Code, section 22.158.040.) The Project is located in a Very High Fire Hazard Severity Zone, and as UHA observed in its comments, recent fire hydrant tests in the area have shown that the hydrants do not meet the minimum 1,000 gallons per minute flow rate required for fire safety.

And the Project requires far more than the 1,000 gallons per minute that the County has required for the construction of ADUs, a requirement that is heightened due to the number of stories proposed for the Project. Los Angeles County Code Title 20, section 20.16.060 requires an additional 500 gallons per minute for each additional floor level in a proposed structure. In the Very High Fire Hazard Severity Zone, fire flow requirements must be met by gravity so that water can be provided without power, or by means of dual pumping system. The hearing packet reflects the 2016 determination by the Fire Department that the public hydrant may be required to provide 2875 gallons per minute, and that a separate private hydrant meeting a 1250 gallons per minute demand is also required. This is clearly greater than the existing use requires. **It is especially galling that homeowners in this area have been denied the ability to construct Accessory Dwelling Units based on inadequate fire flow of less than 1000 gallons per minute.** If inadequate fire flow is a basis to deny an ADU, it is surely also a basis to deny construction of 88 new units of housing.

Contrary to the requirements of section 22.158.040, the staff report contains *no* analysis of water supply adequacy, even though residents have raised concerns about water system performance with staff on multiple occasions. There is *nothing* in the hearing packet aside from the Fire Department letter establishing the flow requirements – which contains *no* information about fire flow in the area. Clearly, under the County Code, increased water supply demands for fire protection are a basis for denial of the conditional use permit – and therefore, denial of the project – and without any analysis whatsoever of the increased demand for fire protection that this development calls for, the County simply *cannot* make the required findings to approve the Project. The County would be supported in denying the Project because it has a quantifiable adverse impact on adjacent property owners due to the inadequate fire flow existing in the local hydrants.

The EIR Improperly Rejects Study of a Reduced Density Alternative

As required by the Los Angeles Superior Court, the County purports to have prepared an Environmental Impact Report to consider the Project's impacts. The analysis of alternatives is a key component of an EIR. As the Supreme Court stated in one of the most foundational CEQA decisions: "The key issues is whether the selection and discussion of alternatives fosters informed decisionmaking and *informed public participation.*" (*Laurel Heights Improvement Assn. v. Regents of University of Calif.* (1988) 47 cal.3d 376, 404 [emphasis original].) The EIR fails in this critical regard.

The EIR lists "alternatives considered but rejected," which include both an alternative location, and a reduce project alternative. The EIR notes that "public comments suggested a reduction in Project size and building height." (p. 6-3.) Observing that the zoning code requires a building height limit of 35 feet, the EIR suggests that a reduced project would be a three-story building containing 53 residential units that is consistent

EXHIBIT 2

Regional Planning Commission
June 3, 2025
Page 4

with the zoning code's 35-foot height limit. The EIR also acknowledges that a 70-unit building could be constructed within three stories but it would not "meet the Project objectives 1 and 2 to provide high-quality, larger sized units." Moreover, reducing the number of units allegedly would not meet other objectives (even though the EIR does analyze a larger mixed use project with fewer units). Finally, a reduced project made smaller by reducing parking is rejected even though the project is allegedly in a transit priority area, because project residents would likely parking cars on neighboring streets and at recreational facility parking.

None of these reasons for failing to study the most basic alternative to the project, a reduced size residential project, add up or withstand even modest scrutiny. Using extremely narrowly defined project objectives itself is a violation of CEQA. In *We Advocate Through Environmental Review v. County of Siskiyou* (2022) 78 Cal.App.5th 683, 691-693, the Court of Appeal found it a prejudicial error where project objectives were so narrowly defined that they precluded any alternative but the project. The EIR here contains the same flaw. The Project Objectives includes "larger than average multi-family unit sizes," thereby requiring that all units be "larger than average" in order to ensure a "larger than permissible" building size. Yet at the same time, the objectives also require "the maximum number of housing units," so not only must the housing units be large, they must also be as many as possible. And even though a Project objective is to reduce vehicular use, a smaller project with less parking was not considered.

The logical backflips the EIR jumps through when it fails to analyze a reduced project alternative are exposed when alternatives 3 and 4 are considered – these alternatives both include only 30 residential units! Yet somehow these were not rejected even though they fail to meet the vast majority of project objectives.

Indeed, the EIR does not study any all-residential alternative to the project. So even though it was considered a "reasonable alternative" to build office or retail and only 30 units, there is no analysis of a 53 "large-unit" project or a 70 average-sized unit project. The failure to study a reduced project alternative is particularly pronounced because it is the commercial components of the alternatives that have the greatest impact on traffic and circulation and vehicle miles traveled.

The EIR notes that Alternative 4 would be the environmentally superior alternative, because it has a smaller subterranean garage that requires reduced construction and reduced operational trips. A reduced residential alternative would likely have been the environmentally superior alternative, yet there is no analysis that allows the public or decision-makers to understand how much. When the discretionary aspect of the project is its request to exceed the 35-foot height limit, a full analysis of the impacts of a reduced residential project is meaningful information that would inform the CEQA analysis.

The View Project should not be approved on this record. The foundation of the approval – the 2018 findings -- rests on the flimsiest, incorrect legal conclusion: that the Project vested in 2016 so no changes in law or facts since that time must be considered. The CEQA analysis is clearly improperly stacked to avoid discussion of a reduced project alternative, in spite of such an alternative being the most likely to result in reduced project impacts.

Yours very truly,



Beverly Grossman Palmer

Michael J. Strumwasser
Beverly Grossman Palmer
Dale Larson
Salvador E. Pérez
Julia Michel †
Tessa Baizer
Samantha McNichols

Senior Counsel:
Fredric D. Woocher
Bryce Gee
Andrea Sheridan Ordin

† Also admitted to practice
in Washington

August 26, 2025

Los Angeles County Regional Planning Commission
329 W. Temple Street
Los Angeles CA 90012
Email: comment@planning.lacounty.gov

Via electronic mail

Re: September 10 RPC Hearing: The View Project at 5101 Overhill Drive

Dear Chair and Commissioners:

Strumwasser & Woocher LLP provides the following comments on behalf of United Homeowners' Association II (UHA), responding to the July 14, 2025 letter from Elia Thompson of Venable LLP. In addition, UHA transmits additional analysis related to traffic safety, in the form of a review conducted by traffic engineer Tom Brohard, P.E. UHA submits this response well in advance of the September 10th hearing so that it may be adequately and fully considered by all decisionmakers and concerned parties.

Additional Traffic From Project Poses Safety Risk Due to Design Issues

Overhill Drive is known to the County as a "Collision Concentration Corridor." Between 2013 and 2017, the area of Overhill between La Brea/Stocker and Slauson experienced three or more fatal and severe injury collisions. Mr. Brohard also looked at data from California Highway Patrol's State-Wide Integrated Traffic Records System (SWITRS) which shows that this portion of the roadway experienced 283 collisions between 2013 and 2024, which he considers an "extremely poor collision record." As Mr. Brohard's analyses of the project have consistently concluded, the project will only increase the hazards at this location on Overhill.

Indeed, Mr. Brohard opines that the proposed project and its entrance design will create an adverse impact that has not been properly analyzed and mitigated. Mr. Brohard's analysis included the Final EIR as well as the August 24, 2024 Dudek Sight Distance Analysis Memo that was prepared in response to comments on the Draft EIR. As a result of Mr. Brohard's previous analysis of the Draft EIR, it was revealed that there was inadequate stopping distance at the project's northerly driveway on Overhill Drive. The Final EIR converts the northerly driveway to a right turn only for both entrance and departures.

EXHIBIT 2



Regional Planning Commission

August 26, 2025

Page 2

The northern entrance presents several concerns:

- (1) It has inadequate queuing space for non-residents who incorrectly attempt to enter and are required to turn around and exit, posing a safety risk that is particularly problematic given the high speed of travel on Overhill.
- (2) It is located in close proximity to the southern entrance and may not be sufficiently distant to serve as a secondary emergency egress for this proposed new development in the Very High Fire Severity Zone.
- (3) The northern driveway lacks adequate clear sight distance.
- (4) Additional restrictions are required to prevent unsafe left turns into and out of the northern driveway.

Mr. Brohard also observes that there is no traffic need for the northerly driveway and that utilizing only the southern driveway (except in emergencies) would greatly increase safety. However, if the project's traffic all shifted to the southern driveway, a traffic signal would appear warranted. Mr. Brohard recommends operating that signal during light traffic hours in "Rest in Red" mode to discourage vehicles from traveling at excessive speeds.

The project's design remains flawed and presents issues of public safety. The County should not approve the project until all traffic safety concerns have been put to rest.

The Project Proponents Do Not Demonstrate that the Project Vested in 2016

UHA's previous letter provided a detailed analysis why the staff report for the June 4 hearing erroneously relied upon a purported "vesting date" of August 24, 2016. The Venable letter offers no explanation or justification for use of that date. Indeed, the letter concedes that the project could be deemed to have presented a complete application as recently as November 7, 2022. (See July 14, 2025 letter, p. 3.) The Venable letter's analysis makes an argument that was rejected by the Superior Court: that under Public Resources Code section 21168.9 (b), the Court need only address the project activities that were not in compliance with CEQA. As Petitioner explained to the Superior Court, it was necessary to vacate the project's entitlements because they were approved without proper CEQA compliance. The Court's order reviewing the proposed judgment did not rely upon section 21168.9, subdivision (b) in any way.

Thus, the Superior Court did not preserve any portion of the project's original entitlements, but rather ordered that they be set aside. The court did not make any finding that there were severable project activities that could proceed without CEQA compliance.

EXHIBIT 2



Regional Planning Commission

August 26, 2025

Page 3

The Project Proponents Have No Response to UHA's Observations that the County Had Failed to Make Required Findings About Adequate Water Supply in the Very High Fire Severity Zone

As UHA's June 3, 2025 letter explained, Los Angeles County Code specifically requires that uses permitted by Conditional Use Permit—like the proposed project – must demonstrate adequate water supply for fire safety. The Code provides: "Adequate Water Supply – Criteria: If it appears that the use requested will require a greater water supply for adequate fire protection than does either the existing use or any use permitted without a Conditional Use Permit in the same zone, and will not comply with the provisions of Division 1 (Water) of Title 20 of the County Code, such facts shall be *prima facie* evidence that such requested use will adversely affect and be materially detrimental to adjacent uses, buildings and structures and will not comply with the findings required by this Chapter." (Los Angeles County Code, section 22.158.040.) The Project is located in a Very High Fire Hazard Severity Zone where recent fire hydrant tests have shown that the hydrants do not meet the minimum 1,000 gallons per minute flow rate required for fire safety.

The proponent's letter asserts that the proponent is creating a plan to install a new 12" main and two additional fire hydrants on the project site. But where is the analysis demonstrating that the significant additional demand for fire flow can be met? The Project requires far more than the 1,000 gallons per minute that the County has required for the construction of ADUs, a requirement that is heightened due to the number of stories proposed for the Project. Los Angeles County Code Title 20, section 20.16.060 requires an additional 500 gallons per minute for each additional floor level in a proposed structure. In the Very High Fire Hazard Severity Zone, fire flow requirements must be met by gravity so that water can be provided without power, or by means of dual pumping system.

Contrary to the requirements of section 22.158.040, the staff report contains no analysis of water supply adequacy, even though residents have raised concerns about water system performance with staff on multiple occasions. There is nothing in the hearing packet aside from the Fire Department letter establishing the flow requirements – which contains no information about fire flow in the area. Clearly, under the County Code, increased water supply demands for fire protection are a basis for denial of the conditional use permit – and therefore, denial of the project – and without any analysis whatsoever of the increased demand for fire protection that this development calls for, the County simply cannot make the required findings to approve the Project. The County would be supported in denying the Project because it has an objective and quantifiable adverse impact on adjacent property owners due to the inadequate fire flow existing in the local hydrants.

Alternatives Analysis is Required in the EIR, and Proponents Do Not Offer a Reason to Omit a Reduced Density Alternative

UHA's June 3 letter objected to the failure to consider a reduced density alternative in the EIR. Relying on Yerba Buena Neighborhood Consortium, LLC v. Regents of Univ. of California

EXHIBIT 2



Regional Planning Commission
August 26, 2025
Page 4

(2023) 95 Cal.App.5th 779, 798, the Venable letter argues that it was entitled to omit studying any alternative that did not meet any of the project's numerous and hyper-specific objectives. This is not what that case says, nor what other CEQA cases say on this issue. An EIR need not study an alternative that does not meet the "fundamental purpose" of the proposed project. (Ibid.) As the Supreme Court explained, an EIR for an oceanfront resort need not consider inland locations as an alternative. (In re Bay-Delta (2008) 43 Cal.4th 1143, 1166.) Nor is the instant project subject to any kind of legal restriction making it infeasible to even consider a reduced density proposal as was the settlement in effect in Tiburon Open Space Committee v. County of Marin (2022) 78 Cal.App.5th 700, 734. Given the traffic concerns and the deficient water supply in this fire-prone area, the consideration of a reduced density alternative would be appropriate and warranted.

The View Project should not be approved on this record. The foundation of the Venable letter's request for approval – the 2018 findings – rests on a frail, incorrect legal conclusion: that the Project vested in 2016 so no changes in law or facts since that time must be considered. The CEQA analysis improperly avoids discussion of a reduced project alternative, in spite of such an alternative being the most likely to result in reduced project impacts.

Yours very truly,

Beverly Grossman Palmer

Cc:

Erica Aguirre (eaguirre@planning.lacounty.gov)
Joshua Huntington (jhuntinton@planning.lacounty.gov)
Elia Thompson (EMThompson@Venable.com)
Amy Bodek (abodek@planning.lacounty.gov & executive@planning.lacounty.gov)
Connie Chung (cchung@planning.lacounty.gov)
Isela Gracian (igracian@bos.lacounty.gov)
Pamela Leo (pleo@bos.lacounty.gov)
Tom Faughnan (tfaughnan@counsel.lacounty.gov)

EXHIBIT 3

From: [Reginald Ballard](#)
Sent: Friday, June 2, 2023 10:14:08 PM
To: [Marion JAIKOWSKI](#)
Subject: Info on your property.. Your are in the VHSZ.fpc2024-1394

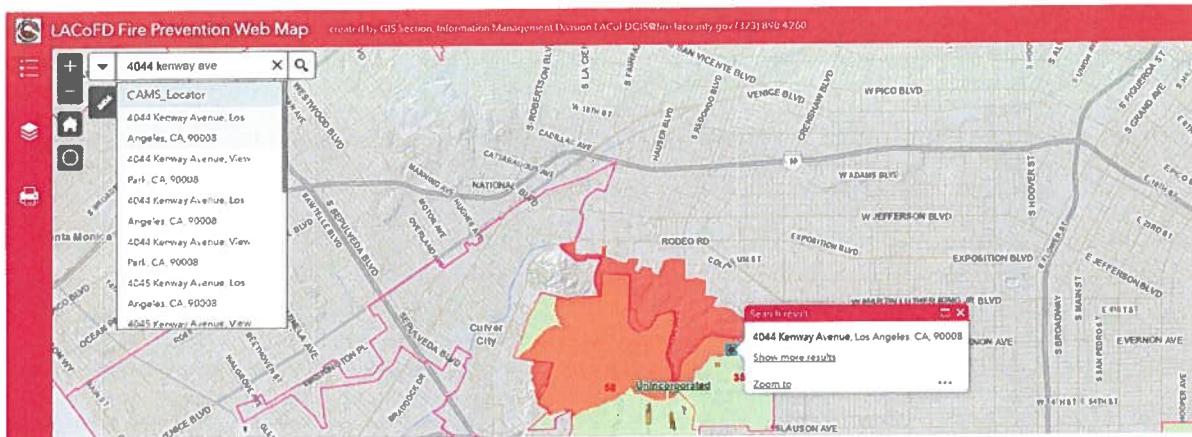
Hello again John,
It was good to speak with you today. The person from LA County Fire Prevention that initially called my husband Reggie to discuss the Fire Flow test is Marion Jaikowski (below). She did not mention any of the information she shared on the phone in her email. In particular, she did not repeat what she told Reggie on the phone - paraphrasing ("the fire hydrant cannot service the existing structures, why would we allow more to be built?") I also asked a number of questions that she never answered. I subsequently spoke to another person in the fire prevention office and asked the question as to why the County is not leaning on the water company to upgrade the system, especially since it would prevent them from being able to do their job effectively. I was told that it was not [paraphrasing again "their area"].

I will forward your my letter to Supervisor Mitchell's representative Tracy McGee which details our complete story. Please excuse the tone of the email - I was absolutely fuming and disgusted when I wrote it. And for the record, because of this issue - even with the money invested and time spent (wasted) - Reggie and I have scrapped our plans for the ADU.

Thank you for fighting for our neighborhood!
Michelle and Reggie Ballard

Forwarded Conversation
Subject: Info on your property.. Your are in the VHSZ.fpc2024-1394

From: Marion Jaikowski Marion.JAIKOWSKI@fire.lacounty.gov
Date: Fri, May 26, 2023 at 3:22 PM
To: reginaldballardconstruction@gmail.com reginaldballardconstruction@gmail.com



Hi Reginald,

You are in VHSZ therefore, your fire flow requirement is 1,250. Also you will need to do fuel mod plan/landscape plan through forestry and comply with all the VHSZ requirement with this new ADU.

Thank you.

Marion H. Jaikowski
Los Angeles County Fire Department
Fire Prevention Engineer
5821 Ricknabekler Road
Commerce, CA 90040
WORK 323 890-4125
FAX 323 890-4125

Marion.JAIKOWSKI@fire.lacounty.gov



From: Reginald Ballard reginaldballardconstruction@gmail.com
Date: Wed, May 29, 2023 at 1:00:13 PM
To: Marion Jaikowski Marion.JAIKOWSKI@fire.lacounty.gov

Ms. Jaikowski,
We have questions that we hope you can answer. If the fire flow test is showing insufficient and will not pass, does it make sense to move forward with the plan check? Or has the plan check been done? Also, now that we know that the GPM levels are low and unsafe in the event of a fire, does the fire department county require the water company to fix the problem? One would think that this is a dangerous situation that needs to be addressed immediately.

Thank you,
Reginald and Michelle Ballard

From: Reginald Ballard reginaldballardconstruction@gmail.com
Date: Tue, Jun 13, 2023 at 11:33:33 AM
To: Marion Jaikowski Marion.JAIKOWSKI@fire.lacounty.gov

Hello Ms. Jaikowski,
Per our email from May 29th attached below, we request your assistance. Please let us know who we should contact if this is not in your purview.

Thank you,
Reginald and Michelle Ballard
323-385-5730 Reginald
310-621-6902 Michelle

EXHIBIT 3

From: Marion Jajkowski Marion.JAJKOWSKI@fire.lacounty.gov
Date: Tue, Jun 11, 2024 at 1:47 PM
To: Reginald Ballard reginaldballardconstruction@gmail.com

Reginald,

Have you reached out to the Water department "California America Water" to find out what it will take to upgrade the main?
Is there is a section control valve shut in your area? Please provide written documentation this was done with the water company.

Marion H. Jajkowski
Los Angeles County Fire Department
Fire Prevention Engineer
5821 Rickrabacker Road
Commerce, CA 90040
WORK 323-890-4129
FAX 323-890-4129

Marion.JAJKOWSKI@fire.lacounty.gov

From: Reginald Ballard <reginaldballardconstruction@gmail.com>
Sent: Tuesday, June 11, 2024 11:34 AM
To: Marion Jajkowski <Marion.JAJKOWSKI@fire.lacounty.gov>
Subject: Fwd: Info on your property - Your are in the VHSZ (epc2024-1394

CAUTION: External Email Proceed Responsibly

From: Reginald Ballard <reginaldballardconstruction@gmail.com>
Date: Tue, Jun 11, 2024 at 1:34 PM
To: Marion Jajkowski <Marion.JAJKOWSKI@fire.lacounty.gov>

Hello,
Thank you for your response. Yes, we have reached out to the water company twice, but with no reply. We have also contacted our county supervisor for assistance with this issue as well.
How where do we get the information about the "section control valve shut"?

Thank you
Reginald and Michelle Ballard

EXHIBIT 3



May 10, 2024

Reginald Ballard
4044 Kenway Ave
View Park, CA 90008

Subject: Fire flow information for 4044 Kenway Ave View Park, CA 90008

Dear Reginald Ballard

Please find enclosed the Los Angeles County's Fire Departments Information on Fire Flow Availability for Building Permit (Form 195) that you requested. We have completed our portion of this form as requested.

Note that California American Water by providing this information is neither guaranteeing nor agreeing to supply the quantity shown other than at the time in which the flow test was performed.

If you have any questions or concerns regarding this correspondence, please contact me at (626) 614-2534.

Regards,
CALIFORNIA AMERICAN WATER
SOUTHERN DIVISION, LOS ANGELES DISTRICT

Josue Navarro
Distribution Foreman

Encl: One (1) Completed Form

EXHIBIT 3



FORM 195
Rev. 02/22

**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

Fire Prevention Engineering
5823 Rickenbacker Road
Commerce, CA 90040
Telephone (323) 890-4125 Fax (323) 890-4129

Information on Fire Flow Availability for Building Permit

For One and Two Family Dwellings, Townhomes, and Accessory Dwelling Unit's

INSTRUCTIONS:

Complete parts I, II (A), & II (B)

Verifying fire flow, fire hydrant location and fire hydrant size.

PROJECT INFORMATION
(To be Completed by Applicant)

PART I

Building Address: 4044 Kenway Ave

Nearest Cross Street: Mt Vernon Dr

Distance of Nearest Cross Street: 500 ft.

Property Owner: **Reginald Ballard** Telephone: (**3233855730**

Address: 4044 Kenway Ave

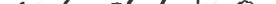
City: View Park Zip Code 90008

Occupancy (Use of Building): ADU Sprinklered: Yes No

Type of Construction Residential New Construction Bldg

Square Footage: 803 Number of Stories: 1

2 2 A

 4-1-2024
Applicant's Signature Date

Applicant's Signature _____ Date _____

EXHIBIT 3

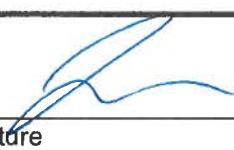
PART II (A)

INFORMATION ON FIRE FLOW AVAILABILITY (Part II A and II B to be completed by Water Purveyor)

The distance from the fire hydrant to the property line is +/- 250
feet via vehicular access. The fire flow services will be rendered from a 6
inch diameter water main. The hydrant is located on South Kenway Ave
 +/- 900 (Direction/side) Presidio Dr (Street)
(Feet) (Direction) of (Nearest Cross - Street)
Static PSI 49 Residual PSI 20 Orifice size 2 1/2 inch Pitot 351 wpm
Fire Flow at 20 PSI 351 for one-hour duration Flow Test Date / Time _____
 Hydraulic model
Domestic Meter Size 1 inch

PART II (B)

California American Water
Water Purveyor
(626) 614-2534 5/10/2024
Phone Number Date


Signature

Distribution Foreman
Title

PART III

Conditions for Approval by the Building Department (To be Completed by Building Department)

The building permit may be issued for new or additions to detached one and two family dwellings, townhomes, and accessory dwelling units when the above information is completed and shows that the following minimum requirements are met and is not located in a Fire Hazard Severity Zone.

- The water system is capable of delivering at least 1000 GPM at 20 PSI for one-hour if non-sprinklered
- The water system is capable of delivering at least 500 GPM at 20 PSI for one-half hour if sprinklered.
- The total area of the entire structure is less than 3,600 square feet.
- No portion of the lot frontage to the public fire hydrant shall exceed 450 feet via vehicular access.
- All portions of a new single family, two-family or townhome construction must be within 150 feet of a vehicular access roadway that is a minimum of 20 feet wide clear to sky, paved with concrete or asphalt and does not exceed 15% grade.
- A new detached ADU that is fire sprinklered, the 150-foot distance to all portions of the structure can be extended to 300 feet of a vehicular access roadway that is a minimum of 20 feet wide clear to sky, paved with concrete or asphalt and does not exceed 15% grade.

APPROVED BY

DATE

OFFICE

This Information is Considered Valid for Twenty-Four Months

When the project does not meet all of the above requirements for approval by the **Building Department**, the project must be sent to the **Fire Prevention Division** for approval before a Building Permit can be issued by the **Building Department**.

EXHIBIT 3



August 28, 2025

California Public Utilities Commission
Water Division – Kevin Truong
505 Van Ness Avenue, Room 3200
San Francisco, California 94102-3298

Re: California American Water – Inadequate Fire Hydrant Flow & Test Data

Dear Mr. Truong:

United Homeowners' Association (UHA) is a nonprofit association representing over 11,000 residents of unincorporated Windsor Hills and View Park in Los Angeles. Our water service is provided by California American Water (Cal-Am), an investor-owned utility company regulated by CPUC. Our community is uniquely situated -- it is partially within a Very High Fire Hazard Severity Zone (VHFHSZ), sits adjacent to the Inglewood Oil Field (one of the largest active urban oil fields in the U.S.), and the Newport-Inglewood earthquake fault runs right through it. Considering the recent wildfire tragedies and noting fire hydrant flow tests confirm deficient hydrant flow rates in our area (see attached reports), we submitted multiple requests to Cal-Am for detailed information about fire hydrant testing, and we have attached Cal-Am's responses for your information. UHA is very concerned about Cal-Am's level of service and refusal to provide basic information about fire hydrant capacity in our community, and we request assistance from CPUC to obtain answers to the following questions and confirm that the water service provided by Cal-Am meets minimum performance standards in the event of a fire or other disaster:

1. Do our fire hydrants conform with flow rate & pressure requirements?

Cal-Am's response to our inquiry was that "California American Water is required to operate its water systems to meet a minimum operating pressure at each service connection throughout the distribution system is not less than 40 psi nor more than 125 psi under normal operating conditions as outlined in General Order 103A." Also, LA County Code § 20.16.060 requires a minimum flow rate of 1,000 gallons per minute (gpm), with higher flow rates required in VHFHSZ areas.

As indicated in the attached documentation, residents in our community applied for permits to build accessory dwelling units (ADUs), and these permits were denied because Cal-Am and LA County Fire confirmed that local fire hydrants fail to meet the County's minimum required flow rate of 1,000 gpm. If that is true, Cal-Am should be required to upgrade the water distribution system to provide the minimum required flow rate.

2. In conjunction with proposed development in our area, shouldn't Cal-Am be required to upgrade existing system capacity to adequately service the development and surrounding area?

Cal-Am's response to UHA's questions about how they plan to service a proposed new luxury condominium project in Windsor Hills was "California American Water's engineering department completes a modeling analysis when there is new construction

EXHIBIT 3

within our water systems. The analysis determines if we can meet demand, fire-flow requirements and provide water to the proposed project. This typically is performed through a fire flow test."

Despite the fact that fire hydrant flow in our area is so low that LA County Fire cannot approve the proposed construction of a single ADU, Cal-Am apparently plans to collaborate with the developer of a large luxury condo development to formulate a plan to construct new water distribution infrastructure to accommodate a new 5-story high-rise.

LA County Code § 22.158.040 indicates requested new uses requiring greater fire hydrant flow than existing uses can adversely impact and be materially detrimental to adjacent existing uses. Our residents want details from Cal-Am confirming fire hydrant flow rates in our community, and more information about the plan to provide water service to this new large development. Which facility will service the new development? If new fire & domestic water service for the proposed development adversely impacts water service to existing residents and businesses, are there affirmative steps that Cal-Am should be required to take to mitigate such adverse impacts, especially considering the pending rate case filed last month by Cal-Am and potential water rate increases for our residents?

3. What is Cal-Am's plan to upgrade and maintain our water distribution system?

Residents experienced water service disruptions due to water main breaks on January 8, 2025, April 16, 2025, July 25, 2025, August 6, 2025 and low water pressure on April 22, 2025 and other recent dates. On June 7, 2024, Cal-Am issued a boil water advisory. The advisory was for a small number of customers in our community and was purportedly due to a pressure interruption in the local system.

When asked about their capital improvement and maintenance plan, Cal-Am responded: "California American Water develops Comprehensive Planning Studies (CPSs) which are periodically prepared for each service area. CPSs are typically prepared on a six-year cycle with interim updates prepared in conjunction with rate case filings. This study aids in the development of a capital improvement plan and provides system improvement recommendations." However, Cal-Am has not provided any CPS studies or information on what areas in our community are either recommended or approved for repair.

UHA requests the CPUC's assistance to obtain copies of these CPS studies and any other relevant information from Cal-Am. UHA's request for this documentation is reasonable, as this information is already in Cal-Am's possession and we are happy to take reasonable precautions to safeguard any sensitive information that may be included therein. Cal-Am previously stated to UHA that it completes water flow tests for new developments, and that it has completed a Comprehensive Planning Study for each service area (this study should disclose recommended and approved maintenance and repair locations and proposed capital improvements). In the interest of public safety and especially in the wake of the recent wildfires, Cal-Am should make all testing information public regarding flow rate and other performance metrics affecting the fire hydrants in our community to ensure that in the event of a fire or other disaster sufficient water resources are available to first responders.

EXHIBIT 3

CPUC Water Division

August 28, 2025

Page 3

Thank you for your prompt attention to this matter. Please feel free to contact UHA's Land Use Chair, Angela Sherick-Bright, at (626) 233-5259, or myself on (323) 896-2229 once you have an opportunity to review and route this request to the appropriate personnel at CPUC.

Sincerely,



Toni McDonald Tabor
UHA President

Attachments

c: Senator Lola Smallwood-Cuevas
Assemblymember Isaac Bryan
Supervisor Holly J. Mitchell
CPUC Public Advocates Office
Kevin Tilden, Cal-Am President
Cal-Am Board of Directors



EXHIBIT 4

VIA Email Only (ss7enterprizes@gmail.com)

November 17, 2025

Subject: Conditional Will-Serve Letter
Owner: Peak Capital Investment and The Bedford Group Inc.
Service Address: 5101 South Overhill Drive, Los Angeles 90043
Assessor's Parcel No.: 5009007022

To Whom it May Concern:

The above-referenced property (the "Service Address") is in California-American Water Company's ("Cal Am") water service area. Cal Am, subject to conditions and limitations detailed below, will supply water service to the Service Address.

Any person or entity wishing to secure water service from Cal Am for the Service Address must comply with all Cal Am Tariff schedules on file with the California Public Utilities Commission, as the Tariffs exist now and as they are amended from time to time. A person or entity seeking water service from Cal Am for the Service Address must also obtain all legal and regulatory approvals (including permits) for improvements installed or constructed at the Service Address.

Any infrastructure costs that are necessary – based on legal and regulatory requirements, as well as on engineering, design, Cal Am, and industry standards – for Cal Am to provide water service to the Service Address are the sole responsibility of the owner of the Service Address property. This includes the costs for the installation of infrastructure or other appurtenances necessary to provide water service at the Service Address. This also includes the costs of any improvements to Cal Am's existing water system that are needed for Cal Am to provide water service to the Service Address.

To furnish adequate water flow for fire protection, as may be required by the fire department with oversight authority, the exact size and length of any main, fire service, storage, fire hydrant, or other infrastructure that may have to be installed must be determined by a qualified hydraulics engineer, not Cal Am.

The quality of water delivered by Cal Am meets applicable California and Los Angeles County requirements. Any commitments for service in this letter expire on November 17, 2029, if Cal Am has not begun providing water service to the Service Address by that time. Cal Am may, but shall not be required to, extend any such commitments if the Service Address owner requests Cal Am do so and such extension is stated in writing.



EXHIBIT 4

Regards,

A handwritten signature in black ink that appears to read "J. Taylor".

Jessica Taylor

Director of Operations – Southern Division
California-American Water Company

Cc: Eric Rojas, Operations Supervisor
Christopher Nieto, Operations Manager
Mark Reifer, Engineering Manager



EXHIBIT 5
COUNTY OF LOS ANGELES
FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401
www.fire.lacounty.gov

"Proud Protectors of Life, Property, and the Environment"

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

BOARD OF SUPERVISORS

HILDA L. SOLIS
FIRST DISTRICT

MARK RIDLEY-THOMAS
SECOND DISTRICT

SHEILA KUEHL
THIRD DISTRICT

JANICE HAHN
FOURTH DISTRICT

KATHRYN BARGER
FIFTH DISTRICT

November 6, 2020

TO: HONORABLE MARK RIDLEY THOMAS
SUPERVISOR, SECOND DISTRICT

FROM: DARYL L. OSBY, FIRE CHIEF

**REPORT BACK ON ENSURING THE FUNCTIONALITY AND AVAILABILITY OF
CRITICAL FIRE INFRASTRUCTURE IN FLORENCE-FIRESTONE**

This memo is in response to your Board motion dated September 1, 2020, requesting the Consolidated Fire Protection District of Los Angeles County (Fire Department) to work with Golden State Water Company (GSWC), the Department of Regional Planning, County Counsel, and other necessary stakeholders to evaluate and provide recommendations for working with responsible water districts and companies to ensure priority maintenance, repair, and replacement needs are being met. A review was conducted as a result of a structure fire that occurred at 7721 Alameda Street in Los Angeles on August 12, 2020, wherein an "out of service" fire hydrant hindered firefighting efforts.

Over the past month, the Fire Department has worked with its County partners and GSWC to investigate the events that led to a fire hydrant that was "out of service" on August 12, 2020. The "out of service" fire hydrant would have been utilized for the structure fire had it been operational. It was sheared off the day before due to a traffic collision. Therefore, an adjacent fire hydrant needed to be used. Fortunately, there were no injuries or causalities due to the delay in using an adjacent fire hydrant. The "out of service" fire hydrant was replaced two days after the fire.

A review was conducted to determine the responsibilities of agencies, departments, water districts, mutual water companies, as well as applicable laws related to the maintenance, repairs, and replacements of fire hydrants. Generally, mutual water companies are responsible for: (1) maintaining adequate flow (measured in gallons per minute) with adequate water storage capacity; and (2) the location and functionality of the fire hydrants.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS	CARSON	EL MONTE	INGLEWOOD	LAWNDALE	PICO RIVERA	SIGNAL HILL
ARTESIA	CERRITOS	GARDENA	IRWINDALE	LOMITA	POMONA	SOUTH EL MONTE
AZUSA	CLAREMONT	GLENDORA	LA CANADA-FLINTRIDGE	LYNWOOD	RANCHO PALOS VERDES	SOUTH GATE
BALDWIN PARK	COMMERCE	HAWAIIAN GARDENS	LA HABRA	MALIBU	ROLLING HILLS	TEMPLE CITY
BELL	COVINA	HAWTHORNE	LA MIRADA	MAYWOOD	ROLLING HILLS ESTATES	VERNON
BELL GARDENS	CUDAHY	HERMOSA BEACH	LA PUENTE	NORWALK	ROSEMEAD	WALNUT
BELLFLOWER	DIAMOND BAR	HIDDEN HILLS	LAKEWOOD	PALMDALE	SAN DIMAS	WEST HOLLYWOOD
BRADBURY	DUARTE	HUNTINGTON PARK	LAWNTON	PALOS VERDES ESTATES	SANTA CLARITA	WESTLAKE VILLAGE
CALABASAS	INDUSTRY	INDUSTRY	LANCASTER	PARAMOUNT		WHITTIER

EXHIBIT 5

Honorable Mark Ridley Thomas
November 6, 2020
Page 2

Therefore, the maintenance, repair, replacement, testing, record keeping, and financial responsibility of the fire hydrant system is the responsibility of the GSWC.¹ They must maintain the functionality of the water system for its use by the Fire Department and the water company's domestic customers. A mutual water company must perform and record annual flow tests pursuant to California Code of Regulations, Title 10, Section 260.140.71.7(a)² or, in lieu of the annual flow test under Section 260.140.71.7(a), any test to determine available flow performed by a fire protection agency. The recorded test results will become part of the mutual water company's books and records.

In addition to the mutual water company's annual flow tests, the current method of evaluation to determine immediate needs for necessary maintenance includes the District's annual testing of all the fire hydrants within the District's jurisdiction. This test verifies that all components of the fire hydrant function properly and there is adequate clearance around the fire hydrant to be utilized in the event of an emergency.

If during this test any deficiencies are found, these deficiencies are reported to the mutual water company for repair. The mutual water company will then notify the District when the necessary repairs are completed.

One of the challenges of fire hydrant functionality is their location and distribution. Nationally accepted standards are those set by the National Fire Protection Association guidelines ("NFPA") that fire hydrants are generally spaced every 300 feet in commercial districts and every 600 feet in residential neighborhoods. Hydrants should be located at intersections whenever possible and on both sides of major streets.

If the existing fire hydrant spacing exceeds the national standards³, mutual water companies cannot be required to install additional fire hydrants. Many existing fire hydrants were installed decades ago, prior to current and more stringent spacing requirements. Since updated code requirements for hydrant spacing is not retroactive, water companies are not required to install additional hydrants to be in compliance with current standards. New fire hydrants are only required to be installed if new construction is proposed and that new

¹ Please see California Code of Regulations, Title 10, §260.140.71.8:

"Fire Hydrant Maintenance, Repair or Replacement; Annual Flow Tests.

The mutual water company is financially responsible for the maintenance, repair or replacement of fire hydrants. See Civil Code Section 549 regarding charges from mutual water companies to entities providing fire protection services. A mutual water company must perform and record annual flow tests pursuant to Section 260.140.71.7(a) or, in lieu of the annual flow test under Section 260.140.71.7(a), any test to determine available flow performed by a fire protection agency. The recorded test results will become part of the mutual water company's books and records."

² 10 CCR §260.140.71.7 states:

"The fire protection system of a mutual water company must be constructed to conform with currently accepted engineering practices, and must comply with the following construction standards:

(a) Flow Tests. The flows set forth in Section 260.140.71.5 above are to be calculated on the basis of a residual pressure of 20 p.s.i.g. in the distribution system under flowing conditions.

(b) Fire Hydrants. Fire hydrants shall be attached to the distribution systems at the locations designated by the entity responsible for their use for firefighting purposes. Any new mains to which a hydrant may be attached shall be not less than six inches in diameter.

(c) Source of Supply. Each separately operated water system shall have not less than two independent sources of supply."

³ California and County hydrant spacing standards are consistent with national standards.

EXHIBIT 5

Honorable Mark Ridley Thomas
November 6, 2020
Page 3

construction is located in an area where existing fire hydrants are over spaced beyond the current standards. Normally, the owner of the property where the new construction is taking place would bear cost of the new hydrants. It may be possible for mutual water companies to install additional hydrants without new construction if there are grant funds available for them to complete such projects. Currently, there are no such grants available.

Likewise, if the water pressure in the system is too low or the storage capacity is not adequate by today's codes, there is no enforcement mechanism to ensure mutual water companies to meet today's standards unless new construction is proposed that requires an upgrade to the system. Generally, mutual water companies are legally required to maintain water flow for the hydrants, but it is incumbent on the water company to ensure its own compliance.

In order to address and avoid an "out of service" fire hydrant in the future, the District discovered that there was no clear process for GSWC to report to the District that a sheared off fire hydrant was rendered "out of service." Normally, the District is aware of a "sheared hydrant" prior to the water company because the District is called to shut off the water flow. We are currently providing GSWC a Geographic Information System ("GIS") map of fire stations in the District and a list of all of the fire stations' phone numbers within their service area. This will allow them to contact the fire station closest to any inoperable hydrants. We will also provide the phone number to the dispatch center, which is available 24-hours a day, in the event the local fire station cannot be reached. This will allow for a timely two-way communication between GSWC and the District. Finally, the District can conduct follow up with GSWC where there has been water shut off due to an inoperable fire hydrant to ensure the fire hydrant is operable.

If you have any questions, please contact me at (323) 881-6180, or your staff may contact Fire Marshal Nick Dually, Fire Prevention Division, at (323) 890-4144, or via email at nick.dually@fire.lacounty.gov.

DLO:es

EXHIBIT 6

**LOS ANGELES COUNTY
PUBLIC WORKS**

**GEOTECHNICAL AND MATERIALS
ENGINEERING DIVISION**

**Manual for Preparation of
Geotechnical Reports**

February 5, 2025

EXHIBIT 6

- CLABS Section 110.2 – Geotechnical Hazards – requires that the building site will be free of geotechnical hazards, such as landslide, settlement, or slippage, and that the proposed work will not adversely affect offsite property.
- CLABC Section 111 – Engineering Geology and Soils Engineering Reports – requires the report contain a finding to show compliance with CLABC Section 110.2.
- CLABC Section 112 – Earthquake Fault Maps – states that the California Public Resources Code is considered a part of the CLABC and should be referenced for fault maps. Additional fault maps will be required for review for site specific locations and will be discussed later in this manual.
- CLABC Section 113 – Earthquake Faults – states that no building or structure shall be constructed over or upon the trace of a known active earthquake fault which is shown on maps maintained by the Building Official.

The CLABC that is applicable to developments are the CLABC that are in effect at the time of submittal of the engineering geology or geotechnical engineering reports to EPIC-LA.

This Manual does not supersede applicable Federal, State, and local codes or ordinances. In particular, engineering geology and geotechnical engineering reports should comply with:

- Alquist-Priolo Earthquake Fault Zoning Act of 1972.
- Seismic Hazards Mapping Act of 1990.

In addition to applicable codes and guidelines, applicants and consultants are encouraged to review the selected geologic and geotechnical memos (GS Memos) referenced and listed in Appendix A.

If any differences exist between this Manual and other references, guidelines, and codes, the more restrictive requirement governs.

1.5 Aging/Update Reports

For a geotechnical report to be considered current for a proposed development, the report must have been prepared within one year of the submittal date to GMED. An update report/letter will be required for any project in which the report is older than one year from the submittal date to, at a minimum, verify the validity and applicability of the original report.

EXHIBIT 6

The update report/letter must address the latest proposed development/plans, current site conditions, and utilize the latest building or grading plans and/or tentative map as a basis for the geotechnical map(s) contained in the report. The update report/letter must address any changes to the proposed scope of work, existing conditions, or geologic hazards. Additional subsurface data, updated analyses, and/or updated geotechnical maps and cross-sections may be required to provide adequate updated recommendations and conclusions for development of the project.

1.6 Change of Consultant Letters

GMED requires that a letter/report from the new geotechnical consultant-of-record be submitted when a change in consultant occurs during the process of review or during construction. If a change of consultant occurs during project construction, the construction must stop until the change has been approved by the Building Official. Clarification and resolution of pertinent discrepancies in professional opinions and data of in-progress construction and/or grading will be required before the recommendation for approval can be provided by GMED.

1.7 Communication with GMED Review Staff

The public may contact the GMED review staff via phone or e-mail to verify completeness of their submittal, check the status of their review, review public records, and obtain copies of available documents.

Applicants and professional consultants are encouraged to contact GMED prior to and/or during the plan check process to obtain information and clarification on applicable codes and policies to avoid an extended plan check process.

GMED review sheets are addressed to the professionals that are hired to provide the geologic and geotechnical expertise for the proposed development. Therefore, it is often helpful when applicants, owners, and their professionals are communicating and agreeing on the proposed design. We will discuss comments on the GMED review sheets with those contacts related to the plan check; however, for some of the technical comments, we will need to discuss them with the consultant professionals. In addition, some GMED comments will require coordination from various design professionals for the same project if discrepancies are identified. GMED will periodically reach out to discuss review comments to ensure that all parties are aware of these issues. This is to help streamline the GMED review process and shorten the overall time of plan check.

For review of geologic and geotechnical records on a specific parcel or subdivision, please submit a completed Geotechnical Documents Request Form to gmedrequests@pw.lacounty.gov and GMED will notify the requestor the availability of the requested documents. Applicants can also request a Geotechnical Documents Request Form by e-mailing to gmedrequests@pw.lacounty.gov.

EXHIBIT 7

August 19, 2025

Tom Brohard and Associates

Beverly Grossman Palmer
Strumwasser & Woucher LLP
1250 6th Street, Suite 205
Santa Monica, California 90401

SUBJECT: Review of Final Environmental Impact Report for The View Project at 5101 Overhill Drive in Los Angeles County – Traffic Issues

Dear Ms. Palmer:

As requested and authorized, I, Tom Brohard, P.E., have reviewed the April 2025 Final Environmental Impact Report (Final EIR) for The View Project proposed at 5101 Overhill Drive in the County of Los Angeles. Over the last eight years, I have reviewed various documents associated with this proposed 88-unit condominium project on Overhill Drive including these:

- November 12, 2015 Traffic Study prepared by Linscott, Law & Greenspan Engineers for the Proposed Project
- November 2022 Draft Environmental Impact Report (Draft EIR) relating to traffic and transportation
- April 2025 Final Environmental Impact Report (Final EIR) including:
 - Response to Comment on Pages 2-12 through 2-15 from my January 3, 2023 letter attached to the United Homeowners Association January 6, 2023 letter
 - Attachment A, August 24, 2024 Dudek Sight Distance Analysis Memo including plan and profile sheets in Figures 1 through 5 and the proposed signing and striping plan sheet.

I have formally commented on various traffic and safety issues in documents associated with the Proposed Project in my enclosed letters dated October 19, 2017 and January 3, 2023, and in this letter. I remain concerned about traffic safety on Overhill Drive when an additional 704 daily vehicle trips to and from the Proposed Project will be added to this Major Highway. Overhill Drive, with vehicle speeds routinely exceeding the posted 35 MPH speed limit, has both horizontal and vertical curves at the proposed southerly driveway of the Proposed Project.

Overhill Drive is identified in the Los Angeles County General Plan, Chapter 7, Mobility Element, Figure 7.3 Highway Plan Policy Map, as a Major Highway. Table 7.1 on Page 98, Highway Plan Roadway Classifications, describes a Major Highway as "This classification includes urban and rural highways that are of

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

countywide significance and are, or are projected to be, the most highly traveled routes. These roads generally require four or more travel lanes of moving traffic, channelized medians and, to the extent possible, access control and limits on intersecting streets.”

While the posted speed limit on Overhill Drive is 35 miles per hour, nationally accepted traffic engineering practices and principles require that evaluations of stopping sight distance must be based upon the design speed of the roadway which is 10 miles per hour over the posted speed limit, 45 miles per hour on Overhill Drive. Based upon my prior comment letters and additional study contained in the Final EIR, inadequate stopping sight distance for the 45 MPH design speed on Overhill Drive has now been disclosed at the northerly driveway. As a result, the northerly driveway serving only residents is now proposed to be limited to only right turns in and out. However, the traffic control signing and delineators proposed to limit this driveway to only right turns is inadequate and can be easily circumvented. The northern driveway throat is only 85' long and is too narrow to accommodate U-turns by non-residents unable to access the garage, forcing them to unsafely back out into Overhill Drive. The northern driveway must be modified further to allow only emergency access to and from the garage.

“Vision Zero Los Angeles County: A Plan For Safer Roadways” released in 2019 identified Overhill Drive between La Brea Avenue/Stocker Street and Slauson Avenue as a Collision Concentration Corridor. Between 2013 and 2017, this roadway segment experienced three or more fatal and severe injury collisions. As stated in the plan and as quoted on Page 2-8 of the Final EIR, “the County will look for opportunities to implement traffic safety infrastructure enhancements on all Collision Corridors.”

Until the various continuing issues and concerns in this letter are fully addressed, substantial evidence remains that The View Project at 5101 Overhill Drive will have adverse traffic impacts that have not been properly analyzed and mitigated. As discussed in further detail in this letter, the County of Los Angeles has opportunities as well as obligations put forth in the County’s Mobility Element in its General Plan as well as the “Vision Zero” Report to require additional measures if the Proposed Project is approved.

Education and Experience

Since receiving a Bachelor of Science in Engineering from Duke University in Durham, North Carolina in 1969, I have gained over 55 years of professional engineering experience and have extensive experience in traffic engineering and transportation planning.. I am licensed as a Professional Civil Engineer both in California and Hawaii and as a Professional Traffic Engineer in California. While

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

working for Los Angeles County for 9 years in the 1970's, I conducted numerous traffic and safety investigations within the entire Second Supervisorial District including View Park, Ladera Heights, and Windsor Hills. I also served as the City Traffic Engineer and as Transportation Planner for 16 cities in Southern California and formed Tom Brohard and Associates in 2000. During my career in both the public and private sectors, I have also reviewed numerous environmental documents and traffic studies for various projects.

Traffic and Circulation Issues

The Mobility Element of the Los Angeles County General Plan imposes limits on access control to Major Highways as indicated above and as evaluated below. Further, "Vision Zero Los Angeles County: A Plan for Safer Roadways" has identified Overhill Drive as a Collision Concentration Corridor based upon its recent collision experience. As indicated below, the adverse collision experience on Overhill Drive continues to this day. There are also several opportunities for additional traffic safety improvements that I have identified in this letter.

Based on my prior reviews of various documents as well as the Final EIR together with Los Angeles County planning documents including the Mobility Element of the General Plan and the "Vision Zero" Report, The View Project at 5101 Overhill Drive will have significant traffic and transportation impacts that must be evaluated further, with mitigation measures conditioned as follows:

- 1) **Proposed Project Driveways Require Further Study** – Contrary to guidance contained in the County's General Plan Mobility Element to limit access to Major Highways, The View Project proposes two new access driveways only 135' apart on Overhill Drive. It will be difficult to discourage guests and visitors from trying to enter The View Project at the northern driveway that is planned to be restricted to residents only. If others do enter, no turnaround has been planned or provided outside the security gate.

The Final EIR now proposes to restrict vehicles to right turns only but the design of these restrictions can be easily circumvented. Stacking outside of the security gate will be only 85' (about 4 car lengths) whereas the typical minimum vehicle stacking for driveways on high-speed Major Highways like Overhill Drive should be a minimum of 100'.

California Government Code Section 65302(g) deals with the safety element of a city or county's General Plan. Subdivision (g) (5) of Section 65302, which was adopted through Senate Bill (SB) 99 in 2019, requires local jurisdictions (cities and counties) to include specific information in their safety elements: it mandates the identification of residential developments located within designated hazard areas that do not possess at least two emergency

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

evacuation routes. So, local governments in California, when preparing or revising the safety element of their General Plan, must identify residential areas that are at risk (due to fire, flood, etc.) and assess whether those areas have at least two ways for residents to evacuate in case of an emergency.

In the context of California Government Code 65302(g)(5), which requires the identification of residential developments within hazard areas that lack at least two evacuation routes, the code does not explicitly specify the required distance between these routes. However, the intention behind this requirement is to ensure that if one route is compromised (due to fire, flood, etc.), an alternative route is still available. Therefore, while not explicitly defined in the code, best practices and other related regulations, such as building codes and fire safety standards, would likely suggest that the routes should be geographically separate enough to minimize the risk of both being simultaneously affected by a hazard.

For example, OSHA regulations state that exit routes should be placed as far apart as practical. California Code of Regulations, Title 8, Section 3222 states that if only two exits are required, they must be at least half the length of the building's maximum diagonal dimension apart. These regulations are primarily aimed at workplaces but illustrate the importance of separation for safety.

Ultimately, the determination of whether the separation between the routes is sufficient would likely fall to the local jurisdiction responsible for implementing the safety element, potentially in consultation with fire safety experts and engineers. They would need to consider the specific hazards identified in the area, the nature of the residential development, and other factors when evaluating the adequacy of the evacuation routes.

Assembly Bill 747 added Government Code Section 65302.15, mandating the following: "Upon revising a local hazard mitigation plan—or by January 1, 2022, if none exists—a city or county must update its Safety Element to identify evacuation routes and evaluate their capacity, safety, and viability under various emergency scenarios." No evidence has been provided if the County has made this evaluation of The View Project for its compliance with this code section with respect to wildfires and earthquakes, two emergency scenarios have the highest probability of occurring on the project site.

- 2) **Proposed Northern Driveway Will Be Unsafe Even With Right Turns Only** - During my review of the Response To Comment Letter O1 regarding the Sight Distance Analysis, Page 2-7 of the Final EIR states "Due to the limited stopping sight distance...movements at the northern project driveway have been changed from full-access to restricted right-turn in and right-turn out movements only, thereby focusing left turning inbound and outbound traffic to the southern Project driveway". This change is shown in a Revised Signing

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

and Striping Plan that is included as part of Attachment A on Page 290 of the Final EIR.

Figure 1 in Attachment A shows horizontal sight distance at the proposed driveways with the top portion illustrating required clear sight triangles at the northern driveway. Page 2-14 of the Final EIR identifies various objects within the clear sight triangle just north of the northern driveway including three signposts, a utility pole, and two trees together with a bus shelter with advertising panel at the back of the sidewalk just to the north. The clear zones within the necessary sight triangles are not clear of sight distance obstructions as required to create a “clear” zone.

Figures 2 and 3 in Attachment A show vertical sight distance measurements at the proposed northern driveway for northbound and southbound left turns. The Revised Signing and Striping Plan proposes installing delineators spaced about 5' apart across the northern driveway on the westerly striping for the painted median in Overhill Drive. Two “No Left Turn” symbol signs are proposed for exiting traffic from the northern driveway, one on the left side of the driveway and the other across Overhill Drive on the east side of the street. In addition, a right turn only symbol sign is proposed for outbound traffic. While northbound left turns are also planned to be prohibited, there are no signs shown on the signing and striping plan to restrict northbound left turns into the northern driveway.

Installing delineators on top of the double yellow stripe within the horizontal curve closest to the northern driveway creates a hazardous condition as the delineators are likely to be struck frequently and launched into the moving southbound traffic lanes. The delineators are proposed to be white, but they must be yellow in color as they separate opposing traffic and will be installed on top of yellow striping. The left-turn prohibitions intended to be created by the delineators can be easily violated and circumvented by drivers trying to gain access at the northern driveway to Overhill Drive as they turn short to go around them. Regulatory signing prohibiting northbound left turns must be installed before the left turn restriction can be enforced. The revised signing and striping plan on Page 290 of the Final EIR must be modified to reflect these comments as it violates current standards and accepted practice.

Only 14 peak hour trips comprised of 7 trips in the morning peak hour (one trip every 8.5 minutes) and 7 trips in the afternoon peak hour (one trip every 8.5 minutes) have been forecast to enter/exit the northern driveway (see Figure 4 on Page 259 of the Final EIR). Shifting these nominal traffic volumes 150' to the south to the primary driveway on the outside of a horizontal curve at the crest of the hill on Overhill Drive is required. At the southern driveway, adequate stopping sight distance will improve traffic safety as it will also eliminate confusion by visitors and guests trying to access The View Project.

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

There is no traffic need for the northern driveway that has been proposed. Both of the project driveways serve the same underground garage parking lot, and the access will be safer and easier through the southern driveway. As stated on Page 3-2 of the Final EIR, emergency vehicles including the Fire Department and other emergency vehicles will occur at the main driveway at the southeast corner of the site. If required for the Fire Department or other emergency access regulations, then the northern driveway should be deemphasized using a mountable curb across the northern driveway and clearly marked and signed as an emergency access only.

- 3) Overhill Drive Continues To Have An Adverse Collision History – As shown in the County's 2019 "Vision Zero" Report, Overhill Drive between La Brea Avenue/Stocker Street and Slauson Avenue was identified as a Collision Concentration Corridor for data between 2013 and 2017. With the collision data that I obtained and reviewed from the California Highway Patrol from the State-Wide Integrated Traffic Records System (SWITRS), this portion of Overhill Drive experienced 283 collisions for a longer period between 2013 through 2024, continuing the extremely poor collision record for this roadway.

In my review of the expanded SWITRS data, Overhill Drive between La Brea Avenue/Stocker Street and Northridge Drive adjacent to the Proposed Project had 61 collisions reported over the 12 years. During this time period, there was one fatal collision, 24 collisions with injuries, and 36 collisions with property damage only.

More recently and beyond the 12-year collision data range provided by the CHP, neighbors reported that a northbound solo vehicle on Overhill Drive travelling at excessive speed on July 13, 2025 at 7:30 PM lost control and sheared off a transmission power pole about 200 feet north of Northridge Drive. The vehicle involved came to rest on the lawn of the Park Hills Church between the sanctuary and the fellowship hall buildings. Only two days later at about midnight, neighbors reported a multi-vehicle crash at the La Brea Avenue/Stocker Street/Overhill Drive intersection.

- 4) Proposed Southern Driveway Should Include Traffic Signals - The change to emergency access only at the northern driveway will shift the daily resident trips to the full access southern driveway only about 150' away. This shifted traffic, in addition to the project's traffic volume forecasts shown in the Final EIR in Figure 4 on Page 259, will then marginally satisfy accepted traffic signal warrant criteria for high-speed roadways such as Overhill Drive.

A traffic signal installation at the southern driveway will provide an opportunity to improve traffic safety on Overhill Drive. This is in concert with the primary goal of the Vision Zero Report as well as criteria specified in the Los Angeles

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

County General Plan Mobility Element for Major Highways while facilitating access to and from the Proposed Project.

The installation of traffic signals at the southern driveway should naturally be coupled with the conclusion in the County's "Vision Zero" Report as it provides an opportunity to improve traffic safety on Overhill Drive. As indicated in that report, the County should implement additional measures to improve traffic safety along Collision Concentration Corridors such as Overhill Drive when opportunities arise.

The new traffic signal should also be operated as a speed control device during light traffic volume hours using "Rest In Red." Under this operational strategy, the traffic signal remains in red in all directions until the green phase is called up by a vehicle or pedestrian. This strategy slows and may be set to stop vehicles traveling at excessive speeds up to 600 feet away from the traffic signal until a green indication is displayed. The "Rest in Red" operation can be used during light traffic volume periods such as at night when most of the speeding occurs. "Rest in Red" has been used for many years by the City of Los Angeles Department of Transportation on roadways serving Century City to deter excessive speeding and reduce cut through traffic in residential neighborhoods. It has been used successfully by a number of agencies including the City of Los Angeles on roadways in the area near Century City.

- 5) Additional Mitigation Measures To Improve Traffic Safety - Overhill Drive continues to experience an adverse collision history adjacent to the proposed project as was initially acknowledged in the County's Vision Zero Report in 2019. As a result of the additional trips that will be added to this roadway by the proposed project, I believe consideration should be given to installing additional measures to improve traffic safety on Overhill Drive. In my review of the collision history of Overhill Drive, I believe that the following should be considered:
 - a) Increase/Improve Street Lighting - 27 (44%) of the 61 collisions occurred during darkness. From my professional experience, the percentage of 44% of the collisions occurring during darkness represents a significantly higher percentage of collisions than the percentage of daily traffic that occurs during these hours. The existing street lighting along only the east side of Overhill Drive that is attached to the large wood transmission power poles should be reviewed to increase and improve street lighting levels. Additional street lighting along the west side of Overhill Drive should be added to increase the illumination, particularly as a mitigation measure along the frontage of the Proposed Project.
 - b) Solo Vehicles Running Off The Roadway – 10 (16%) of the 61 collisions involved vehicles running off the roadway (plus the two very recent

EXHIBIT 7

Ms. Beverly Palmer

Final EIR for The View Project at 5101 Overhill Drive – Traffic Issues

August 19, 2025

collisions not included in the SWITRS data.) Concrete curbs, gutters, and sidewalk have been installed along the east side of the roadway, but the July 13, 2025 vehicle colliding with the transmission power pole just north of Northridge Drive jumped the curb and sidewalk. Additional reflective white banding of the transmission poles should be considered, as well as a down-left arrow warning sign in front of the pole where the northbound roadway narrows and the July 13, 2025 collision occurred.

- c) Excessive/Unsafe Speed – 6 (10%) of the 61 collisions involved vehicles travelling at excessive/unsafe speeds (plus the two very recent collisions not included in the SWITRS data.) The proposed traffic signal at the southerly driveway operating in “Rest In Red” will reduce excessive/unsafe speeds during light traffic volumes. The same operational strategy should also be considered for the existing traffic signal on Overhill Drive at Northridge Drive.

As stated in the “Vision Zero” Report and as quoted on Page 2-8 of the Final EIR, “the County will look for opportunities to implement traffic safety infrastructure enhancements on all Collision Corridors.” The recommendations in this letter must be considered to address this important strategic goal that has been adopted by Los Angeles County. In addition, the various flaws and deficiencies outlined above in the Final EIR must be addressed through further analysis before The View Project receives further consideration. If you have questions regarding these comments, please call me at your convenience.

Respectfully submitted,

Tom Brohard and Associates



Tom Brohard, PE
Principal

Enclosures

Resume

October 19, 2017 Letter

January 3, 2023 Letter



EXHIBIT 8

June 1, 2025

Dear Supervisor Mitchell,

I am writing as a deeply concerned resident of the Windsor Hills community that will be most directly impacted by the proposed *The View* development project. My home is located at 5134 Onacrest Drive and this development would sit directly behind my property, looming over my house. I am currently undertaking a costly renovation and this project threatens to significantly devalue my investment and compromise the integrity of my home and neighborhood.

This project raises numerous unresolved concerns that jeopardize the health, safety, environmental integrity, and long-term stability of our community—and, by extension, the greater Los Angeles area.

Please consider this letter as an official addition to the public record. It is essential that this correspondence be formally acknowledged to ensure no decision-maker, agency, or developer can later claim ignorance of the community's serious objections and the substantial risks associated with this development.

Lack of Updated Traffic and Safety Analysis

Despite the size and scope of this project, no current traffic study has been conducted. Our area already suffers from significant congestion, particularly at the intersection closest to the proposed site, where accidents are frequent. The absence of an updated emergency response access plan—especially for fire and medical services—is deeply concerning and unacceptable.

Fire and Water Infrastructure Vulnerabilities

Our community has experienced multiple fires, including those involving nearby oil fields and substations. Water pressure remains inconsistent, especially after the recent wildfires. Given our proximity to Kenneth Hahn Park, oil infrastructure, and major power lines, the area is especially vulnerable in emergency situations. These infrastructure risks must be fully assessed and addressed before any construction moves forward.

Environmental and Public Health Risks

The site is located near a fault line and fracking zones, raising the potential for toxic gas exposure due to excavation and construction. Many of my neighbors have faced denials or delays in securing construction permits because of these same geological risks. How is it possible this large-scale, exponentially more invasive project could be approved without undergoing similar or stricter scrutiny? The same fault lines run through this property.

EXHIBIT 8

Negative Impact on Local Schools and Families

Windsor Hills Elementary and nearby schools have already been affected by environmental issues like sinkholes, which are linked to the area's ecological instability. Increased construction without thorough environmental review could place students and school staff in further danger. Has LAUSD been consulted regarding this project's potential impact?

Lack of Transparency and Zoning Concerns

There has been minimal public input on this project and the process by which it has advanced raises serious concerns. It is troubling to learn that a key county official who allowed the project to proceed has since been convicted of bribery and fraud. This casts doubt on the integrity of the approvals granted.

Misleading Use of Affordable Housing Language

While the development has been marketed under the banner of affordable housing, it provides no meaningful options for low- or even moderate-income families. Rather than addressing the housing crisis, this project risks deepening inequity and displacing long-standing community members.

Discretionary Permits Without Community Benefit

A conditional use permit allowing an additional 35 feet in building height was granted with no apparent public benefit or justification. What, if anything, is being offered back to the community in return?

In conclusion, I am formally documenting my concerns to ensure the record reflects the community's clear and urgent objections. I respectfully demand:

- A full environmental, seismic, air, water, and fire safety impact review.
- A comprehensive traffic and emergency response analysis.
- A thorough investigation into the permitting and zoning process for this project.
- A pause on all approvals until meaningful community engagement is conducted and reflected in any final plans.

To be clear, I am not opposed to development. I am opposed to irresponsible and extractive development that disregards the needs and voices of those of us who live here.

Sincerely,


Andreas Buchanan
5134 Onacrest Drive

ATTACHMENTS 2 - 7
(SEE LINKS BELOW)

2. Commission Approval Package ([LINK](#))
3. Memo - Response to Transportation-Related Comments, September 3, 2025 ([LINK](#))
4. Memo - EIR Supplemental Errata, August, 26, 2025 ([LINK](#))
5. Draft EIR, with Alternatives Analysis ([LINK](#))
6. All Project Materials: Legistar File #: 25-062 ([LINK](#))
7. All CEQA Documents, including Final EIR, FF, and MMRP: Legistar File #: 25-093 ([LINK](#))