

John Haag  
15332 Antioch Street Box 163  
Pacific Palisades, California 90272  
Cell [310-200-9513](tel:310-200-9513)

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**VIA U.S. MAIL AND EMAIL** [darlene.navarrete@lacity.org](mailto:darlene.navarrete@lacity.org)

Ms. Darlene Navarrete,  
EIR Section,  
Department of City Planning,  
City Hall, Room 750  
200 N. Spring Street,  
Los Angeles, California 90012

Re: ZA-2012-130-CDP-MEL  
16990 W. Sunset Blvd., Pacific Palisades  
ENV-2012-131-MND

Dear Department of City Planning:

I am writing in opposition to the proposed development project referenced above. I know that many of my neighbors also oppose the project, and some of them may send you notes ratifying this letter with or without their own comments.

I have owned 17015 Pacific Coast Highway #11 in Malibu Village for almost 30 years. Malibu Village is a community of 29 mobile homes where each owner owns his/her own space, and most of the land is common area.

There are numerous circumstances which support my opposition.

1. Malibu Village is situated in a geologically fragile location. For three decades, my understanding has been that we are on an ancient landslide and that our site was developed as a mobile home park because it was considered inappropriate for conventional construction.

Walking around Malibu Village gives evidence to the topographical sensitivity. The hillsides on both sides of Malibu Village are composed of crumbling eroded sedimentary rock that is very prominent (see any Baywatch episode) and almost impossible to climb. The hillside between the PCH and our plateau (where the mobile homes are located) is also very steep, and is very difficult to climb in many places. Our only access to the plateau is a steep driveway. The upslope between the bowl and the project site is mostly steep slope, except for a descending walkable area hosting a drainage channel. For many years, our gardeners have tried to strengthen the hillsides with plantings. As part of the condo approval for Malibu Village (when the park was bought by the residents), the City required us to finance some expensive improvements, including a storm drain from PCH -- out of concern that the old drain was deteriorating under us (note: it did not carry our water). Like my neighbors at Malibu Village, I am very concerned that the proposed project will jeopardize the stability of Malibu Village, in

several possible ways. First, by construction vibration. Second, by in some manner undermining the geotechnical integrity of the area. Third, by creating opportunities for injection of water into the ground that could trigger earth movement.

2. If there is a catastrophic failure, the residents of Malibu Village may not need to worry about who will pay for the damage – as we could all be buried in the landslide or drowned in the ocean. Then it will be up to our heirs to find this letter and have their lawyers ask why the disaster happened.

3. If the failure is less catastrophic, and merely damages or wrecks our homes and/or causes us personal injuries, then we will already know why the disaster happened. However, when the lawyers and experts get involved, everyone will blame someone else, and we will have an even bigger disaster as we litigate the matter. We do not want that to happen.

4. If the developer and the City are 100% certain that the project is 100% safe and will not harm Malibu Village in any way (including all foreseeable construction defects, improper long term maintenance, geological complications, earthquakes, heavy rainfall, pipe breaks, etc.) – which we simply do not believe -- then we would like to see that certainty expressed in the form of an ironclad financial guarantee. If the project is a contributing factor in harming us, we should be fully compensated by a guarantor that will have the necessary financial resources. In short, we want insurance that will be easy to collect if something happens in the future. I assume that no one will give us an acceptable guarantee, which is why we do not want to take the risk. We should not be required to take a risk. Is the City willing to give us a guarantee that will survive come what may?

5. There is a reason the project property has not been previously developed over the past hundred years – despite having a dramatic ridge line ocean view, and despite being located on a major LA street (Sunset). The site is “asking for trouble”. The geology is questionable at best. A developer who plans to build, sell and move on may be willing to take the chance. However, the future residents/owners of the project will not be happy when something goes wrong, and Malibu Village will be very unhappy, and future City taxpayers will not be happy if the City ends up bearing blame for granting approval and/or responsibility for the a hunk of Pacific Palisades ending up in the ocean and/or covering the PCH – as has happened in the past along our coastline. It seems like every few years, someone comes along and has a plan to develop the site in question – but every time the cons outweigh the pros. What has changed? Clearly there is no compelling reason for the citizens of Los Angeles to have this site developed. There are better and safer sites. The value of the site has long taken into account the development problems, including the risk that the City would deny a building permit. Granting building approval for this risky project would give an immediate windfall to a developer who will not be around to compensate us when the damages occur. If the developer wants to buy out all the owners at Malibu Village, so be it. But we should not be forced to assume the risks of the developers' project.

6. Aside from the geotechnical issues, there are other reasons why I am against the project, as discussed below. Most of these reasons are common to many people. However, the first is especially important to me. I have heard via the rumor mill that the developer plans to run

drainage lines down the hill via an existing easement, perhaps the same easement that is presently used by one or two other structures on Sunset to run some drain lines to PCH. Rumor has it that this easement runs under my mobile home improvements. Thus, my property could be disrupted severely if the project proceeds. This is ***not acceptable***. My home has been here for a long time, and it should not be disrupted because a developer wants to run drains down to PCH. Indeed, developers should not be allowed to run drains down the steep slope to the PCH in any event – there are too many risks and problems involved.

7. One of the nice aspects of Malibu Village is that it is usually quiet. However, having a large complex built above us, probably with balconies and recreational facilities, will result in needless noise pollution. The sound really carries from above. The bowl tends to capture sound, and I can even hear people talking a long distance away (e.g. when someone is standing on the site).

8. We go up Sunset almost every day, and the road near the site is especially dangerous. The pavement is rough (seems to always be in need of repair!). There is a big curve. Cars often drive too fast. Having many cars going in and out of the proposed development will just make it worse. If someone is seriously injured or dies in an auto accident on Sunset with the development as a contributing cause, who will bear the moral and economic responsibility? It is not a good place to allow more access to the street.

9. Malibu Village is not a wealthy community. Nevertheless, the owners are so concerned about the project that they retained geologists to review all the geotechnical and soils reports filed by the applicant as well as the Letter of Approval by the Los Angeles Department of Building and Safety (for the preliminary reports). Our geologists, Ralph Stone and Company concluded in a detailed report (previously submitted to you by others and also attached hereto) that there are serious deficiencies in the applicant's geotechnical and hydrology reports. Therefore, it is my understanding that Malibu Village requested the preparation of an Environmental Impact Report, and I agree with that request. This is not a project located on flat land. This is a complex site with a history (why was Sunset re-routed -- I was told long ago that it previously went down our property), and no development should be allowed unless it is absolutely certain that there will be no problems -- and that is financially guaranteed.

It was my hope that it would not become necessary for me to write this letter. Like most of my Malibu Village neighbors, I prefer to keep a low profile. However, my Malibu Village neighbors and my family have much at stake, and thus I am forced to respectfully state my opposition to the project subject to resolution of my concerns expressed above.

Very truly yours,

John Haag