



January 14, 2021

By E-mail

Hon. Mike Bonin
Councilmember, CD-11
Room 395, City Hall
200 N. Spring Street
Los Angeles, California 90012

Alan Como, AICP
City of Los Angeles, Department of City Planning
221 North Figueroa Street, Suite 1350 Los Angeles, CA 90012
Via E-Mail: alan.como@lacity.org

Re: Berggruen Institute Project, Case No. ENV-2019-4565-EIR: Comments on NOP/IS/DEIR

Dear Councilmember Bonin and Mr. Como,

I am the Vice-President of Brentwood Hills Homeowners Association (Brentwood Hills). I am writing with respect to the proposed Berggruen Institute Project on Canyonback Ridge above Mandeville Canyon. Brentwood Hills strongly supports the many community groups and citizens who have submitted comments opposing this huge private institution, which is proposed to be placed in the middle of protected parklands and open space, and which would be violative of the current residential zoning and land use entitlements for the site. We are submitting these comments in connection with the Notice of Preparation and Initial Study and are anticipating a full environmental analysis in the upcoming DEIR.

By way of background, Brentwood Hills is a community of about 450 single-family homes along the western ridge of Mandeville Canyon. Brentwood Hills was instrumental along with other key community groups in obtaining the open space and trail easements on Canyonback Ridge that will be directly impacted by the Berggruen development. Our community members regularly use the Westridge Canyonback Wilderness Park for recreation. Brentwood Hills has fought hard for the creation of that Park and for the protection of habitat and trails throughout the Santa Monica Mountains. We have a strong interest in protecting the heritage trees, trails, wildlife and sensitive environment in and around the Santa Monica Mountains, including the habitat on the two ridges that will be impacted by the proposed Berggruen development. And we, like other residents of Mandeville Canyon and the surrounding ridges, were evacuated in the Getty Fire and are very concerned about fire safety.

Berggruen's project has been in the works for years, and he withdrew his prior proposal due to massive community opposition and numerous legal deficiencies. Those deficiencies have not been rectified in the current proposal. Brentwood Hills' concerns are many, and although all should be meaningfully discussed in the upcoming DEIR and other CEQA documents and proceedings, Brentwood Hills does not see how these significant issues can be overcome without serious permanent and unmitigable impacts on the environment, and without creating serious adverse precedents in the City's land use planning process. These issues include:

- To our knowledge, the City of Los Angeles has never before allowed a Specific Plan for a private commercial development to entirely bypass the zoning code and convert low-density residential to commercial/institutional zoning—let alone in the middle of protected open space, public parklands and wildlife habitat. Mr. Berggruen would, in essence, be creating his own zoning classification: the Berggruen Institute Specific Plan. This would constitute spot zoning. The proposed private institutional use (which would not be open to the public) would introduce commercialization and be a severe intensification of land use. The proposed project would violate current grading and height limits, as well as many other existing land use restrictions.
- This project will negatively impact the historic trails and open space on the property, which are held in trust in perpetuity by the Mountains Recreation and Conservation Authority (MRCA). These trails and open space easements were won after a hard-fought litigation with the previous residential developer by Brentwood Hills and many other community groups. As such, they must be protected, both according to the letter and the spirit of the recorded documents and agreements.
- Mr. Berggruen knew about these easements, agreements, zoning restrictions and land use designations prior to purchasing the property, and he should not be allowed to undermine them now, nor to obtain a Berggruen-specific zoning and land use change for his massive institutional project.
- The Berggruen Institute's claim that it will improve the trails and preserve open space as part of this project is not accurate. Trampling on what many individuals and organizations have fought so hard to protect would be unfair not only to those who enjoy the peace and quiet these trails offer, but also to the wildlife that relies on this land for food and shelter.
- The Project Site includes areas that have been designated by LAFD as a Very High Fire Hazard Severity Zone, which potentially could expose people or structures to a significant fire-related risk.
- The construction period will be particularly hazardous in terms of fire safety, given the number of fires started by construction, grading and landscaping crews, let alone the continued fire danger posed by thousands of individuals using the Berggruen Institute on an ongoing basis.
- Evacuation will be much more difficult with hundreds of additional people trying to exit the property at the same time and with only one access route. We are concerned that public safety resources will be prioritized for the Berggruen Institute, leaving our community less protected during an emergency.
- Noise impacts to wildlife, birds and nearby residents and recreational users from this huge project will be severe and ongoing, even after construction. This project will take years to build. During project construction, heavy equipment, including trucks, bulldozers, cranes, loaders, etc., will generate a constant cacophony of noise. Following construction, decades of use will create ongoing severe noise impacts from large and small events, use of outdoor gardens, terraces, and recreational amenities, increased traffic, and from emergency use of the helicopter landing pad requested by the LAFD.
- The impacts of extensive grading, import and export of soil will severely affect the environment and habitat, as will the annual brush clearance required by the proposed project. Such brush clearance will necessarily occur in the protected open space surrounding this massive project and will remove extensive plants, trees and habitat that are currently present and protected on the property.

In addition to these issues, Brentwood Hills strongly supports and adopts the points raised in the excellent letters submitted by the Bel Air Skycrest Property Owners Association, the Brentwood Residents Coalition, MOSMA, the Santa Monica Mountains Conservancy, the Canyon Back Alliance, the Hillside Federation, the Sierra Club Santa Monica Mountains Task Force and the many other community groups and individuals opposing the project and commenting on the NOP/IS.

Protection of the Santa Monica Mountains parklands, recreational uses, open space, and environmental habitat that would be severely impacted by the proposed Berggruen project is of fundamental importance, both to us and to future generations. As such, it is critical that the CEQA review and DEIR properly analyze the severe impacts of the proposed Berggruen institutional project, including not only the cumulative impacts of the project, but also a full range of alternatives that includes a meaningful “no project” alternative, as well as an alternative of maintaining the site as parkland, wildlife habitat and open space. Moreover, Brentwood Hills urges the City to deny the proposed land use, zoning and specific plan changes sought by the project proponent. It would create a terrible precedent to allow a billionaire developer to side-step the zoning and land use restrictions on this property in favor of a huge out-of-scale private institutional use that will be closed to the public.

Brentwood Hills reserves its rights to make additional comments both in the zoning and specific plan process and also in connection with the upcoming DEIR and CEQA review process. Please be sure to place us on the list for all notifications, future updates and environmental review for this project and any associated zoning and specific plan proceedings.

Sincerely,



Michael R. Leslie
Vice President and Board Member,
Brentwood Hills Homeowners Association

Cc: Brentwood Hills Board of Directors
Brentwood Residents Coalition
Hillside Federation