Mr. Daniel Fierros
Los Angeles Planning Commission
320 West Temple Street, Room 170
Los Angeles, California 90012

Project Number R2008-01980(3)

Conditional Use Permit RCUP200800165 (3)

Dear Mr. Fierros,

As residents of the Sunset Mesa, we would like for the planning commission to take into account the following information regarding the proposed cell tower.

1. The Zoning Permit has 4 errors in it (3 of which were previously noted by the Sunset Mesa Home Owners Association, dated September 14, 2009 (copy enclosed)).
    - First Error: If the slopes on either side of the proposed site are more than 25%, a "slope map is required and the topographic lines must be depicted on the site plan." The westerly slope is 36.3%. The applicant has not submitted the required information. (See enclosed geological report.)
    - Second Error: Applicant marked "no" in response to, are there any "identifiable landslides or other major geologic hazards on the property." This is incorrect. Please see the enclosed geological report confirming an identifiable landslide and other major geological hazards, including, but not limited to, an insipient landslide.
    - Third Error: Applicant marked "no" in response to, "is the property located within a high fire hazard area (i.e. hillsides with moderately dense vegetation)?" Per the "GIS net department of regional planning" print out of September 14, 2009 (found in the file) it states this is a "high fire hazard area". Fire Station 23 (Sunset Mesa's closest station) and 70 (Sunset Mesa's official station) both confirmed that this is a high fire hazard area. Also, located in the file, is a detailed property information report that had written on it "very high fire hazard severity zone."
    - Fourth Error: Application marked "no" is response to, "will delivery or shipment trucks travel through residential areas to reach the nearest highway?" There is only one street in and out of the Sunset Mesa off of Pacific Coast Highway.
    - The Zoning Permit has 4 errors in it (3 of which were

previously noted by our Home Owners Association). Per the zoning application, applicant must "certify that: 1. The information provided in this application, including all attachments, are accurate and correct, and 2. [Applicant] understand[s] that the submittal of inaccurate or incomplete information may result in processing delays and/or denial of [the] application." As residents, we are concerned that the applicant has not done their due diligence in reporting information. With concerns ranging, but not limited to, geological hazards and fire safety, applicant has not been diligent nor forthcoming about the scope and impact of their project, which could be severely detrimental to our neighborhood and surrounding area.

2. Per the Conditional Use Permit, Sec. 22.56.040, "The applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission the following facts." That the proposed tower will not "adversely affect the health, peace, comfort or welfare of persons residing in the surrounding area."
    - With over 150 signatures from concerned persons residing in the Mesa, their "peace, comfort and welfare" are being negatively impacted.
    - Applicant claims that wireless "technology provides vital communications in "911" and other emergency situations."
        - Per communication with Adriane Patnaud of T-Mobile, The Los Angeles Sheriff's Department and the Los Angeles County Fire Department, it is clear that cell phones are not a primary, nor department advised means for law enforcement or first responders to communicate among themselves or with citizens and that citizens are better off using their landlines during times of emergencies.
        - During emergencies persons are advised to use their landlines because landlines provide exact GPS location and are routed to the closest responder. Cell phones historically have not provided GPS location and were routed to general call centers, before being transferred to closest responders, which delayed response time. The FCC has required cell companies to provide more adequate GPS location and route the call to the closest responder, however T-Mobile's technology will still lag behind landlines.
        - Per Adrianne Patnaud, law enforcement would only be able to "triangulates the call between multiple cell tower locations." This is why, law enforcement advises citizens to use landlines in time of emergency.

- Per the Los Angeles County, Malibu Lost Hills Sheriff's Department, where 911 calls from the Sunset Mesa are routed, during times of emergency, law enforcement use emergency radios and/or MDTs (not cell phones). To contact citizens, law enforcement uses the Emergency Broadcast System, not cellular technology. Department cell phones are not issued to deputies.
- Per Fire Station 70, Sunset Mesa's designated fire station, there is a policy against fireman using cell phones. The reason given is because cell phones preclude the station and other emergency personnel from tracking what is being said which provides critical information.

3. Per the Conditional Use Permit, Sec. 22.56.040, "The applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission the following facts." That the proposed tower will not "be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site."
   - The Appraisal Institute, which is the largest global professional membership organization for appraisers, with 91 chapters throughout the world, has spotlighted the issue of cell towers and the fair market value of a home and educated its members that a cell tower should, in fact, cause a decrease in home value between 2-20%.
   - Dr. Sandy Bond, a graduate from Massey University with a Business Degree majoring in property valuation and management, has a long history of property dealings from valuing residential, commercial and industrial property. In her work on the devaluation of property values, she states, "media attention to the potential hazards of [cellular phone towers and antennas] has spread concerns among the public, resulting in increased resistance" to sites near those towers. The City of Glendale cited Dr. Bond's study of very 4,000 homes and the devaluation of those home based on their proximity to cell towers in their successful case against T-Mobile.
   - Marta Samulon, the top selling realtor in the Sunset Mesa, noted in her letter to Supervisor Yaroslavsky, "People who buy in Sunset Mesa are attracted by the proximity of nature, and the fact that utility lines are underground. Shoreheights Drive is a favorite place from which to admire near by Topanga Canyon and the Santa Monica Mountains, plus beautiful ocean views. The homes in that location enjoy particular high desirability and home values, both of which will be affected negatively by the proposed cell tower." (Copy enclosed.)
   - Realtor Anthony Hitt, another experienced Sunset Mesa realtor writes, "This letter confirms my professional opinion that a cell

tower located in the Sunset Mesa neighborhood will have a negative impact on home sales – and already has. We are in a distressed market and anything that can be used by a potential buyer to negotiate a lower home purchase price will be used. Just a chance of this tower being located in the Mesa has already played a role in recent transactions. As a licensed real estate agent and member of the California Association of Realtors I (and all other agents) have an obligation to disclose any material fact that affects the value or desirability of property." (Copy enclosed.)

- Not only does the installation of a cell tower affect property values because of the controversy surrounding towers, but it further increases the devaluation, in our neighborhood specifically, because we have no above ground utilities and this is routinely used as a selling point for realtors. So along with listing, "close to the beach", and "desirable schools", realtors feature "no above ground utilities".
- With the installation of this tower, realtors will no longer be able to use this selling point.
- The Los Angeles Times of August 28, 2005, which featured our neighborhood, noted that one of the "drawing cards" or our neighborhood were the underground utility lines that "give the neighborhood a clean, sweeping feel." (Copy enclosed.)
- This cell tower will be the only above ground utility, it will be out of conformity with the look of our street lamps, it will be on the opposite side of the street from all the street lamps in our neighborhood, and it will decrease the value of our homes due to the controversy surrounding cell towers and destroy a desirable selling feature of our neighborhood.

4. The cell tower is not needed by T-Mobile to provide coverage for residents.
   - Sunset Mesa residents, who are also T-Mobile customers, have enclosed letters stating they are satisfied with their coverage and do not feel a cell tower is needed.
5. The proposed cell tower will be located on the North and West sides, only a few feet from Topanga State Park.
   - Per the parks website, "This park is the world's largest wild land within the boundaries of a major city. Trail use is the predominant recreational use of Topanga State Park and the enjoyment of the outdoors has long been identified with this "health-giving" mountains-to-the-sea environment. Ridgelines provide advantageous locations for extraordinary views and vantage points."
   - The monopole will be placed just to the West of the greatest state park vista in our neighborhood, and become the only interruption in the view of the Queen's Necklace, Santa Monica Bay and Catalina Island. Not only is this vista breathtaking and

the crown jewel of our neighborhood, but also it detracts from Topanga State Parks own, unique heritage, the relationship between the land and the sea.

- Per the Park's website, "The destructive, life-threatening, and unpredictable nature of modern wildfires casts subtle, but ever-present shadows of unease over life in these mountains." As residents we live with the threat of these fires every season and evacuations in Malibu and the Sunset Mesa happen.
    - Underground utilities, not only increase property values and aesthetics, but also are safer.

6. The proposed cell tower is not in line with the character of the neighborhood.
    - Sunset Mesa has no above ground utilities.
    - Sunset Mesa has all street lamps located on one side of the street and the monopole will be located on the opposite side of the street.
    - Although the monopole is 'designed' to look like a street lamp, it will not, due to it's 30"x66" Atenna Radome placed at the top of the pole.

Thank you for your attention to this letter.

Sincerely,

Audrey Sarn and all Opposed Sunset Mesa Residents

Cc Supervisor Zev Yaroslavsky

E.D. MICHAEL, CONSULTING GEOLOGIST
ENGINEERING GEOLOGY □ HYDROGEOLOGY □ FORENSICS
Calif. Reg. Geologist 270; Cert. Eng. Geologist 157; Cert. Hydrogeologist 574
6225 Bonsall Drive, Malibu, California 90265
310.457.9319; FAX 310.457.9217

April 13, 2010

Audrey Sarn
1313 Innes Place
Venice, California 90291

Subject: Review plans, proposed T-Mobile R.O.W. Antenna Installation Site Number SV11110D, Shoreheights Drive, Sunset Mesa, Los Angeles County, California.

Dear Ms. Sarn:

This letter reports the results of my review of data you provided regarding the proposed installation and my visit to the site on April 1, 2010. The essential purpose of this review is to provide data for helping to determine whether the proposed site is suitable in terms of the local geology.

REFERENCES

Chamaa, Adam, 2008, Geotechnical report, proposed T-Mobile wireless communication facility, Site Number: SV11110D, Site Name: Shoreheights Drive ROW, 3481½ Shoreheights Drive, Santa Monica (*sic*), CA: AESCO Technologies, Inc., consultant rpt., AESCO Project No. 20080885-A3309 for Mr. Dan Rico, T-Mobile USA, July 31.

Dibblee, Thomas W., Jr., 1992, Geologic map of the Topanga and Canoga Park (South ½) quadrangles, Los Angeles County, California: Dibblee Geological Foundation Map #DF-35.

Grimes, David F., 2006, #3447 Shoreheights Drive: Grimes Surveying and Mapping Inc. topographic map, September 12.

Hoots., H. W.,1934, Geology of the eastern part of the Santa Monica Mountains, Los Angeles County, California: U.S. Geol. Survey Prof. Paper 165C.

Kovacs, G.S., 1978, Stability of adjacent properties and roadway, vicinity of 3417 Shoreheights Drive, Malibu, California: Kovacs-Byer and Associates, Inc. consultant ltr KB 3859 to John P. Ingram, Jr., April 4.

T-Mobile Consulting Team, 2008, Untitled plans *re* SV11110D, October 24.

PROPOSED INSTALLATION AND SITE DESCRIPTION

The proposed installation is well described by a group, referred to as the T-Mobile consulting Team (2008). It is a system consisting of three structures, a pole-mounted antenna, and meter *module*, and the heart of the system, a buried vault. A description of the physical character of the site has been prepared by Chamaa (2008) in support of the installation.

Proposed Installation

T-Mobile Consulting Team (2008) plans provide details of the proposed installation. Generally, it is a pole-mounted antenna connected by underground power cables to a buried controlled environmental manhole (CEM), Model #610. The pole would be located on the western side of Shoreheights Drive cul-de-sac approximately 35 feet south of the common boundary of Sunset Mesa and Topanga State Park. It would be in the street right-of-way close to its edge. Similarly, the CEM would be located immediately to the east of the pole location close to the eastern edge of the street-right-of way, and opposite 3418 Shoreheights Drive. Power for CEM would come from a Southern California Edison Company vault on the eastern side of the street

about 120 feet to the south. The lines would be laid in a hand-dug trench about 5 feet deep and 1 foot wide.

The CME is essentially a concrete box about 8 feet wide, 11 feet long, and 16.5 feet deep. According a study by Chamaa (2008, p. 1) the CEM is to be "pre-cast" therefore, the excavation to receive it would have to be only slightly larger. Above-ground installations would include two -foot high ventilation stacks, an electric meter pedestal about 5 feet high, and the antenna. The antenna would be mounted at the top of the pole and be about 28 feet above the ground. Its concrete footing, presumably circular would be about 4 feet deep with minimum diameter of 36 inches (*op.cit.*, p. 4-2) a diameter 2-½ feet.

Geotechnical Site Description

The geotechnical engineering study of the site by Chamaa (*op.cit*) is essentially a foundation study with particular regard to the excavation for the CEM. It is based entirely upon the results of a hollow-stem auger boring and direct shear tests of "undisturbed" drive samples, presumably of the direct shear type. Consistent with common practice, the data were plotted as normal stress versus shear stress. The results in this regard are somewhat unusual in that they give a cohesion of zero which is to be expected of soils and other inherently weak and loose materials, but not of rock sections such as that the boring must have penetrated.

Chamaa describes the site as being at an elevation of 450 feet above a 100-foor high, 2:1 slope (*26.6 degrees from horizontal, - EDM*), descending in a westerly direction (*op. cit.*, Sec. 3.2, p. 3-1). Actually, the elevation of the site is about 420 feet, mean sea level, the slope is about 200 feet high, and its average gradient is about 1.34:1, or 36.3 degrees from horizontal. Furthermore, the report presents a Section 111 statement as required by the County Building Code (*op. cit.*, Sec. 4.10, p. 4-8) which states, *inter alia*, that the proposed installation will not be subject to "... slippage, or landslide, provided the recommendations of this report are incorporated into the proposed construction." Although such statement may be true in terms of the necessary excavation for the CEM, no stability data are presented with reference to the adjacent 200-foot high slope.

TOPOGRAPHY

Shoreheights Drive occupies the crest of a subsidiary mountain ridge. The crest has been graded for the roadway which slopes gently southward to meet the graded elevation of the rest of the Sunset Mesa development. To the west, the ridge slope to the axis of a stream channel is about 200 feet high and the average gradient of 0.65, i.e., about 33 degrees from horizontal. However, locally it is steep. To the east, there is a similar slope about 150 feet high with a somewhat lower gradient.

The map by Grimes (2006) shows directly west of the cul-de-sac and for a distance of about 100 feet horizontally, a scarp from 40 to 60 feet high with slopes of 60 to 73 degrees. Farther south for about 150 feet, this scarp is aligned with another about 30 feet high that passes under the house at 3147 and just west of the house at 3447 Shoreheights Drive.

GEOLOGIC FORMATIONS

The area at the northern end of Shoreheights Drive is underlain by sandstones and conglomerates. Hoots (1934) considers this section to be either Vaqueros or Sespe formation. However, Dibblee (1995) considers it to be Sespe. Direct access to outcrops was not possible because of fences, but well exposed outcrops are visible in cuts adjacent to the cul-de-sac. The appearance of the outcrops suggest the rocks are quite resistant (Photo 1), a condition commonly observed in this formation. However, the Sespe also contains sections of reddish siltstone which are rather poorly cemented and significantly weaker than the sandstones and conglomerates, the latter of which commonly form high and very steep cliffs.

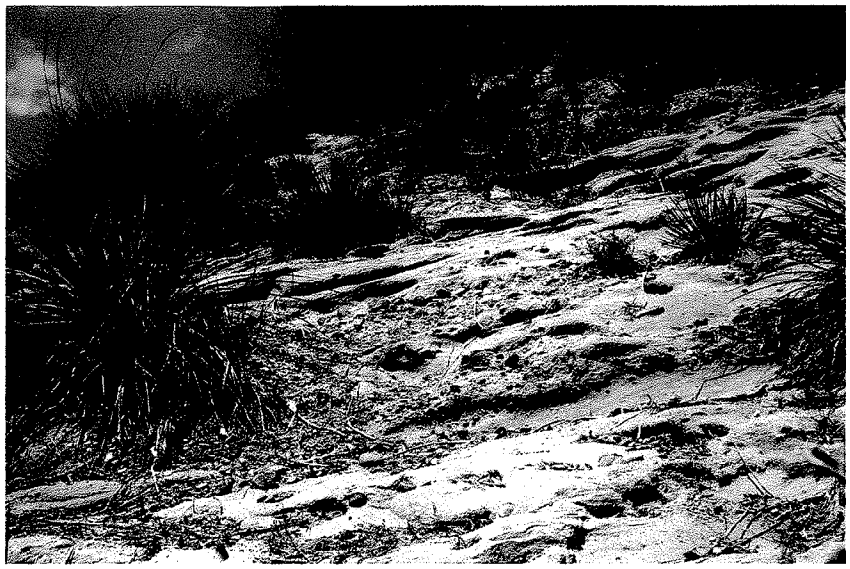

Photo 1. Sespe Formation.
This section, consisting of beds of well rounded gravels and cobbles alternating with siltstones and sandstones, is exposed in a cut directly north of Shoreheights Drive cul-de-sac. View is northwest. Photo: EDM, 04/01/10.

Photo 2. Sespe Formation.
The trace of the axial plane of a syncline passes near the base of the tree and past the rear of the truck. Dips here are about 3 to 5 degrees west, into the canyon beyond. View is northwest. Photo: EDM, 04/01/10.

A section of what is probably landslide debris, designated for present purposes, "older landslide debris," is exposed below the 40- to 60-foot high scarp west of the cul-de-sac. Sections of landslide debris are exposed in the slope below the scarp. Probably, this mass is pre-historic. A mass of younger slide debris has been deposited directly downslope from beneath the house at 3417 and beneath the northwestern corner of the house at 3447.

GEOLOGIC STRUCTURE

Both Hoots and Dibblee map north-northeasterly strikes with dips to the west in the range of 15 to 28 degrees in the local Sespe section. These observations are well in accord with those of others noted in the documents reviewed. The slope clearly undercuts bedding planes. Consid-

erably lower dips are apparent in the section directly underlying Shoreheights Drive cul-de-sac as shown in Photo 2. There, the section appears to form an open syncline with a slightly west-dipping axis.

An informal note dated January 17, 1970 by geologist William Waisgerber is contained in the documents provided for this review. He noted then, during or soon after house construction in 3417 Shoreheights Drive a fault striking N75E so that it "... intersects the center of the property." One is tempted to speculate that rather than a fault of the tectonic type, the evidence to which Waisgerber refers may be the contact of slide debris as is suggested in Photo 3. However, the gist of Waisgerber's observation was that the house was too close to the edge of a steep slope that was located in the western part of the property at that time. Subsequent events proved his concern to be well founded.

LANDSLIDING

Much of the record reviewed concerns, first a period during April through June, 1965 concerning a restricted use area and setback from an existing steep slope in the western parts of Lots 3, 4, and 5, *i.e.*, 3459, 3447, and 3417 Shoreheights Drive, respectively, and then a blizzard of documents from the County and a consultant concerning support of the house at 3417 due to the occurrence of a landslide which occurred, probably early in March, 1978 when extremely intense and prolonged rains caused landsliding in many areas of the Santa Monica Mountains.

House Support and Slide Repair

The record indicates that support of the house at 3417 Shoreheights Drive began almost immediately. It involved the installation of two lines of cast-in-place piles. Current conditions at the site are shown in Photo 3.

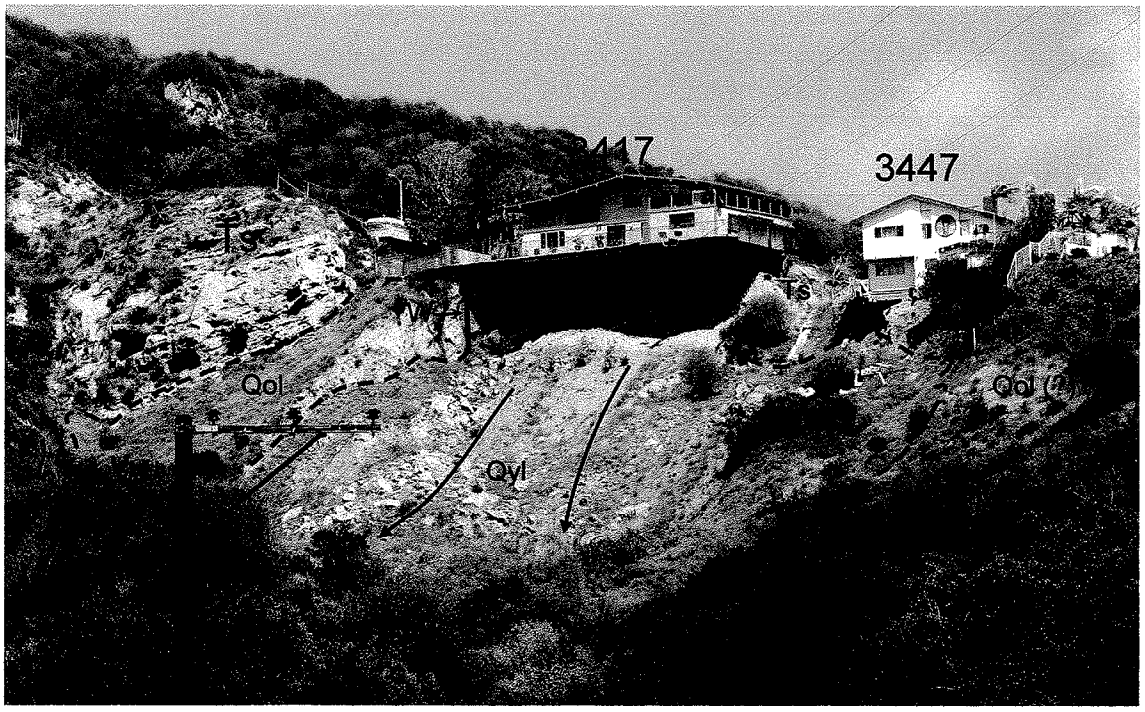

Photo 3. Shoreheights Drive Landslide.
The present conditions of the slope just southwest of Shoreheights Drive cul-de-sac include a scarp in Sespe Formation (Ts), the presence of older landslide debris (Qol), and younger landslide debris (Qyl). The street light standard in the cul-de-sac is visible to the left of the house at 3417. The letter W indicates the contact of Waisgerber's "fault" which probably is simply an extension of the Ts-Qol contact. View is northeast. Photo: EDM, 04/12/10.

It is to be noted that the piles were intended not only to support the house but also to stabilize the slope against further slide movement. As stated by Kovacs (1978, p. 1) referring to the pile system that at the time it was being installed:

> We are satisfied that this system will assist in alleviating the landslide and that the house will be stabilized upon completion of the piles. We are of the opinion that no distress to adjacent properties on the roadway will be induced by installation of the underpinning system.

Recent Movements

It serves no useful purpose here to discuss details of the March, 1978 landslide and the remedial work related to it in detail. In any event, the record supplied in this regard is incomplete. However, it seems clear that at least incipient movement of the bedrock section from which the slide originally occurred is developing. This seems apparent from the pattern of cracks in asphalt pavement of Shoreheights Drive opposite 3417 - 3459. Photos 4, 5, and 6 show this condition.

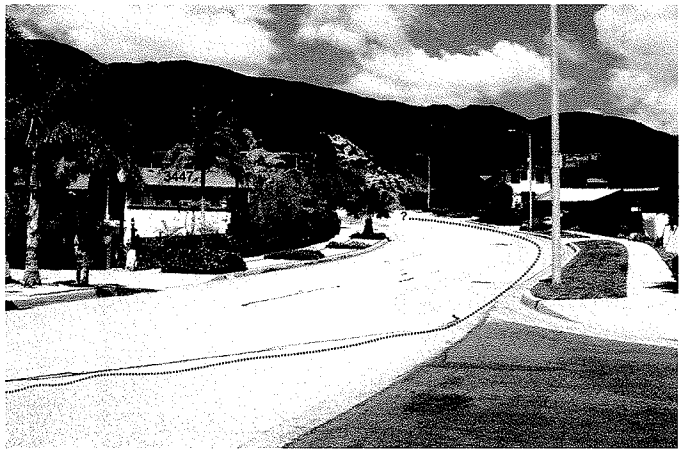

Photo 4. Shoreheights Drive North of Surfwood Drive Intersection.
Cracks in the pavement suggest movement of a mass to the left of the dotted red line. View is north-northeast. Photo: EDM, 04/01/10.

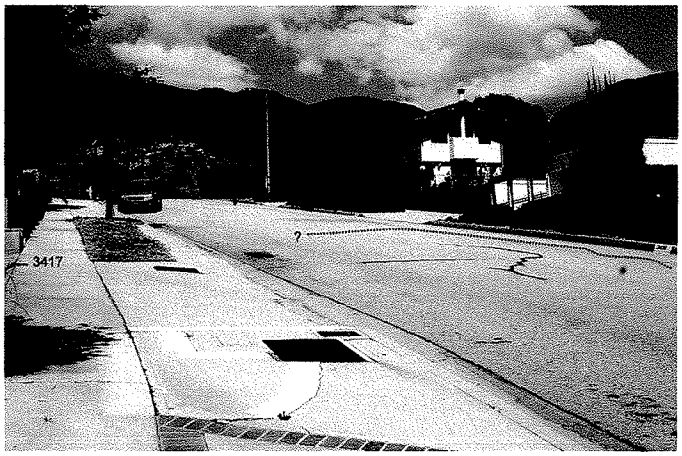

Photo 5. Shoreheights Drive North from 3417.
Cracks in the pavement suggest movement of a mass to the left of the dotted red line. View is north-northeast. Photo: EDM, 04/01/10.

Photo 6. Crack in Pavement Opposite 3447 Shoreheights Drive.
The dark material is a sealing compound intended to prevent water from entering the crack. Subsequent to its application, additional movement has occurred causing an extension of the crack where the pen is located. Offset along the crack at that point is about one-quarter inch downward to the west. Photo: EDM, 04/01/10.

The question of local slope stability is best illustrated by Photo 7.

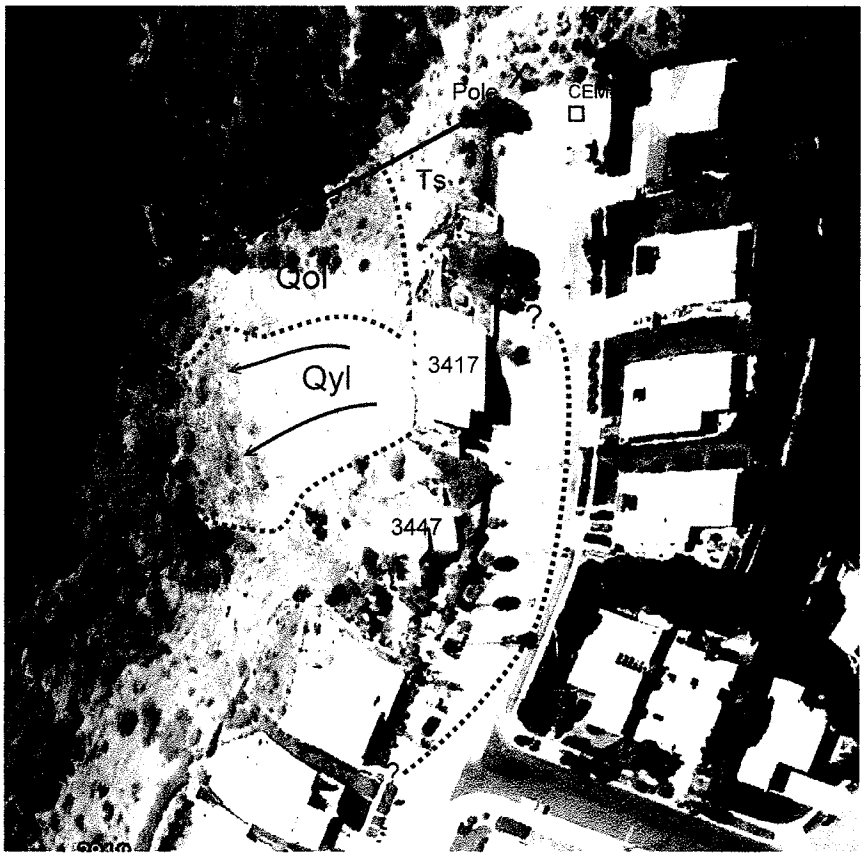

Photo 7. Landslide Area, Northern End of Shoreheights Drive.
The proposed installation is located about 50 feet from the top of the scarp in which Sespe Formation, Ts in the photo, is exposed. The more or less active area of incipient landsliding nearest to the proposed installation is abut 100 feet - that west of the long dotted line in Shoreheights Drive opposite 3417. Section X-X' in shown in Figure 1. Photo: Google Earth, September, 2007.

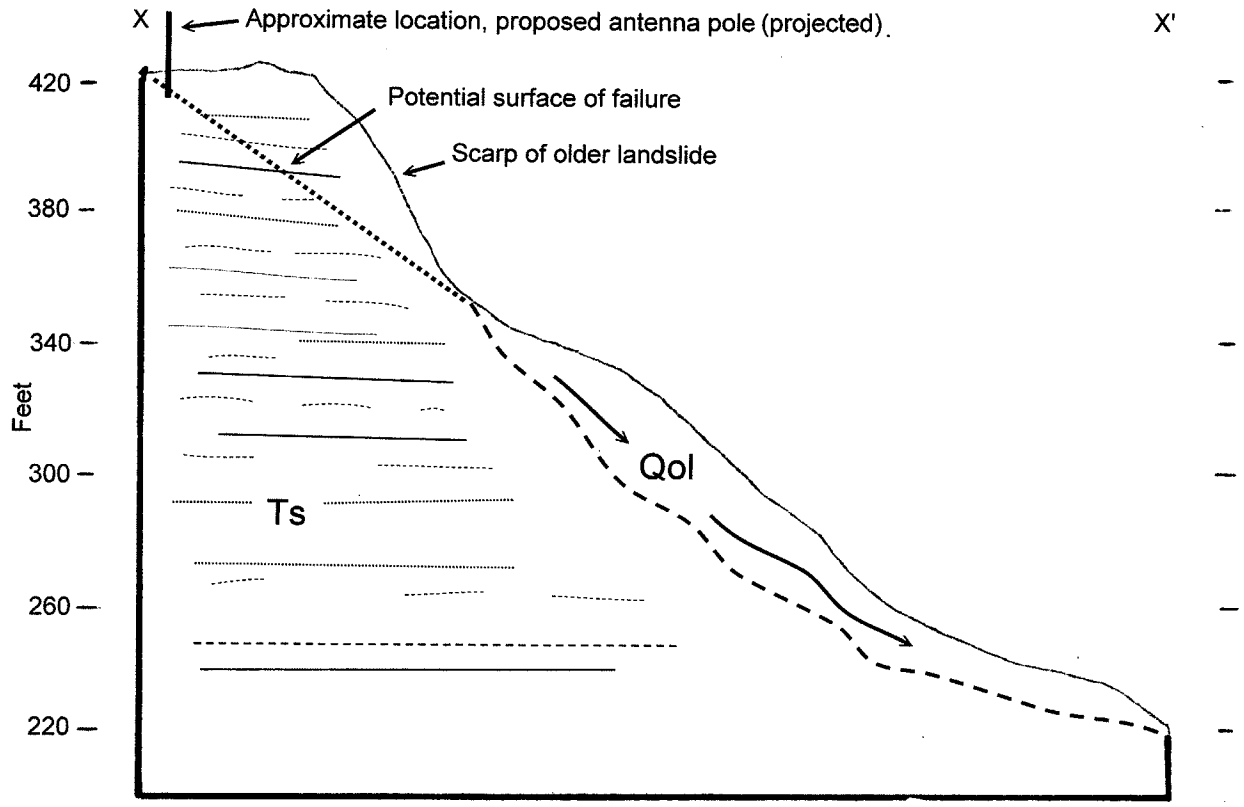

Figure 1. Section X-X'

CONCLUSIONS

It is to be noted that the repair work for 3417 Shoreheights Drive has permitted over 30 years of use of the property beyond the time the slide occurred. The work was of an emergency nature accomplished under very difficult not to mention dangerous conditions because of limited access and possibility of additional movement. Nevertheless, at least incipient movement now has developed the cause of which is uncertain. Either transient seismic loads or perched infiltrated ground water at depth in a weak siltstone section of the Sespe Formation, or both, may be the cause.

More relevant for present purposes is a risk of landsliding directly affecting the proposed installation, a matter thus far not considered in the documents reviewed. The geotechnical data in terms of strength from the report of Chamaa (2008) are insufficient to offer an opinion on the stability of the site. Basically at issue is the stability of the slope in Sespe Formation rock immediately to the west, especially the upper 60 feet which appears to be an exposed section of a landslide scarp. To illustrate, the potential surface of failure of that section, can be considered.

The section above the dotted line in Figure 1 can be analogized to a block on an existing surface with an angle of 35 degrees. The block has an area in the diagram of 1,540 square feet, so assuming a unit weight of 98 pounds per cubic foot from Chamaa's sample at 23-25 feet, the total load, W_t a section of unit width would have on the surface is about 150 kips 1 kip = 1,000 pounds). The driving force, W_d, of the block down the surface would be 123 kips (W_t cos 35). The force normal to the plane, W_n, would be 86 kips (W_t sin 35), and the resisting force, W_r would be the product of the normal force and the coefficient of friction, 0.4, or 35 kips, assuming

zero cohesion from the Chamaa's undisturbed direct shear tests. This resisting force is, of course, much too low, because rocks along the potential surface of failure must have considerable cohesion. In fact, rough calculations indicate that using a friction angle of 22 degrees requires a cohesion of 660 pounds per square foot (psf) for a safety factor of 1.0, and 1,180 psf for a safety factor of 1.5, all quite high, even though the section is taken transverse to the bedding. Such values are due to the relatively low friction angle Chamaa reports.

Even ignoring the possibility of a widening of the existing landslide, if the environmental aspects of the proposed installation concern the safety of the site itself against landsliding, the conditions demand a stability analysis of a section similar to X-X' of Figure 1, and this in turn requires strength data for the Sespe section. In particular, an engineering geology map of the local area with particular attention to relatively weak Sespe siltstone beds observed by down-boring visual logging and the general dip-slope character of the slope are necessary. This approach seems especially appropriate considering the proximity of the Malibu Coast fault with a postulated peak site acceleration of 1.016 g. (*op. cit.*, Seismic Design App., p. 2).

Respectfully,

E.D. Michael

REGISTERED GEOLOGIST 270
E.D. MICHAEL
CERTIFICATIONS
Engineering Geologist 157
Hydrogeologist 574
Expiration:
3/31/12
STATE OF CALIFORNIA

April 5, 2010

Mr. Matt Silver
18361 Clifftop Way
Malibu, CA 90265

To Whom It May Concern:

I am a T-Mobile cellular customer. I am satisfied with my cell reception. I do not support, nor do I think there is a need, for a tower to be built in our neighborhood.

Thank you,

Matt Silver

March 24, 2010

Mrs. Sue Kamins
18337 Coastline Drive
Malibu, CA 90265

To Whom It May Concern:

I have been a T-Mobile cellular customer for over a year and live in the Sunset Mesa.

I am satisfied with my cell reception. I do not support, nor do I think there is a need, for a tower to be built in our neighborhood.

Thank you,

Sue Kamins

Sue Kamins

Where the coast meets the neighborhood
One local wag calls Sunset Mesa "Baja Malibu," because it is the farthest south a person can live and still have tony Malibu as the mailing address.
NEIGHBORLY ADVICE
August 28, 2005|Dorothy Reinhold, Special to The Times

They pull away from their ocean-view homes and, while they wait for the traffic light to change, the residents of Sunset Mesa watch dolphins frolic in Santa Monica Bay -- it's just another day in paradise.

Sunset Mesa has a milelong list of attributes that drew people 40 years ago, when the homes were built. That list endures, and it still draws house-hunters moving up from a starter home or condo in West L.A., or perhaps seeking 20 degrees of relief from broiling San Fernando Valley summers.

Sure, there's Pacific Coast Highway -- the thorn in the side of all Mesa residents, who have no alternative because it is the only way to go out or to get home. A mudslide to the north during the rainy season or a crack in the cliff, as happened in February, and residents can count on adding two hours onto the evening commute.
For them, it's all worth it -- what's a little delay when Eden awaits?

Beginnings

Two early housing developments -- one called Sunset Mesa, the other Pacific Riviera -- gradually became less distinct and the Sunset Mesa name won out. Because "mesa" means "table" in Spanish, the name also effectively describes the plateau carved into the cliff that offers sweeping head-on ocean views.

Drawing cards

Strict Sunset Mesa covenants, conditions and restrictions protect ocean views and have effectively prevented the mansionization that has occurred in other communities nearby. Low-trimmed trees and underground utility lines protect those views and give the neighborhood a clean, sweeping feel.

The area is part of the Santa Monica-Malibu Unified School District, and many Mesa residents count on using those excellent public schools instead of having to cough up private school tuition. School bus service tames the trek to those somewhat distant public schools.

For shopping, residents have their pick of nearby small but congested Pacific Palisades or the city of Malibu. For big-box stores, they drive south to Santa Monica or into West L.A.

Despite a bruising (and ultimately unsuccessful) legal battle over the expansion of the Getty Villa at the mouth of Sunset Mesa, many residents are now looking forward to its reopening in 2006.

Housing stock

There are about 500 single-family homes in Sunset Mesa, and 53 condos, built from 1962 to 1965. At the time, the houses sold "like hotcakes," original owners say, in the range of $38,000 to $48,000. Although built as tracts with a handful of different floor plans, over the years significant remodeling inside and outside has given the homes a more individual appearance.

Marta Samulon, a Mesa resident and Coldwell Banker real estate agent nicknamed "the Queen of Sunset Mesa" because of her market niche, has sold more than 80 homes in the area during her 17-year career. She notes that the going rate per square foot is about $1,000 for homes with ocean views and $738 for homes with average views.
"People pay a lot of money for an ocean view. It makes a huge difference," Samulon said.

Good news, bad news

The good is very, very good: the stunning, edge-of-the-continent views; the proximity to the beach for easy recreation; and a calm, safe "Mayberry RFD"-like neighborhood where parents still let their youngsters walk alone down the street to the neighbor's house.
Sunset Mesa is a notch beyond quiet -- there are no through streets and no retail destinations, so no one passes through unless they live there or are visiting.
The hilly aspect is good because it affords many people that prized ocean view and provides a nice cardio workout for the power walkers and jogging-stroller set. It's also bad, because there are only three or four streets that are flat enough for a kid to ride a bike on.

The bad can also be downright threatening -- wildfires in the mountains periodically cause a scare and occasionally an evacuation order -- or merely annoying and frustrating, such as summer beach traffic.

In the "manageable annoyances" category is the fact that the area is entirely residential, so there are no opportunities to stroll to a market or frozen yogurt store, or to swing by a close ATM. Heading north, the library is 15 minutes away, the elementary school 20 minutes and the high school 30 minutes, so if Junior forgets his lunch, tough noogies.
Plain and simple, you need your car for everything you do.
Longtime residents have learned to fudge a bit when they are phoning for a service call -- appliance repair, furniture delivery, etc. Once schedulers hear "Malibu" in the address, they assume it will add an additional 30 minutes to the drive time. So Mesa people commonly say "Pacific Palisades" to gain more favorable delivery fees or timing. But unless you're talking deliveries or service repair visits, Mesa residents are quick to correct

people who mistakenly believe they live in the Palisades. They paid for that Malibu address, so they're going to claim it.

Insider's viewpoint

Although there are no neighborhood parks or community pools, a sense of community persists. "It's a real neighborhood with real neighbors -- that has its ups and its downs," said Lisa Ney, an 11-year resident. "Because houses are so close together, people watch out for each other in a way they don't when you're not so close," she said.

But everyone knows your business, all the nannies know each other, and if there's a barking dog, it's right under your window. If someone's having a party you know it. But if you are on the ocean side, you have the illusion that you have no neighbors at all."

Report card

On the 2004 Academic Performance Index, Webster Elementary School scored 863 out of 1,000, and Malibu Park Middle School and Malibu High School's combined score was 810.

Historical values
Residential resales:
Year...Median Price
1990...$660,000
1995...$455,000
2000...$690,000
2004...$1,335,000
2005...$1,397,500*
**Year to date*

Sources: DataQuick Information Systems; Santa Monica-Malibu Unified School District; www.smmusd.org; historian Betty Lou Young.

From: John Peed <john@coldopen.com>
Subject: **Marta's letter**
Date: March 25, 2010 12:05:28 PM PDT
To: Audrey Sarn <audrey@audreysarn.com>
1 Attachment, 73.8 KB

Audrey,
Here is her letter.
-John

COLDWELL BANKER

MARTA K. SAMULON
Exceeding Your Highest Expectations

COLDWELL BANKER
RESIDENTIAL BROKERAGE, INC.
15101 Sunset Boulevard
Pacific Palisades, CA 90272

(310) 230-2448 BUSINESS
(310) 459-5487 FAX
marta.samulon@camoves.com
www.martasamulon.com

March 24, 2010

Supervisor Zev Yaroslavsky,
821 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Re: Installation of Cell Tower on Shoreheights Drive, Malibu (unincorporated)

Dear Supervisor Yaroslavsky:

As you may know I have been in the real estate business for about twenty years, specializing in the sale of homes in an area called Sunset Mesa, where Shoreheights Drive is located. I have sold eighty five homes in the area, plus many others in a variety of Los Angeles neighborhoods. I was recently honored by Coldwell Banker again, for being in the top 4% of Coldwell Banker realtors nationally in terms of sales production.

I strongly feel that the installation of a cell tower on Shoreheights Drive will greatly hurt the home values nearby. It is my experience that most buyers do not want to live close to cell phone towers. I am sure you are aware of the current opposition to the installation of a cell tower in Pacific Palisades as well. The public in this area and Sunset Mesa greatly perceives cell towers as a negative, and certainly does not want to purchase expensive real estate anywhere near these installations.

For many Sunset Mesa residents, their home is their major investment. It is cruel and inconsiderate to place a cell phone tower in a residential area where the installation will inevitably hurt home values. People who buy in Sunset Mesa are attracted by the proximity to nature, and the fact the utility lines are underground. Shoreheights Drive is a favorite place from which to admire nearby Topanga Canyon and the Santa Monica Mountains, plus beautiful ocean views. The homes in that location enjoyed particularly high desirability and home values, both of which will be affected negatively by the proposed cell phone tower.

I urge you to vote against this proposal.

Thank You,

Marta K. Samulon
Member, Coldwell Banker President's Circle

Sotheby's

Anthony Hitt
Assistant Brokerage Manager

15308 Sunset Boulevard
Los Angeles, CA 90272
(310) 264-1600

April 1, 2010

RE: **Sunset Mesa Cell Tower**

TO WHOM IT MAY CONCERN:

This letter confirms my professional opinion that a cell tower located in the Sunset Mesa neighborhood will have a negative impact on home sales -- and already has.

We are in a distressed market and anything that *can* be used by a potential buyer to negotiate a lower purchase price *will* be used. Just the chance of this tower being located in the Mesa has already played a role in recent transactions.

In the long term, and as more research becomes available and more media attention is focused on the negative effects of cell towers in an area, buyers' fears and perceptions will become every sellers' and agents' reality. As a licensed real estate agent and member of the California Association of Realtors I (and all other agents) have an obligation to disclose any material fact that affects the value or desirability of a property. It doesn't take long to connect the dots from disclosure to negative research already abundantly available to lower sales prices.

Without question, and only barely taking into consideration any of the numerous reports and posts on the Internet which already conclude cell towers decrease neighboring home values, the only presumption I or, in my opinion, any experienced Realtor could have is that placing a tower in the Sunset Mesa neighborhood will inevitably adversely affect home values there.

If you have any questions or would like to discuss this opinion, please contact me at 310-264-1600 or by email at anthony@anthonyhitt.com.

My best,

Anthony

Anthony Hitt, Realtor

From: "Norman A. Dupont" <NDupont@rwglaw.com>
Subject: **FW: Application for Conditional Use Permit/Project No. R2008-01980 (3)//RCUP 200800165(3)**
Date: March 28, 2010 9:37:57 AM PDT
To: <audrey@audreysarn.com>

Audrey:
I am resending to the correct domain address!

Norm

-----Original Message-----
From: Norman A. Dupont
Sent: Sunday, March 28, 2010 9:36 AM
To: 'audrey@audreysam.com'
Subject: FW: Application for Conditional Use Permit/Project No. R2008-01980 (3)//RCUP 200800165(3)

Dear Audrey:

This is a copy of the e-mail that the Sunset Mesa Property Owners Association sent to the hearing officer with respect to the proposed T-mobile cell tower.

Sincerely,
Norm
President, Sunset Mesa Property Owners Association, Inc.

-----Original Message-----
From: Norman A. Dupont
Sent: Monday, September 14, 2009 1:45 PM
To: Ben Saltsman (E-mail)
Subject: FW: Application for Conditional Use Permit/Project No. R2008-01980 (3)//RCUP 200800165(3)

Ben:

My earlier attempt to copy you with this e-mail was rejected as being too large. I suspect that it was the photograph that was attached. I am resending to you without the photograph in the hopes that this will reach your office without being blocked any further.

Thanks again for your help in this regard.

Norm

-----Original Message-----

From: Norman A. Dupont
Sent: Monday, September 14, 2009 12:39 PM
To: 'dfierros@planning.lacounty.gov'
Cc: Ben Saltsman (E-mail); Barbara Hattem; Bill Davis; Bill Sanders (E-mail); Craig Mohr (E-mail); Gregg Brock; Matthew S. Warren (E-mail); Paul Leoni (E-mail); Paul Rudzinski; Peter Heiman (E-mail); Shyam Amladi; Tom Sadowski
Subject: Application for Conditional Use Permit/Project No. R2008-01980 (3)//RCUP 200800165(3)

Dear Mr. Feirros:

Please allow this e-mail to serve as the comment of the Sunset Mesa Property Owners Association, Inc. to the proposal for a CUP that would allow the construction, maintenance of a new monopole and related features to expand the cellular phone service for T-Mobile.

Sunset Mesa Property Owners Association, Inc. is a non-profit corporation that serves the homeowners in the community generally known as Sunset Mesa and includes the streets of Shoreheights, Surfwood, and Clifftop that are the three streets closest in proximity to the new proposed cell phone tower. We oppose the application because it appears that: (1) the applicant has misled the Department of Regional Planning in at least three respects in its application; and (2) the applicant has failed to demonstrate that it is appropriate to locate a cellular phone tower immediately adjacent to a major landslide area and a major fire hazard area. Therefore, the "time, place, and manner" of this proposed location should be rejected by the Regional Planning Commission.

With respect to factual errors in the Zoning Permit Application ("Application"), we note three significant errors. First, the applicant indicated that there are "no" identifiable landslides on the property. Yet, even a causal view of the back of the immediately closest house to this proposed construction, 3418 Shoreheights Drive, will show that that house, and the home immediately next door to 3418 Shoreheights Drive suffered a major landslide within the past five years. The home at 3418 Shoreheights Drive currently appears to be adequately supported by a series of massive caissons put in the by owner. But, there should be no mistake that the area immediately (and I do mean immediately) adjacent to the proposed monopole has a clearly demonstrated history of recent landslide activity.

Second, the applicant indicated that the property is not located within a "high fire hazard area." I am attaching a photograph recently taken that illustrates exactly how close the proposed pole location is to a hillside filled with brush. This area is known as a high fire hazard area within the County, and the applicant's failure to note this is a very disturbing failure.

> Third, the applicant indicated that "delivery or shipment trucks" will not travel through residential areas to reach the nearest highway. This is demonstrably untrue. The ONLY way to> access the upper portion of Shoreheights Drive is to travel through the Sunset Mesa community which is 100% residential.

On the basis of demonstrably incorrect information alone, Sunset Mesa Property Owners Association, Inc. requests that this application be delayed for 30 days or denied outright.

Finally, Sunset Mesa Property Owners Association, Inc. questions why it is that the only proposed location for this particular cell phone tower is within 5-10 feet of open brush from the Santa Monica mountains. Certainly, the County's recent experience with the relay systems at the top of Mt. Wilson in the Station fire demonstrates that great pause must be given before locating sensitive cell phone towers or other communications systems within easy range of a fire area. Absent evidence that the applicant considered other locations and was unable to find any other location that can accommodate its telecommunications needs and yet is better situated to avoid a clear and present fire danger, Sunset Mesa must object.

Please notify me if you have any questions about these objections. If you need a formal letter from the Association for your files, please advise me and I will arrange for delivery of such a letter to your offices this afternoon.

Sincerely,
Norman Dupont
President,
Sunset Mesa Property Owners Association, Inc.

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient of this communication, or an employee or agent responsible for delivering this communication to the intended recipient, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.