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**DEPARTMENT OF
CITY PLANNING**

MICHAEL J. LOGRANDE
DIRECTOR

**OFFICE OF
ZONING ADMINISTRATION**

200 N. SPRING STREET, 7TH FLOOR
LOS ANGELES, CA 90012

(213) 978-1318
FAX: (213) 978-1334

www.planning.lacity.org

July 15, 2013

Rabbi Joseph Gordon (A)(O)
5233 Bascule Avenue
Woodland Hills, CA 91364

Lloyd Pilchen, Esq. (R)
c/o Chabad of Woodland Hills
5233 Bascule Avenue
Woodland Hills, CA 91364

CASE NO. ZA 2012-0161(CU)(ZV)
CONDITIONAL USE; ZONE VARIANCE
5233 Bascule Avenue
Canoga Park-Winnetka-Woodland Hills-
West Hills Planning Area
Zone : RA-1
D. M. : 171B109
C. D. : 3
CEQA: ENV 2012-0160-MND
Legal Description: Lot 21, Tract 14557

Pursuant to Los Angeles Municipal Code Section 12.24-W,9, I hereby APPROVE:

a Conditional Use Permit authorizing conversion of a 1,492 square-foot single-family dwelling into a religious facility on a 14,894 square-foot lot in the RA-1 Zone;

Pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27, I hereby DENY:

a Variance granting seven (7) on-site parking spaces in lieu of 23 spaces otherwise required per Section 12.21-A,4(e); and

Pursuant to Charter Section 562 and Los Angeles Municipal Code Section 12.27, I hereby APPROVE:

a Variance granting seven (7) on-site parking spaces in lieu of 23 spaces with 16 parking spaces provided off-site within 1,500 feet of the subject site by lease otherwise required,

upon the following additional terms and conditions:

1. All other use, height and area regulations of the Municipal Code and all other applicable government/regulatory agencies shall be strictly complied with in the development and use of the property, except as such regulations are herein specifically varied or required.
2. The use and development of the property shall be in substantial conformance with the plot plan submitted with the application and marked Exhibit "A", except as may be revised as a result of this action.
3. The authorized use shall be conducted at all times with due regard for the character of the surrounding district, and the right is reserved to the Zoning Administrator to

impose additional corrective Conditions, if, in the Administrator's opinion, such Conditions are proven necessary for the protection of persons in the neighborhood or occupants of adjacent property.

4. All graffiti on the site shall be removed or painted over to match the color of the surface to which it is applied within 24 hours of its occurrence.
5. A copy of the first page of this grant and all Conditions and/or any subsequent appeal of this grant and its resultant Conditions and/or letters of clarification shall be printed on the building plans submitted to the Development Services Center and the Department of Building and Safety for purposes of having a building permit issued.
6. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceedings against the City or its agents, officers, or employees relating to or to attack, set aside, void or annul this approval which action is brought within the applicable limitation period. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate fully in the defense. If the City fails to promptly notify the applicant of any claim action or proceeding, or if the City fails to cooperate fully in the defense, the applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.
7. Prior to the issuance of any permits relative to this matter, a covenant acknowledging and agreeing to comply with all the terms and conditions established herein shall be recorded in the County Recorder's Office. The agreement (standard master covenant and agreement form CP-6770) shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement with the conditions attached must be submitted to the Development Services Center for approval before being recorded. After recordation, a certified copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.
8. Approval of Plans Review. In order to provide for reexamination of the matter one (1) year after the effective date of this Determination or after issuance of the Permanent or Temporary Occupancy Permit, which every is longer, an "Approval of Plans" shall be filed.

Said application must be filed no later than three months prior one year after the utilization of the authorization and said application must be made on the appropriate forms and fees paid. The application shall be accompanied by the payment of appropriate fees, as governed by Section 19.01-I of the Los Angeles Municipal Code, and must be accepted as complete by the Planning Department public counter. The completed application shall be accompanied by owner notice labels for abutting properties include the Council District, Certified Neighborhood Council, and individuals on the interested parties list related to the subject authorization.

The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with each of the conditions contained herein at the time of filing the Approval of Plans review application. An application without such documentation shall be accompanied by a fee payment governed by Section 19.01-C of the Los Angeles Municipal Code. The applicant shall submit proof that at least a summary of the compliance documentation was mailed to address labels noted above which

included a statement that "In compliance with the conditions of approval, the attached documentation is mailed to interested parties. To assist the Planning Department in determining if a public hearing shall be held, interested parties should contact the Planning Department within two weeks."

The Zoning Administrator may elect to waive the public hearing if the applicant has fully complied with the conditions of approval, continued operation of the facility would not adversely impact the surrounding community, and the matter is not likely to evoke public controversy.

9. Authorization/Space

a. Conversion of a 1,492 square-foot single-family dwelling and 446 square foot garage into a religious facility (synagogue) on a 14,894 square-foot lot in the RA-1 Zone.

b. The space shall not exceed:

Assembly/synagogue -	753 square feet
Play room -	404 square feet
Office -	166 square feet
Conference room	176 square feet

c. A studio unit or other habitable space shall be provided for residency and used more than incidentally.

d. No covered parking shall be required unless primary use of the building is converted to a dwelling.

e. The street address shall be changed to Kevin Avenue.

10. Authorization/Use:

a. Hours of operation shall not exceed 7:00 a.m. – 11:00 p.m., daily.

b. Worship services, related celebrations, and annual holidays including total occupancy on the site shall not exceed that shown in Exhibit "B". (*applicant volunteered*) In no circumstance shall occupancy exceed that permitted by California Building Code which shall be posted in the Assembly/synagogue room.

c. Any outdoor activity is restricted to the rear yard. (*Applicant volunteered*)

d. No renting of the site for non-congregation events. (*Applicant volunteered*)

e. No weekday children's religious school. (*Applicant volunteered*)

11. Complaint Response/Community Relations

a. Monitoring of complaints. The property owner/operator shall establish an appropriate monitoring of community complaints concerning activities associated with the subject facility and to ensure security of the property.

- b. Complaint monitoring. A 24-hour "hot line" phone number shall be provided for the receipt of complaints from the community regarding the subject facility and shall be:
 - 1) Posted at the entry.
 - 2) Mailed to abutting property owners and tenants.
 - 3) Provided to the Office of Zoning Administration, schools, Certified Neighborhood Council, and local neighborhood homeowner/renter associations, if any.
 - c. Log. The property owner/operator shall keep a log of complaints received, the date and time received and the disposition of the response. The log shall be retained for consideration by the Zoning Administrator at the Approval of Plans Review, if required.
12. Environmental Mitigation Measures. Comply with the environmental mitigation measures of Mitigated Negative Declaration No. ENV- 2012-0160-MND, attached (*complete copy of mitigation measures in Environmental case file*). Pursuant to California State Public Resources Code Section 21081.6, the City shall monitor or require evidence that any mitigation conditions are implemented and maintained throughout the life of the project and the City may be required any necessary fees to cover the cost of such monitoring.
13. Lighting.
- a. Exterior low-level lighting if installed shall illuminate the site in order to make easily discernible the appearance and conduct of all persons on or about the property.
 - b. All lighting shall be shielded and directed onto the site and no floodlighting shall be located so as to shine directly onto any adjacent property.
14. Maintenance. The subject property, including any associated parking facilities and abutting streets, sidewalks and alleys, shall be maintained in a neat and attractive condition at all times and shall be kept free of trash and debris on a daily basis.
15. Noise.
- a. All worship activities shall be conducted inside the building.
 - b. Regulating noise shall comply with the City of Los Angeles Noise Regulations Section Nos. 111.00 – 111.05.
 - c.. Notwithstanding the above, it shall be unlawful for any person to willfully make or continue, or cause to be made or continued, any loud, unnecessary, and unusual noise which disturbs the peace or quiet of any neighborhood or which causes discomfort or annoyance to any reasonable person of normal sensitiveness residing in the area. The standard which may be considered in

determining whether a violation of the provisions of this section occurs may include, but not limited to, the following:

- 1) The level of noise;
 - 2) Whether the nature of the noise is usual or unusual;
 - 3) Whether the origin of the noise is natural or unnatural;
 - 4) The level and intensity of the background noise, if any;
 - 5) The proximity of the noise to residential sleeping facilities;
 - 6) The nature and zoning of the area within which the noise emanates;
 - 7) The density of the inhabitation of the area within which the noise emanates;
 - 8) The time of the day and night the noise occurs;
 - 9) The duration of the noise;
 - 10) Whether the noise is recurrent, intermittent, or constant; and
 - 11) Whether the noise is produced by a commercial or noncommercial activity.
- d. Outdoor public address systems and loudspeakers are prohibited. Any phonograph, radio or other electric equipment used shall be sufficiently modulated so as not to be disturbing to neighbors residing in the immediate vicinity.
16. Parking/Circulation
- a. Parking.
 - 1) A Variance is granted permitting seven (7) on-site parking spaces in lieu of 23 spaces with 16 parking spaces provided off-site within 1,500 feet of the subject site by lease.
 - 2) Prior to temporary or permanent occupancy permit, the owner/operator shall submit the location of off-site parking and lease agreements. Off-site parking locations to the greatest extent feasible must use Kevin Avenue and Venture Boulevard as a crossing.
 - b. Parking. Parking on Bascule Avenue is not permitted for non-residential use.
 - c. Parking Overflow. A parking plan/valet plan shall be submitted indicating how overflow parking would be managed at peak use times.
 - d. Drop off/Pick up. To the greatest extent feasible all drop off and pick shall occur on-site or within a drop off and pickup zone on Kevin Avenue. Bascule Avenue shall not be used for drop off and pickup for non-residential use.
 - e. Transportation Demand Management. Include information in brochures programs, flyers, text messages, emails, or other means, advertising activities to encourage alternative transportation as well offer incentives to users who use alternative means of transportation other than single occupancy vehicles.

- f. Use due diligence in seeking additional sites for parking, if mitigation measures are found deficient. Use of a residential lot may require review and approval of City Planning Department.
17. Public Service (Streets Public Improvements):
 - a. Dedications shall be provided to the satisfaction of the City Engineer.
 - b. Street lights shall be installed to the satisfaction of the Bureau of Street Lighting.
 - c. Street trees shall be planted and maintained along the street. Construction of tree wells and planting of street trees and parkway landscaping shall be to the satisfaction of the Street Tree Division of the Bureau of Street Maintenance.
 18. Signs. Any "Church Bulletin" sign shall comply with Section 12.21-A,7(i) and not exceed 18 square feet. Prior to the issuance of a building permit, a master sign plan shall be submitted indicating the general type, size, and location of any identification sign, parking signs, directional signs, or new signs. The sign shall be in easy to read lettering and shall be sensitive to the residential nature of the area.
 19. Walls Trash/Storage. Open areas devoted to trash storage or other storage shall be as far as feasible from adjoining residentially zoned property and buffered so as not to result in noise, odor, or debris impacts.

OBSERVANCE OF CONDITIONS - TIME LIMIT - LAPSE OF PRIVILEGES

All terms and conditions of the approval shall be fulfilled before the use may be established. The instant authorization is further conditional upon the privileges being utilized within three years after the effective date of approval and, if such privileges are not utilized or substantial physical construction work is not begun within said time and carried on diligently to completion, the authorization shall terminate and become void.

TRANSFERABILITY

This authorization runs with the land. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent upon you to advise them regarding the conditions of this grant.

VIOLATIONS OF THESE CONDITIONS, A MISDEMEANOR

Section 12.29 of the Los Angeles Municipal Code provides:

"A variance, conditional use, adjustment, public benefit or other quasi-judicial approval, or any conditional approval granted by the Director, pursuant to the authority of this chapter shall become effective upon utilization of any portion of the privilege, and the owner and applicant shall immediately comply with its Conditions. The violation of any valid Condition imposed by the Director, Zoning Administrator, Area Planning Commission, City Planning Commission or City Council in connection with the granting of any action taken pursuant to the authority of this chapter, shall

constitute a violation of this chapter and shall be subject to the same penalties as any other violation of this Code.”

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$2,500 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment.

APPEAL PERIOD - EFFECTIVE DATE

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper public agency. Furthermore, if any Condition of this grant is violated or if the same be not complied with, then the applicant or his successor in interest may be prosecuted for violating these Conditions the same as for any violation of the requirements contained in the Municipal Code. The Zoning Administrator's determination in this matter will become effective after JULY 30, 2013, unless an appeal therefrom is filed with the City Planning Department. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms, accompanied by the required fee, a copy of the Zoning Administrator's action, and received and receipted at a public office of the Department of City Planning on or before the above date or the appeal will not be accepted. **Forms are available on-line at <http://planning.lacity.org>**. Public offices are located at:

Figueroa Plaza
201 North Figueroa Street,
4th Floor
Los Angeles, CA 90012
(213) 482-7077

Marvin Braude San Fernando
Valley Constituent Service Center
6262 Van Nuys Boulevard, Room 251
Van Nuys, CA 91401
(818) 374-5050

If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

NOTICE

The applicant is further advised that all subsequent contact with this office regarding this determination must be with the Zoning Administrator who acted on the case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **BY APPOINTMENT ONLY**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

FINDINGS OF FACT

After thorough consideration of the statements contained in the application, the plans submitted therewith, the report of the Zoning Analyst thereon, the statements made at the public hearing on November 2, 2012, all of which are by reference made a part hereof, as well as knowledge of the property and surrounding district, I find that the requirements for

authorizing a conditional use permit under the provisions of Section 12.24-W have been established by the following facts:

BACKGROUND

The subject property is a level, corner, rectangular-shaped lot, consisting of 14,894 square feet, with an even width of 86 feet and depth of 165 feet along the east property line and 175 feet along the west property line. The property has two street frontages, Kelvin Avenue to the east and Bascule Avenue to the south. The site is developed with a one story, 1,482 square-foot single-family dwelling, built in 1955, with one driveway from Kelvin Avenue. The property is enclosed with varied, approximately 6-foot high fencing (decorative wrought iron with brick pillars on Bascule and part of Kelvin frontage and cinderblock on the rest of the Kelvin frontage). The front of the house is set back approximately 45 feet from Bascule Avenue with an extensive lawn area in front. The rear yard is approximately 75 feet deep with a lawn area on the west side and a concrete area (sports court) on the east side. Tall trees/shrubs are located along most of the rear yard perimeter. The west side yard appears to be 5-1/2 feet wide and may be legal non-conforming. The west side of the subject dwelling is approximately 11 feet apart (at its closest) from the west adjoining dwelling.

The surrounding area is generally comprised of commercial zoned properties along Ventura Boulevard with [Q]C1, C1.5-1VL on the south side of Ventura and [Q]C4-1LD on the north side. A church and school property (St. Mel's) consisting of approximately 7 acres is located approximately 235 feet to the west (fronting Ventura Boulevard and Serrania Avenue). The properties south of the commercial uses are zoned RA-1 and comprised of low density single family with average lot size of 20,000 square feet or half acre lots. The north adjoining property is zoned (Q)C1.5-1VLD and developed with a two-story office building (currently a bank use) that fronts Ventura Boulevard with a surface parking lot at the rear of the site which adjoins the subject property. The west adjoining property (likely would be the most impacted property) is zoned RA-1 and developed with a one-story, single-family dwelling built in 1953 with a rear yard swimming pool. This property has a similar deep front yard setback and rear yard as the subject property, thus both houses are similarly aligned. The west adjoining property has a driveway and garage access from Bascule along the west side of the property, furthest away from the subject dwelling thus the living area on the east side of the dwelling would be closest to the proposed synagogue. A commercial parking lot adjoins the west side of this property. The south abutting corner property, across Bascule Avenue, is zoned RA-1 and is developed with a one-story, single-family dwelling, built in 1954. The front of the house is oriented facing the northeast corner at Kelvin and Bascule Avenue and has a half-circle driveway in front of the dwelling, which provides access from both streets. The east abutting property is zoned (Q)C1.5-1VLD and developed with a large four-story office building complex which fronts Ventura Boulevard with side and rear vehicle access to the site from Kelvin Avenue leading to a driveway roundabout and a two- to three-story parking structure. The driveway roundabout is directly across from the subject property and parking structure is further southeast from the property (south of Bascule).

Bascule Avenue, adjoining the property to the south, is a Local Street, dedicated to a width of 60 feet and improved with asphalt and curb. There are no sidewalks in this neighborhood. There are approximately 9-foot wide (subject north side) and 14-foot wide (south side) grass parkways with curb as part of the right-of-way along the property frontages. Bascule Avenue has speed humps and No Parking signs on both sides of the

street which read No Parking 8 a.m. to 6 p.m. except Saturday/Sunday. The actual roadway appears to be 36 feet wide.

Kelvin Avenue, adjoining the property to the east, is a Collector Street, dedicated to a varied width of 50 to 62 feet and partially improved with curb, gutter, and sidewalk. The commercial zoned properties (north adjoining and east abutting) have sidewalks. There are no sidewalks in front of the residential zoned properties. Instead, there are approximately 10- to 18-foot wide grass parkways with curb as part of the right-of-way on the subject west side of Kelvin and 6- to 9-foot wide grass parkways with curb on the east side of Kelvin Avenue. Kelvin Avenue also has speed humps and No Parking signs on both sides of the street from Ventura Boulevard to De La Guerra Street (distance of approximately 920 feet). Parking signs read "No Stopping Anytime" and "No Parking Anytime."

Ventura Boulevard, in close proximity (187 feet) north of the site, is a Major Highway. The south side of Ventura Boulevard (i.e. same block) is posted "No Stopping Anytime" from 6 a.m. to 9 a.m., has One Hour Parking otherwise, from 9 a.m. to 8 p.m. except Sundays.

Previous zoning related actions on the site/in the area include:

Subject Property:

Building and Safety Order to Comply No. A-2868826 – Issued October 4, 2011, for the unapproved use of a synagogue in the RA Zone at the subject location. The order required the use be discontinued until all required permits, inspections, approvals, and Conditional Use permits have been obtained.

Certificate of Occupancy – Issued June 30, 1955, for a one-story dwelling and attached garage.

Surrounding Properties:

Case No. ZA 2009-2962(CU) – On June 25, 2010, the Zoning Administrator approved a Conditional Use Permit authorizing the continued use and maintenance of an existing 125 student preschool as an accessory use to a church on a 352,507 square-foot lot in the RA-1 and RA-1VL Zones, located at 20870 West Ventura Boulevard (approximately 200 feet (or two lots over) northwest of subject property.

Case No. ZA 95-0514(CUZ) - On October 5, 1995, the Zoning Administrator approved a conditional use to permit a church and accessory uses in the RA Zone, located at 20870 West Ventura Boulevard. [Staff Note: Building and Safety records indicate church use established on the property in 1956.]

Case No. ZA 97-0216(CUZ) - On March 20, 1998, the Zoning Administrator approved a conditional use to permit the construction, use, and maintenance of a private pre-school with 23 on-site parking spaces for the pre-school accommodating up to a maximum of 125 children located at 20870 Ventura Boulevard.

PUBLIC HEARING

On October 2, 2012, 256 notices of the public hearing were mailed to property owner/occupants within a 500-foot radius of the subject site and to other interested parties,

of which 30 were returned. Notice of the public hearing was executed to be published on October 5, 2012. The notice of the public hearing was posted on the subject site October 16, 2012.

At the time of preparation of the Project Report, the following correspondence was received regarding the proposed project:

E-mail from applicant's representative with attached e-mails (excerpts below) addressed to Daniel Skolnick for Councilmember Zine expressing support for the synagogue use and including the following:

- *December 26, 2011* e-mail from Robert Ross – 5201 Bascule (approx. 270 feet from site) – “absolutely love Chabad of Woodland Hills and Rabbi Yossi Gordon and his family. The center allows the members to get together only once a week for a warm service...”
- *December 29, 2011* e-mail from Michael Weitz – 5107 Bascule (approx. 940 feet from site) – “Rabbi Gordon has vastly improved the house and the landscaping on the property. In regards to property values, my experience is that home values appreciate near conservative and orthodox synagogues because of the convenience of walking to the synagogue...”
- *December 28, 2011* e-mail from Stanley Chesed – 5200 Collier Place (approx. 1.1 mile from site) – “...I appeal to you to allow Rabbi Gordon & Chabad to continue their incredible work in Woodland Hills...”
- *December 28, 2011* e-mail from Barak Isaacs – Law Offices of Barak Isaacs – 18757 Burbank Boulevard - “I am a member of Chabad of Woodland Hills... It is absolutely imperative that our temple be allowed to continue to operate as it is of vital importance to both myself, my family, and the Jewish community in Woodland Hills...”
- *December 28, 2011* e-mail from Shahar Giladi – 22334 Lavender Bell Lane (approx. 2.5 miles from site) – “...past 7 years [member of Chabad/Woodland Hills]... The Rabbi (Yossi Gordon) is always there for us and anybody in the community whenever we need him...”
- *January 4, 2012* e-mail from Gary Puterman – 20333 Chapter Drive (approx. 1 mile from site) – “...member of Chabad for 9 years... do NOT drive to services on the Sabbath... Chabad is ONLY used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple other days during the year for other Jewish Holidays... Rabbi Gordon has and will continue... to ensure that our community does not inconvenience the neighbors. Rabbi Gordon even hired someone to sit outside the Chabad during services to ensure that no one parked on... Bascule Avenue. Rabbi Gordon has secured parking across the road... (in the office building east of the Chabad) and communicated to the community to use this parking... I believe that having the Chabad in its current location will be an asset to the community and should in no way infringe on the neighbors right to enjoy their properties as before.”

- *January 4, 2012* e-mail from Ben Beezy – 5421 Aura Ave., Tarzana (approx. 2 miles from site) – “...There are few Jewish Orthodox synagogues in walking distance to my home (I do not drive on the Sabbath), and almost none that provide the warmth and leadership that Rabbi Gordon provides...”
- *January 11, 2012* e-mail from Allan Abramson (no address) – “...It was always a dream of mine to have an orthodox synagogue in the community, within walking distance for Shabbat and Holidays...Although there may be other Jewish institutions nearby, there are minimal Orthodox Jewish institutions in the community...CWH adds value to the community, it stabilizes the area and adds to property values as families wishing for a synagogue to walk to, will be encouraged to move into the area...”
- *January 18, 2012* e-mail from Gene Moroz – 5111 Escobedo Drive (approx. 1/2 mile from site) - “... I have been a member of Chabad of Woodland Hills since I moved to Woodland Hills [2005] and appreciate everything that Rabbi Gordon ...brings to the Woodland Hills community. Their location is perfectly situated for my family to be able to walk to services...”
- *July 22, 2012* e-mail from Allan Abramson - 6509 Kessler Avenue (approx. 2.3 miles from site) – “...congregant...of synagogue since its inception in 2000...have spoken at the Neighborhood Council on the positives on the Rabbi and his wife and what they mean to the community and to me... The residents on Bascule have complained about safety, traffic, and parking on their block. Anyone that has observed on a regular basis the traffic flow that the synagogue has generated onto Bascule will see it is insignificant. The weekly Sabbath and holiday synagogue services operate between 10AM and 2-3PM. Well outside of peak traffic flow hours...”
- e-mail from Anthony Hatchett – 4742 Adele Ct. (approx. 1-mile from site) – “...I would like to ask for your wholehearted support of this peaceful organization...They are quiet and don't disturb me or my home. Please allow them to remain.”

September 18, 2012, Form letter in opposition dated received from six neighbors who live in immediate area (within 500 feet of site - see map) – “...Will detrimentally affect the quality of life and overall safety of our beloved neighborhood. As this house has already been used as a religious facility...I have seen the hazards that have come from the increased number of cars, traffic, and even pedestrians dodging speeding cars...To allow for such a use within a small residential community increases the likelihood of accidents and only puts everyone within the area and coming to the area, at risk...”

October 10, 2012 e-mail from Todd Van der Wel (5166 Bascule) – “...They [Chabad] have consistently ignored the concerns of the neighbors...The facility they are operating in is clearly not congruent with the current and intended use. For instance on Monday, they had approximately 100 people performing services inside the house and in the backyard. There was traffic and noise that was disruptive to the neighbors...The Chabad and its congregants (some of who live in our neighborhood) were operating quite peacefully in their previous location and there is no reason why they should need to move to a residence to perform services.”

October 10, 2012 letter from Mr. And Mrs. Barney Stanfield (5223 Bascule- west adjoining property) – “oppose the application... Our concerns are two-fold. We believe the Chabad, a religious gathering place, significantly changes our neighborhood by bringing increased visitors, noise, and congestion to our quiet residential street. Second, the increased traffic causes a safety concern. Our single household neighborhood was not designed to accommodate the increased number of cars or pedestrians currently being experienced by the addition of the Chabad...The Chabad has not been a good neighbor. The congregants meet to socialize on the back patio after every service, even during the winter.

The Rabbi teaches outside at various times of the day using a loud instructional voice. All of these occasions are very noisy. The noise is unavoidable as our two houses are each five feet from the property line, and the porch where congregants socialize and teach is about ten feet from the property line. The noise and activity next door impinges on our ability to use and enjoy our outdoor spaces and the section of our home that is closest to the property line. When forty to fifty people gather for several hours almost every weekend and during the week, year-round, the increased noise and commotion feels like a nuisance...having the Chabad next door means enduring noise and inconvenience, equal to a major event, every weekend. The Chabad also creates parking and traffic concerns. Since we have no sidewalks, excess parking on the street creates a safety hazard for pedestrians. Additionally, congregants frequently park in a structure across the street from the property. This creates a hazard when congregants cross mid-street rather than cross at an intersection [discusses near missed accidents – see letter]...congregants often stop on Kelvin to unload passengers at the main entrance to the facility, causing traffic to build up behind the stopped vehicle. This passenger drop spot has led to stalled traffic on Ventura Blvd...Our final concern is that the congregation next door will grow...The Rabbi has been ordered by Building and Safety to cease and desist. He has ignored this order, continues to use the property as a religious facility, ignores the requests of his neighbors, including us...as past behavior is a strong predictor of future behavior, we believe the Rabbi will use the property however he pleases...We believe that the property is inadequate for the size of the current congregation, that is cannot safely withstand growth, and that traffic and safety will be adversely impacted. We respectfully ask you to deny the request for a CUP at 5233 Bascule Avenue.”

October 14 & 22, 2012, Form letter in support received from Chabad of Woodland Hills, via fax from 11 residents and/or members (all live in neighborhood) – “I own and reside at the property stated below, located near 5233 Bascule Avenue...I do not object to the City’s approving the rabbi’s application.”

October 20, 2012 e-mail from Mitchell P. Dresser – (no address) - “...This little temple is almost silent in its operation. The people come and go quietly...We park in the office building across the street (those who don’t walk). We obey the law...Just like Father Junipero Serra built the chain of Missions in California so that they would be 1 day apart on horseback, so does Chabad build its Temples across the West Valley, about an hour’s walk apart. There is Chabad from Sherman Oaks to Westlake. Please don’t break the chain and allow the good citizens of Woodland Hills to have our little Temple...”

October 21, 2012 e-mail from Charles Falcone (5155 Kelvin) – “I live ...4 houses from the Chabad...I have lived in this house since 1985 and have enjoyed the peace and quiet of the area...they are also asking for a variance to wave the required 23 parking spaces for just 7, this is totally unacceptable where are the 90 or so people going to park. I think on that point alone they should be denied the CUP, Aside from the fact this is going to lower our property values. I hope the City recognizes the concern of the neighborhood that the 90 or so people that come to this Chabad are not from our neighborhood but come from

other areas. I am totally behind all efforts to stop this travesty and misuse of our neighborhood.”

October 22, 2012 e-mail from Christina & Omer Shiachi - 5106 Bascule – “...we walk to Chabad for services so this location is ideal for our family...the current location is ideally situated for my family and the entire Woodland Hills Jewish Orthodox community. Chabad is ONLY used by US on Friday night, Saturday mornings, Sunday mornings, and for holidays. Most on the week, no one is there...”

October 22, 2012 e-mail from Scott B. Howard - 20608 Oaksboro Circle (approx. 4,200 feet from site) – “...I work in Encino and live down the street from the subject property. I drive past the property at least twice a day, normally more times. Never is there any noticeable traffic, cars parked, people loitering seen. When they do conduct services and other activities, I have been that I cannot park in the street, or in the center to the north of the property. I have only parked in the building structure across the street...The current location has been ideal for my family and for my friends that also belong to the Chabad...”

Prior to the public hearing, a site inspection was conducted by a Project Planner, staff of Office of Zoning Administration. The following information was obtained from information presented in the application and research of the Project Planner:

The applicant seeks a Conditional Use Permit to operate a religious facility (synagogue) within the subject dwelling. A variance is also being requested to allow 7 on-site parking spaces in lieu of 23 spaces. The request appears to be in response to an Order to Comply, issued in October 2011 for the unapproved use of a synagogue in the RA Zone.

Religious uses are allowed by right in certain multi-family and commercial zones, however require a Conditional Use permit if they want to operate in a single family zone. Parking for religious facilities is calculated based on the square footage of the largest assembly area (and assuming no concurrent uses elsewhere in the building) and whether there is fixed seating or not. In this case, the plans indicate the largest assembly area is 799 square feet and no fixed seating is shown, therefore one parking space per 35 square feet of floor area is required (verses one parking space for every 5 fixed seats). Calculation $799/35 = 22.8$ (rounded up) comes to 23 parking spaces required.

According to the applicant:

Regarding Conditional Use –

“...The Project uses an existing 1482 square foot, one-story building, which will remain a single family house in appearance, and thus will continue to fit in with the residential neighborhood.

The Project is desirable to the public convenience and welfare because it serves the local community's need for a nearby synagogue, and provides for social gathering and community life. This particular congregation has a longstanding presence in Woodland Hills, and recently relocated for economic reasons.

[Staff Note: Staff research reveals that prior location for “Chabad of Woodland Hills” was 20646 Ventura Boulevard, which is a commercial zoned property four lots/buildings east of Kelvin on Ventura Boulevard.]

The Project provides services customarily associated with a religious facility, including worship, religious instruction, meetings, rituals and celebrations (e.g. lifecycle events such as weddings and bar mitzvahs), individual counseling and ministry. Activities will take place within the building and gatherings in the backyard. Assembly occupancy is regulated by the Building Code. A general schedule of activities is attached as Exhibit "A."

... The location is proper in relation to adjacent uses and the development of the community because religious facilities serving the vicinity are traditionally located in residential areas...

The Site is located at the edge of its residential neighborhood. It abuts purely commercial uses to the north (bank parking lot), and across Kelvin to the east (office and parking structure). To the south, substantial buffering between Project and its neighbor is provided by 60-foot wide Bascule Avenue, as well as broad front yards (resulting in at least 120 feet between closest building faces). Along the sites westerly property line, a hedge in front and 5-foot block wall in the rear shield the Site from the neighboring lot.

Moreover, the Project typically does not use the front lawn or front door to the house. Instead, congregants approach the Site from Kelvin Avenue, and enter the house's back door. Outdoor gatherings take place in the backyard. These facts minimize any impact on the residential neighborhood.

... While recognizable as a synagogue due to signage or ornamentation in accordance with the LAMC, the building architecture remains consistent with the residential neighborhood. The Project will not diminish the building's future potential to revert to a residential use.

... This religious facility serves the local Woodland Hills community, including congregants who walk to the facility. It thereby "reduce[s] automobile trips" by "offering proximity to... services and facilities." (Objective 1-2, Plan, p.III-4.) Indeed, transportation to the Project Site includes multiple bus lines along nearby Ventura Boulevard and De Soto Avenue.

... The Project provides a transition between the abutting, purely commercial uses to the north and east, and the residential neighborhood to the south and west. This fulfills one of the Community Plan's "Issues and Opportunities" to [e]stablish appropriate transition between commercial... and adjoining, primarily residential, uses." (Plan, p. I-4.)"

Regarding Zone Variance –

"The variance would allow 7 on-site spaces to satisfy both the conditional use and any parking requirement the city may impose based on the former residential use.

... In cases of small religious facilities like this Project, the Zoning Administrator has stated that unnecessary hardship results from "strict application" of the Code requirement because "the parking ratio assumes use of large assembly spaces such as auditoriums, theaters, and large Places of Worship." (Planning Case No. ZA 2009-227.) Such uses do not accurately describe this small neighborhood serving synagogue and, consequently, would result in an erroneous value for parking demand.

Practical difficulties stem from reconciling a requirement of 23 parking spaces with the limited land area of the Site. The unnecessary hardship is that strictly applying the parking requirement would subvert this desirable project...

To impose the strict requirement would ...substantially burden the religious exercise of the applicant and his congregation, which requires a religious facility located within the community.

The proposed use of the Site as a religious facility, and the accompanying need to use the Site's limited space to support this beneficial use, are special circumstances that do not apply to other properties in the vicinity. The following facts constitute special circumstances and demonstrate the sufficiency of the requested on-site parking:

Operating Record – In practice, the Project's on-site parking has shown to be more than sufficient for the use. Four additional spaces are also available along the Site's Bascule frontage.

Low Intensity of Use - ...Project is mildly used for most hours of the week. The Project's peak hours of operation – Saturday and Sunday mornings – occur when traffic in the vicinity is lightest. On most days, the synagogue's room for religious services is used by fewer than 30 people, many arriving on foot. The floor area of this room is thus a poor indicator of parking demand.

[Project Planner Observation] Project peak hours of operation should also include Friday Sabbath, noted to include the greatest number of people from 5 p.m. to 11 p.m.]

Walking community – Many congregants walk to synagogue and thus create no parking demand. This is particularly true on those days attracting the greatest number of people, including the Sabbath (Friday evening and all day Saturday) and certain holidays in observance of a religious restriction against driving.

Religious restrictions aside, the purpose of the neighborhood facility is to be conveniently located near the homes of congregants. The location obviates innumerable car trips that would otherwise be generated by residents driving to church...

...The parking variance promotes the preservation and enjoyment of the Site's beneficial use as a religious facility... The variance further supports the rights of the applicant and this local religious congregation to practice their faith as a community...

The variance recognizes that the religious facility does not generate demand for 23 parking spaces, so granting it creates little to no impact to the public..."

The applicant provided the following operational information:

- There are no fixed seats in the sanctuary. The floor area of the room for religious services is approximately 799 square feet.
- Religious Instruction – Children's instruction incident to the religious facility will take place inside the subject house, and is proposed for Sunday mornings and potentially three weekday afternoon. Approximately 20 to 45 children may participate.
- The Project provides 7 on-site parking spaces.

[Project Planner Observation] Per Applicant, there are 10 rented off-site parking spaces at the parking structure across Kelvin Avenue (at 20764 Ventura Boulevard.)

- The Project will provide services customarily incidental to religious facility, including worship services, religious instruction, meetings, rituals and celebrations (e.g. holidays and life cycle events such as weddings and bar mitzvahs), individual counseling and ministry. Activities will take place within the building and gatherings in the backyard.
- Weekdays:
 - Worship services, 6:30 a.m. to 9:00 a.m. Approx. attendees = 20
 - Children’s instruction, 4:00 p.m. to 6:00 p.m., three weekdays, Approx. attendees = 20 to 45
 - Friday evening worship services, social gathering, 5:00 p.m. to 11:00 p.m. Approx. attendees = 40
 - Evening study sessions, approx. three evenings, Approx. attendees = 20
- Saturdays:
 - Worship services, social gathering, 9:00 a.m. to 4:00 p.m., Approx. attendees = 45
- Sundays:
 - Worship services, social gathering, educational activities, 8:00 a.m. to 2:00 p.m., Approx. attendees = 45

[Project Planner Observation] Clarification may be needed if the number of attendees noted above for Friday/Saturday/Sunday worship and social gathering include children.

- Holidays and Other Events:
 - The congregation will observe approximately 20 annual religious holidays and other gatherings/celebrations with anticipated attendance in the range of a typical Saturday (e.g. 45 attendees). On three particular holidays (typically occurring in the fall) and occasional celebrations, attendance is anticipated to be approximately 90. (On these holidays, the congregation observes a religious restriction against driving).

[Project Planner Observation] More detail information regarding Holidays and Other Events was received by the applicant on October 22, 2012 as follows:

“The Project includes approximately 20 events per year, which includes holidays and life-cycle events...All outdoor activity will be restricted to the backyard. Use of sound amplifying equipment (at maximum of three major events) shall comply with LAMC 115.02 and the Noise Regulation of the City. Applicant will rent additional off-site parking, and will provide clear instructions to guests for all events with anticipated attendance over 50.”

The following table was provided:

Event	Approx. Month (precise dates vary)	Description (incl. where on property)	Time	Estimated Attendance
High Holy Days (five days)	Sept./Oct.	Mostly indoors. Approx. 1 hr./day in backyard	10 am-2 pm 6-10 pm	90
Purim (one day)	March/April	Indoors and backyard party; games for children		90 - 120
Passover (one day)	April	Indoor ritual meal.	6-10 pm	40

Shavout (one day)	May	Indoor prayer service and meal	10 am-2 pm	40
Guest lecture; Minor life-cycle event	(Floating) 9 events	Indoor prayer service; backyard gathering, eating.		50
Major life-cycle event (no wedding parties)	(Floating) 3 events	Indoor prayer service; backyard gathering, eating		90-120

[Project Planner's Note: New information above indicates an increase in the estimated attendance from 90 to 120. Clarification needed on whether "no wedding parties" means no weddings which was initially proposed.]

- In addition, meetings at the synagogue with individual or small groups (e.g. counseling) may take place at any time.

Prior to the public hearing, a Project Planner, staff of the Office of Zoning Administration, visited the subject site and observed the surrounding area. The following information was obtained from information presented in the application and research of the Project Planner:

Staff reviewed the submitted justification, plans, and conducted a site visit on March 19, 2012 (environmental review), at approximately 9:30 a.m.

The submitted site plan is consistent with staff observation. Staff did not enter the premises. The floor plan indicates the middle and main portion of the dwelling is an open room of 799 square feet to be used for religious services. An internal door leads to an approximate 440 square-foot garage converted or proposed for a playroom/refreshment room. A Rabbi's Study, Bath, and Office/Conference Room is located along the west side of the dwelling. A front and side door is shown, with sliding doors on the north side of the sanctuary room. The plan shows a half bath and "breakroom" located on the south side of the sanctuary (e.g., front of the house). Staff confirmed the breakroom will include an oven, refrigerator, sink, and small counter not shown on the plans. The site plan indicates six cars can park tandem in the sports court area and one handicap space is shown on the east side of the dwelling/garage.

At the time of the site visit there was no activity on the property thus it appeared empty. The property appeared residential with a charming street appeal which is characteristic of the homes in this area and was well maintained with manicured lawn and landscaping.

Staff observed the residential neighborhood was quiet and with little activity during the site visit. The homes are mostly one story, higher end, well-kept ranch style homes, built in the 1950's with a uniform street appearance which includes approximately 40 foot front yard setbacks and half circle driveways in front giving an estate/semi-rural feel.

Traffic flow was noticeable on Kelvin Avenue north and south as it is one of the main access roads to and from the residential neighborhood south of Bascule.

Of concern is the narrow roadway along the subject Kelvin frontage. As noted, there is a deep landscaped grass parkway of approximately 18 feet, which is part of the public right of way along the subject Kelvin frontage, which juts out from the north adjoining commercial property creating an abrupt bottleneck feature right at the beginning of the subject property. The lane closest to the property (i.e., southbound traffic) narrows to 9 or

10 feet with a demarcated asphalt shoulder of approximately 3 feet wide which gives little room for pedestrians. The MND includes mitigation of street widening and continuation of the sidewalk (i.e., from north adjoining commercial sidewalk) along the Kelvin Avenue frontage per BOE Planning Case Referral Form dated July 11, 2012 (See copy in case file). Given that many of the congregant/members are noted will walk to the synagogue, which is likely to include children, elderly/handicap, safer and easy access to the site appears warranted. The MND also requires review of the parking and driveway plan as the subject driveway is narrow and will only allow ingress/egress for one car at a time, thus backup on Kelvin could occur.

Staff noticed there is very limited parking in this neighborhood, as there is No Parking or Stopping Anytime on Kelvin and Bascule has No Parking from 8 a.m. to 6 pm Monday through Friday. Therefore special events and holidays may be especially challenging to accommodate without creating impact to street parking on Bascule (such as on Saturday's and Sunday's). The applicant provided a copy of an invoice dated July 1, 2012, from PCA Management for "monthly billing" for 10 unreserved parking spaces for 5233 Bascule Avenue. A long term lease agreement or letter indicating there is secured off-site parking and at what location should be provided. The applicant noted the location is across Kelvin Avenue at the parking structure for the east abutting office building. Further event parking plans should be provided to ensure there are no safety hazards or adverse impacts to the residential neighborhood.

The closest and potentially most impacted residential property would be the west adjoining property. Although there appears to be tall trees and shrubs that line the rear yard, ongoing outdoor activities as well as cars/people coming and going could result in adverse noise impacts that are not compatible with residential uses, therefore indoor uses only should be considered. [See October 10, 2012 letter in case file from west adjoining property.]

Additional Information:

Kelvin Avenue, adjoining the property to the east, is a Collector Street, dedicated to a varied width of 50 to 62 feet and partially improved with curb, gutter, and sidewalk. The commercial zoned properties (north adjoining and east abutting) have sidewalks. There are no sidewalks in front of the residential zoned properties. Instead, there are approximately 10- to 18-foot wide grass parkways with curb as part of the right-of-way on the subject west side of Kelvin and 6- to 9-foot wide grass parkways with curb on the east side of Kelvin Avenue. Kelvin Avenue also has speed humps and No Parking signs on both sides of the street from Ventura Boulevard to De La Guerra Street (distance of approximately 920 feet). Parking signs read "No Stopping Anytime" and "No Parking Anytime."

Kelvin Avenue in front of the property is dedicated to a width of 62 feet. The roadway north of the property is approximately 32 feet wide and narrows at the subject property to a 24-foot wide roadway with a 3- to 4-foot wide demarcated asphalt shoulder. The roadway, south of the property widens again to approximately 34 feet without a demarcated shoulder then narrows again, south of the Bascule Avenue intersection to a 22-foot wide roadway.

Overall, the grass parkway on Kelvin, in front of the subject property, juts out into the roadway by approximately 7 feet compared to the north adjoining property, creating a saw tooth pattern and potential bottleneck area.

The property is located in the Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan Area, and within a Special Grading Area and a Liquefaction Area.

A public hearing was held November 2, 2012 and attended by the project proponent, his representative, and approximately four dozen individuals. The Zoning Administrator conducted the public hearing in a "cross examination" format to provide an open forum dialogue among attendees through questions and answers in expectation that differences of opinion might be reconciled by the parties. The Zoning Administrator facilitated the meeting in a manner encouraging parties to communicate clearly with each other, identify their own needs, and then try to work together to develop a solution that meets their needs. Of the approximately four dozen individuals, the following provided oral testimony:

Lloyd Pilchen, project proponent's representative, *For proposal*
Daniella Gordon, affiliated with project proponent, *For proposal*
Eli Ziv, resident of Woodland Hills, *For proposal*
Eu Ziv, resident of Woodland Hills, *For proposal*
Rachel Ziv, resident of Woodland Hills, *For proposal*
Christina Shiachi, resident on Bascule Avenue, *For proposal*
Ariel Pereks, resident of Tarzana, *For proposal*
Allan Abramson, resident of Woodland Hills, *For proposal*
James Hardesty, resident of Woodland Hills, *For proposal*
Signe Hardesty, resident of Woodland Hills, *For proposal*
Hyman Grover, resident of Chatsworth, *For proposal*
Steven Sloan, resident on Bascule Avenue, *For proposal*
Mitch Desser, resident of Tarzana, *For proposal*
Barbara H. Nielson, resident on Kelvin Avenue, *Against proposal*
Martha Stanfield, resident on Bascule Avenue, *Against proposal*
John J. Lawrence, resident on Kelvin Avenue, *Against proposal*
Douglas Mix, resident on Kelvin Avenue, *Against proposal*
Jerald R. Olf, resident of Woodland Hills, *Against proposal*
Todd Vander Wel, resident on Bascule Avenue, *Against proposal*
Joyce Fletcher, representative of Woodland Hills-Warner Center Neighborhood Council, *Against proposal*
Ronald Snow, resident on Bascule Avenue, *Against proposal*
Lorraine Smith, resident on Bascule Avenue, *Against proposal*
Kathy Roe, resident of Woodland Hills, *Against proposal*
Eliza Parker, resident of Woodland Hills, *Against proposal*
Charles Blaugrund, resident of Moorpark, *Against proposal*
Rachel Ziv, resident in Woodland Hills, *Not state position*
Vincent Thorde, resident on Bascule Avenue, *Not state position*
Barney Standfield, resident on Bascule Avenue, *Not state position*
Neil M. Sunkin, resident of Woodland Hills, *Not state position*
Liz Culhane, Overland Traffic Consultants representative of project proponent, *General comments.*
Doug Mensman, representative of Third Council District, *General comments*

The project proponent's presentation consisted of the following:

Description of the proposed project as an intimate small-scale religious meeting place that fits today's desire for simplicity, convenience, walking distance. Distinct from 1950s Zoning Code concept of large-scale "Church.

Two actions are requested including a CUP and Variance for parking: 7 in lieu of 23

The Zoning Code and Planning theory contemplate Churches in Res. Zones. The use is not considered an institutional nor commercial use.

The subject site was selected because it's on margin of a residential neighborhood, with nearby available parking structure.

The site is bordered by streets on two sides, by commercial uses on two sides, only one common border with a residence.

The proposed use will become a transitional use between Residential-Commercial.

The site is centrally located to serve congregation within walking distance.

The house exterior to remain consistent with neighborhood aesthetic.

All outdoor activity will be restricted to backyard.

Project has supporters in the neighborhood (both members and none) and detractors.

Conditions of Approval are volunteered in respond to concerns we heard during five Neighborhood Council meetings.

Parking per the Code is poor fit for this type use because 23 spaces are not needed and would occupy entire lot. Ample spaces available directly across Kelvin. Provides more than sufficient parking. The project provides 7 on-site, plus 10 across street, "24-7," leased monthly. We also propose a condition to provide parking for special events. The parking structure owner will not agree to be bound by covenant. (If we would, we would not require a variance.) Variance seeks 7 on-site spaces, and we propose a condition requiring annual letter to ZA.

- Overland Traffic Study (*attached in case file*)

The size of the religious congregation has been stable size for ten years. Site selected to accommodate size/floor area.

Our speakers and support letters attest to the importance of the rabbi and this community. The purpose is community, people supporting each other, celebrating together, and helping each other through tragedy.

In regards to safety, of Plan-check by Department of Building and Safety addresses neighbors' concerns in that public Works approved address 5225 N. Kelvin Ave. for permits. (We request the addition of this address to ZA decision letter.) Submit plans to ZA. Plan-check has approved fire/life safety (emergency exits, bathrooms) + disabled access (ADA ramps, bathrooms).

Also in regards to safety, crossing street: Safe and lawful. Intersection regularly crossed by residents, their pets, schoolchildren (even during a.m. rush hour). Congregant families cross with children. Safety documented in Overland Traffic

Study, and letter from congregant Allan Abramson, P .E. Peak times Saturday and Sunday mornings-times of lighter traffic.

The Zoning Administrator inquired into the accuracy the Project Planner Report. The project proponent's representative stated the Project Report failed to include findings of Overland Traffic Study which concluded there would be no "significant or measurable traffic and/or pedestrian impacts in the neighborhood. The scale of traffic and pedestrian generation is consistent with the existing neighborhood use of the street." Construction of street widening and sidewalk are neither justified nor appropriate here and are not warranted by small impacts.

Further, requiring street improvements would be detrimental to rural character. "Distance from one side of the street to the other should be kept as short as possible." The BOE Report cannot satisfy RLUIPA's stringent standard of showing "compelling government interest" in the street improvements to justify placing a "substantial burden" on the religious congregation.

The applicant's representative also stated use of sound amplifying equipment (at maximum of three major events) will comply with LAMC Section 115.02 and the City Noise Regulations-in lieu of complete prohibition in MND item XII-50.

In closing, the representative highlighted statements made in the application on how the project "solidly satisfies the legal findings" including: 1. Public convenience and welfare 2. Location is proper in relation to adjacent uses 3. Not materially detrimental to character of neighborhood 4. Harmony with General Plan.

The project proponent also submitted a Calendar of Annual Religious Holidays and Events, volunteered conditions, plot plans showing "required van accessible parking" and path of foot travel.

Oral and written testimony presented for the record included the following:

October 22, 2012, Woodland Hills- Warner Center Neighborhood Council (Oppose)

On September 12, 2012, the Woodland Hills- Warner Center Neighborhood Council (WHWCNC) approved a motion to not support the Conditional use permit for a religious facility in an RA-1 zone with a reduced parking requirement. The formal motion as approved by the WHWCNC Board with a vote of (12) Ayes, (0) Nays and (2) Abstains was as follows:

"Having heard many hours of public testimony over several public meetings since early 2012, including many passionate supporters of the applicant, in regards to ZA-2012-0161- CU-ZA, an application to establish a religious facility in a 1,482 sf., single-family dwelling located at 5233 Bascule Avenue in Woodland Hills, which is zoned RA-1, the Planning Land Use and Mobility Committee recommends that the Board of the Woodland Hills - Warner Center Neighborhood Council not support the application for the following reasons:

1. While the religious organization applying claims to have a low need for parking, due to lack of a covenant guaranteeing accessible parking nearby. parking needs cannot be met for the average religious institution, which might later locate at this facility.

2. Due to religious conventions of the applicant, parking is not allowed on the property on the day it's needed most.
3. The facility is in a single-family dwelling, which is not appropriately designed for the use and cannot accommodate growth, which could result in further problems of safety for the public.
4. The site is not of adequate size to support the expected amount of parking required for the expected use, particularly on religious holidays.
5. The site and the neighborhood lacks sidewalks to support pedestrian activity related to the religious use of the facility by many people beyond the size of a single-family.
6. The site is not of sufficient size to provide a buffer zone to mitigate noise from outdoor activities and numerous children at play.
7. Even though the project borders on a commercial zone, the close proximity to Ventura Boulevard creates a traffic hazard on Kelvin for an uncontrolled intersection with no crosswalk or stop sign at Bascule. This is where pedestrian activity would be expected to be high during the facility use because participants are required to park across the street in a parking structure or walking in from the neighborhood.
8. Public testimony was heard that drop-off activity in front of the facility creates a hazard for cars turning onto Kelvin from Ventura Boulevard, When cars unloading their occupants block other cars from' into the neighborhood. Due to geography constraints, access to the immediate neighborhood is concentrated to either Kelvin or Serrania venue.
9. Public testimony of neighborhood residents indicates that some members attending the facility were not exhibiting courteous behavior.
10. Public testimony of neighborhood residents attested to continued use of the facility in violation of a directive by city agencies to stop.

In summary, Even though the committee is in support of religious facilities in neighborhoods, the committee finds the site inadequate to support the intended use."

At the board meeting of September 12th, the applicant and his representative, along with others in support and opposition of the project were heard.

The project was previously heard and discussed in detail, as well, by the WHWCNC Planning , Land Use and Mobility Committee on February 7, 2012, March 6th, 2012, April 3, 2012, June 19, 2012 and July 17, 2012 in sufficient detail to conclude with the above motion as approved by the board.

October 23, 2012, Greg and Sue Perry (Oppose)

I am writing you in regards to the pending public hearing scheduled for Friday, November 2, 2012 regarding the proposed project at 5233 Bascule Avenue,

Woodland Hills- Case No: ZA 2012-0161 (CU) (ZV) CEQA No.: ENV 2012-160-MND .

My family has owned the property at 5145 Kelvin Avenue since 1958, which is located within 500 feet of the property requesting this Conditional Use Permit. I hereby strongly request that the City of Los Angeles not approve this application for a Conditional Use Permit for the following reasons:

- The applicants request clearly fails to meet the established parking requirements of the City of Los Angeles. The applicants request allows for 7 parking spaces, when city code requires 23 spaces. This will result in excessive on street parking (on residential streets) on a regular basis.
- The applicant fails to address the impact of the increased traffic, noise and congestion on these residential streets and the neighborhood.
- Currently the subject property does not have any sidewalks on Kelvin Avenue or Bascule to accommodate the resulting foot traffic from the required on street parking. These people would be forced to walk in the street, when attending services or events at the subject property.
- The requested hours of operation from 6:30 am to 11:00 pm daily are unsuitable in a residential environment.
- The applicant has been operating this facility illegally for months in direction violation of a cease and desist order issued by the City Building and Safety Department. This clearly shows the applicants disregard for the legal processes established by the City and a lack of respect for their immediate neighbors and the neighborhood at large.

Our property is already affected by on street parking during the work week as a result of the office building located on the south-east corner of Ventura Boulevard and Kelvin Avenue. This office building has a pay to park structure which some individuals choose not to pay for and subsequently park further south on Kelvin Avenue, where on street parking is allowed. The applicant's inability to accommodate the required onsite parking and their proposed hours of operation will compound this issue within the neighborhood.

The location of this facility in close proximity to the intersection of Ventura Boulevard and Kelvin Avenue potentially could bring about gridlock to this section of Kelvin Avenue and Bascule Avenue during the proposed pick up and drop off times for the religious school.

This is a well-established neighborhood of single family homes which should not be encroached upon by this type of facility. There are other locations available in the Woodland Hills area which would be more appropriately suited for this type of facility. In addition, these locations would also meet the criteria established by the City of Los Angeles for this type of facility. It does not belong in a residential neighborhood.

For these reasons, I am formally asking that the City not approve this application for conditional use permit.

October 23, 2012, Ronald Snow (Oppose) - (Refer to the photographs and captions in the case file for detail)

Dear Zoning Administrator Lo Grande, I am writing to you as a concerned resident of 14 years, living virtually next door to the subject property. It may also be helpful to know that I serve in a lay-clergy capacity as Cantor of Shomrei Torah Synagogue, a 500 member congregation located at 7353 Valley Circle, in West Hills. I serve, on the pulpit, alongside Rabbis Richard Carriras and Erez Sherman. I think we can agree that it provides me with a rather unique perspective on matters of this nature.

I understand that the above referenced case number is requesting a Conditional Use Permit for the operation of a religious facility in an existing single-family dwelling. I understand as well, that along with the Conditional Use Permit, the applicant is also requesting a Variance to allow for a reduction in required parking spaces. Further, they are requesting multiple days of Religious School activities, involving children ... with an estimate of 20 - 40 children per session!

With all due respect to the Chabad, my neighbors and I feel as though any approval of this Conditional Use Permit and Variance will and already has, detrimentally affected the quality of life and overall safety of our neighborhood. Because this house is currently being used as a religious facility, (in direct violation of a Department of Building and Safety citation) I can personally say that I have seen the hazards that have come from the increased number of cars, traffic, and even pedestrians dodging speeding cars. It is especially problematical since there are no sidewalks in the area, putting the excessive pedestrian and motor vehicle traffic load this brings, in grave jeopardy. Add to this that Kelvin Street, alongside the property is a "No Stopping At Any Time" collector street from Ventura Boulevard. In fact, it is with this in mind, I believe, that a member of the PLUM committee stated that he felt there should be extra parking in these instances ... not fewer. Afterwards the PLUM Committee voted unanimously to recommend denial of this CUP.

As I mentioned above, this organization has been operating in direct violation of The Department of Building and Safety's citation, requiring them to cease operating until such a time as they come into compliance with local zoning. They know better, since they operated a facility, only a block away on Ventura Boulevard, in a properly zoned area, for about 10 years prior to moving into the house they currently occupy. Please tell me this lawlessness will stop.

My neighbors and I care about the welfare of not only our local residents, but the members of the Chabad as well, especially the children. Children count on us to be responsible, law-abiding adults, to insure their personal safety and well-being. To allow for such a use within such a small residential community increases the likelihood of accidents and only puts everyone within the area and coming to the area, at risk.

I am reminded of a quote by Ms. Marcia Brown, Chair of the Board of Building and Safety Commissioners, as she addressed a gathering during an appeals hearing on this matter, earlier this year, "We (BBSC) are here to protect you even when you do not think you need to be protected." Ms. Brown was addressing a member of the Chabad organization prior to the BBSC's unanimous decision, denying Chabad's

request to extend a deadline set by the Department of Building and Safety, citing them for violating Los Angeles's Zoning laws.

It is also worth noting and repeating that both the local PLUM Committee and the Woodland Hills Neighborhood Council have recommended, unanimously, that this petition be denied. How often are you faced with multiple, unanimous decisions in a matter such as this? While my neighbors and I respect and value the role of the Chabad to some within a community, we only hope that you and they understand we are merely trying to preserve the sanctity of our homes and neighborhood and the safety of everyone as well.

Given these facts and so many more, I am asking that you unequivocally deny the request for this Conditional Use Permit and Variance as it is proposed, as the house and its surrounding neighborhood simply cannot withstand this type of use.

October 23, 2012, Melinda and Dick Polardian (Oppose)

We are writing to oppose the application for a Conditional Use Permit (CUP) for the property located at the corner of Kelvin Avenue and Bascule Avenue in Woodland Hills, CA (5233 Bascule Avenue, Woodland Hills). We live in the neighborhood and have been constant residents for over 25 years. Our concerns are as follows:

This is a residential neighborhood consisting of single-family residences. All residents have a right to the quiet enjoyment of their property. A commercial facility, including a place of worship, which is operating from 6:30 a.m. to 11:00 p.m. and is the center of life for worshipers, while noble in its purpose, is necessarily noisy, attracts traffic and congestion and disturbs residents from quiet enjoyment of their property.

Traffic, including foot traffic, is creating a hazard for the neighborhood. There are no sidewalks in the neighborhood, there are no streetlights and parking is limited (unavailable on Kelvin). It is extremely hazardous for large numbers of people seeking ingress or egress to and from the property. There have been numerous occurrences of "near misses" of people walking in the dark, typically wearing dark clothing in honor of the solemn nature of the facility. This exacerbates the problem. We personally have been startled while driving in the evening by a pedestrian who we did not see and could easily have been struck.

Within a short block is Ventura Boulevard which is a commercial, well-lighted street that would be much more suitable for such a use. There are already churches, synagogues, retail and other commercial uses along Ventura Boulevard. The proximity and intended purpose of the commercial area would align much better with the intended use requested by the CUP.

Buildings that are to house large quantities of people should be designed and equipped with critical fire life safety equipment. A single-family residence is simply not designed to hold the quantities of people who gather for worship nor are the basic essentials of safety in place to ensure protection of the congregants.

We are citizens who appreciate and respect others' right to worship just as we cherish our own spiritual values and opportunities to worship. However, we also value and respect our rights and those of our neighbors to the peaceful, quiet

enjoyment of their homes and the safety of our families and friends, including the congregants of the Chabad. We urge you to respect the rights of our neighbors, as well as the safety of residents as well as the congregants of the Chabad, and deny the request for a CUP at 5233 Bascule Avenue, Woodland Hills, California.

October 24, 2012, Michale Shakib, (Support)

I am writing in regards to Chabad of Woodland Hills. My name is Michale Shakib, and I have been a member of this synagogue for the past eight years. I live approximately 10 miles from the synagogue and drive there on Saturdays to participate in the morning prayers. I park my car in the structure, not on the street, upon arrival. I also attend services on the holidays which occur a few times per year. My attendance to the synagogue never includes weekdays. This is the closest Chabad synagogue to my house, and I feel that it is important to have this place for me to be surrounded by other Orthodox Jewish community members.

I can attest to the behavior of my fellow attendees, as we are fairly modest and private. We are cognizant of our presence in the neighborhood, and make it a conscious effort not to be an inconvenience or nuisance in any way. Historical experiences, in the remote and recent past, have created a learned trait of inconspicuousness. I myself am a retired high school Math and French teacher who worked at Granada Hills High School for 23 years. Those whom I have relationships with at the synagogue are professionals as well, and conduct themselves as such in their personal endeavors.

Chabad of Woodland Hills only serves to be an enhancement of the diversity that the San Fernando Valley is comprised of, and an asset to the community, I am proud to be able to go to a place that I feel safe at, and I can be surrounded by like-minded people who are moralistic and interested in self-enhancement. This can only contribute to a better city, society and brotherhood.

October 24, 2012, David and Eliza Parker (Oppose)

I am writing you in regards to the Conditional Use Permit for a religious facility located at 5233 Bascule Avenue. I would like it to be known that as a neighborhood we are all in unanimous agreement that we oppose this permit being granted. With that said, I would like to explain why I and my family have come to feel so strongly and passionately about this.

First off, my husband and I saved for 6 years to be able to buy a home in this quiet, family neighborhood. We dreamt of being able to raise our children in a friendly, safe, quiet, and clean neighborhood. Four years ago we were able to find the perfect home and were welcomed with the most wonderful neighbors. However, all of this changed when I began to notice all these cars blocking my walkway and drive way to my home every single Saturday and on some evenings. At first I didn't give much attention to it, until I began to notice coffee cups, pamphlets, napkins, and other trash being left on my grass and on the streets in front of my home. I had noticed a great deal of foot traffic on the weekends as well going in and out of the house that is 2 doors away. This is how I came to know about the Chabad House. I was not given the respect of a knock on my door but had to find out through my own investigation. Our quiet surreal weekends are now filled with traffic and noise. On high holidays, they are there loudly worshiping sometimes past midnight. Saturdays

and Sundays are now filled with children of the members screaming and playing for hours in their yard. Strangers are coming in and out of this home daily. Some even stay the night. I have observed with my own eyes that people looking homeless have been allowed in. How is this safe for us with small children?

Some of the members that observe the no car rule on the Sabbath are crossing Kelvin, a very busy street, illegally and are putting their own families and ours at risk. Just this past Saturday, I almost hit a man that quickly crossed in front of my car as he was trying to get to the parking structure across the street; I slammed on my breaks so hard, that my 3 year olds head phone and snack flew from the back of my minivan to the front. Thank God that another car was not behind me or else we would have gotten into an accident and my 3 and 7 year old could have been put in harm's way by a man that didn't even look, he just went for it without any consideration for his safety or ours. This is a problem we are faced with daily. Why should we be faced with such anxiety and fear to turn onto our street? I was so shaken up that I had to pull over and breathe. My whole body was shaking. Rabbi Gordon was standing right there on his lawn and was witness to the whole thing and saw my car pull over but paid no attention to what just took place. As a religious figure, he didn't even walk a few steps to see if we were okay. One of these days someone is going to get really hurt. Why do we have to deal with all this extra traffic every single weekend? This is a neighborhood not a place for such activities. We have worked so hard and paid a very high price tag to live in such a beautiful neighborhood and now it is being destroyed.

Given this permit, they will have the right to display a such sign on their lawn that reads, "Chabad House of Woodland Hills". How is that going to make this neighborhood filled with expensive, beautiful homes look? Each person on this street has taken such care of their homes in order for it to have beautiful curb appeal and a sign like such would destroy it. How is it going to affect us if we ever want to sell our homes? What happens to the property value in this sort of neighborhood? No one in their right mind would want to buy an expensive home next to such a facility that could cause nuisance.

I have presented some valid question I hope you will consider before you make a decision. I don't believe anything that the Chabad house is promising to do and he has made no attempt to try and coexist in a peaceful way.

The facts are simple, he purchased a home for religious purposes without proper approval, he then lied and said he wasn't aware that he needed permits, when we all now know that His father is one of the cofounders of many other Chabad homes in the San Fernando Valley and this knowledge had to be present but was ignored.

Another fact, although he was given an order to cease and desist months ago, he has ignored it and continues to have services there. He felt he was above the law when he bought the house for religious purpose and now he continues to think he is above the law by not following the cease and desist order. If he can't even respect and follow the standing order, then what's to say he will abide by the CUP order if given approval?

I ask you with a full heart to protect our neighborhood. Bring back the safety and peace that once filled our street. This is not about religion for many of us are Jewish and attend temple. We just want our homes to be a place of serenity and

happiness. Not of distress, noise, trash and fears of car accidents. If the law is not going to protect us then you are sending a clear message to this and future Chabad Houses that they are indeed above the law.

October 25, 2012, Douglas Nix (Oppose)

Living across the street, the safety and tranquility of this neighborhood is in jeopardy. The following are but a few reasons that this project is ill suited for this particular property and neighborhood. The site is surrounded by special parking restrictions, increased speed limits and a lack of pedestrian sidewalks. The following outline intends to shed some light on the unsuitability of the site for the proposed use and parking variance.

Chabad of Woodland Hills decided to make the move from a facility 500 paces around the corner on Ventura Blvd which had adequate parking, sidewalks and proper egress. The applicant chose this location to relocate without first acquiring the proper approvals and permits from the City of Los Angeles. They now find themselves at odds with neighbors who are insisting that they have made a poor choice in trying to convert this particular property into their new synagogue. I have outlined some of the issues related to this site. I believe it to be very detrimental to the safety of the neighborhood.

Neighborhood Safety Issues / No Sidewalks

Parking on streets in this neighborhood is dangerous for pedestrians. There are no sidewalks. Heavy street parking forces people to walk closer to the center of the street, further into the lanes of traffic. Children riding bicycles and persons walking dogs are common in this neighborhood.

Parking signs prohibiting cars from parking on Bascule Ave from during peak commercial hours (8:00 am to 6:00 pm Monday thru Friday) are useless to stop this hazard on the weekends when this facility operates. Parking for this facility is off site most of the weekend. Parking spaces on the property are not used at these times and puts additional strain on off-site parking.

Inadequate Parking for Proposed Use and Context

Applicant's Variance for reduced parking should be denied on the basis of past parking practices. No onsite parking is allowed on the Sabbath or any Holiday when the occupant load is greatest. (As per religious practice) Attendees must park either in rented parking spaces across the street. Or park on the street in such a way that effects the safety of the nearby resident's. This is due to the fact that sidewalks are non-existent on Bascule and parking is only allowed on the weekends or after 6:00 pm. on the weekdays. The applicant has produced no parking agreement throughout the PLUM and Neighborhood Council proceedings despite being asked several times to produce such document.

Applicant's request for 45 persons per day and 90 persons 20 times a year will generate a demand far greater than the 7 parking spaces requested in the Variance. More than the 23 space figure predicated on a 799 sq. ft. assembly room will be required on these days. Few will walk to these events.

Inadequate Drop-off Areas

Inadequate drop off area for proposed 45 child instructional classes 4 days a week. Application calls for three sessions on weekday afternoons when restricted parking prohibits drop offs on both adjacent streets. Drop zones with sidewalks and legal parking adjacent the facility are non-existent.

No plan for future growth.

Due to posted parking restrictions and lack of pedestrian sidewalks, the neighborhood is already impacted by the inundation of congregant parking. Numbers of people gathering and frequency of what are termed "life cycle events" in the CUP application have been consistently on the rise. There is little or no plan for the future growth that will surely follow. The facility intends to increase attendance as time goes on as with all religious institutions. More cars, more pedestrian traffic crossing the street.

Willingness to Abide by the Law and Conditions The applicant (Rabbi Joseph Gordon), has made little effort to remedy issues with the surrounding neighborhood. Parking issues were ignored until Los Angeles Building and Safety issued a Citation to the applicant for operating illegally, ordered to pay a fine, and discontinue unapproved use.

The applicant continues to operate in spite of this order. This illustrates the applicant's willingness to operate unlawfully.

It is hard for the neighborhood to believe that Joseph Gordon will operate within the bounds of this CUP application if it is approved in any form.

October 25, 2012, Yochanon Gordon (Support)

My name is Yochanon Gordon, I live at 5750 Chimineas Ave, Tarzana, CA 91356.

I have been a member at Chabad of Woodland Hills for 9 years now.

I consider myself a respectful, courteous and sincere person. Seeing that there has been some resistance by the neighbors to the new location for Chabad of Woodland Hills is ridiculous. I would like to offer my support in favor of the new location (I believe that the complaints are based on what MAY happen and not based on anything that has happened).

- Firstly, I believe that our Jewish/Chabad community has every right to have a location central to its members. The current location is ideally situated for the current membership and for the Woodland Hills Jewish Orthodox community.

- Secondly, I am sure that it has been noted that, the Chabad is ONLY used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. The Chabad is probably vacant of people for about 95 of the time in any given week Would the neighbors prefer households, perhaps with teenagers entering and leaving all times of the day/night or playing loud music?

- Rabbi Gordon has and will continue to go absolutely out of his way to ensure that our community does not inconvenience the neighbors. There is not a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave. Rabbi Gordon even hired someone to sit outside the Chabad during services to ensure that no-one parked on Bascule Avenue (no parking even in front of the Chabad's own area to be extra sensitive to the neighbors).

- Rabbi Gordon has secured parking across the street from the Chabad (in the office building) to ensure no inconvenience to the neighbors.

- Our community is conservative, respectful and professional. We have Doctors, Attorneys, Accountants, professional sales people etc. amongst others. So the neighbors need not fear a "bad element" entering the area the few hours each week that the Chabad is actually used.

In summary, I believe that having the Chabad its current location will be an asset to the community and should in no way infringe on the neighbors right to enjoy their properties as before.

October 25, 2012, John and Kathryn Lawrence (Oppose) (Photographs and captions not included, nor special formatting)

We are writing and registering our strong opposition to the application for a conditional use permit for a religious facility at 5233 Bascule Ave, Woodland Hills CA 91364. The operation of the facility within our RA-I Zoning is unacceptable, the permit sites hours of operation between 6:30 am and 11:00 pm 7 days a week allowing up to 45 people + children to access the facility. Activities also includes 20+ holiday events with over 90 people + children in attendance. This activity and continued growth of the congregation/ membership will negatively impact our neighborhood and lifestyle, not to mention depress our property values. If allowed, this intrusion will increase foot traffic, cars/parking, noise, air quality and overall neighborhood and pedestrian safety. We have resided at 5166 Kelvin for 17 + years and have never had to protest a shift of our neighborhood planning or restructure. If allowed this will bring Ventura Boulevard activity, traffic and congestion 125 ft. closer to my home (we are 225 ft. from Ventura Blvd.) There are no sidewalks or physical allowances for this type of safe non-residential assembly and educational activity in this neighborhood.

The following outlines a series of regularly occurring Concerns, Events and Violations of City of Los Angeles Code and Regulations by Rabbi Gordon and the Chabad of Woodland Hills. Our greatest concern, continued disregard for neighborhood harmony and safety is an example of a behavior that will continue if a CUP permit is issued.

Concerns:

- For 3 years the Chabad held services and events in a facility on Ventura Blvd. in commercial space zoned for its use and there were no problems.
- Since we have personally challenged the Chabad's location the Rabbi Gordon has been combative stating "we will fight you, you will lose, you will lose we will

- win" I find this extremely disturbing behavior for a man of faith whose Chabad Organization is supposed to "enhance the life and quality of our neighborhood".
- What is most disturbing is Rabbi Joseph Gordon has stated that they (the Chabad and he) did not know about the permit process, when acquiring the property at 5233 Bascule - I find this disingenuous and unbelievable as the Chabad Organization is entangled in several legal battles with the City of Los Angeles and its Neighborhoods over Permits and Expansion. Additionally Rabbi Gorgon's Father is the Executive Director of The Chabad of the Valley Headquarters in Tarzana.
 - I see only similar headlines (example below) in our future if this CUP Permit is to be allowed.
 - During the permit filing, within the past year, the Chabad of Woodland Hills advertised and promoted educational classes (Hebrew School) as well as the availability to lease the facility for events. When the PLUM Committee proceedings got under way and the neighborhood protested the advertised use, the Chabad of Woodland Hills removed their advertising. I believe this proves that the Chabad's original intent is to expand and provide greater use and activity of their facility, the intent of any organization is to expand and grow; this is not in alignment with the use of an RA-I residential neighborhood.
 - We have great safety concerns for children and attendees, as Kelvin Ave is an extremely busy street and there are NO sidewalks and NO legal drop-off or pickup allowances, Kelvin Ave. is a NO stopping zone. Additionally, if school, event or worship drop-off and pick-up occurs during the adjacent office building business hours the traffic and danger increases from 3:00 pm to 7:00 pm.
 - Very few of the Chabad attendees live in the immediate neighborhood.
 - Hours of operation are not aligned with a residential neighborhood - 7:00am to 11:00 p.m. 7 days a week.

Events:

- On 3/20/12 the LA City Board of Building and Safety (Board File No 120001) ordered the Chabad of Woodland Hills to H discontinue the unapproved use of 5233 Bascule Ave. which is not allowed in a RA-I Zone" due to violations. Please see "Penalties" outlined in the decision of the Order to Cease and Desist activities.
- PLEASE NOTE: The Chabad has held services and assemblies illegally since being told by the City of Los Angeles to "discontinue the unapproved use of 5233 Bascule Ave. which is not allowed in a RA-I Zone" They held services today 10/21/12.
- On 7/17/12 after almost 6 mos. of meetings and presentations by the Chabad of Woodland Hills and community/neighborhood residents, the Woodland Hills PLUM Committee Unanimously Rejected the Application for a CUP permit by the Chabad of Woodland Hills/Rabbi Gordon.
- On 9/12/12 after presentations by the Chabad of Woodland Hills and community/neighborhood residents, the Woodland Hills/Warner Center Neighborhood Council Unanimously Rejected the Application for a CUP permit by the Chabad of Woodland Hills/Rabbi Gordon. (There were 2 abstentions)

City Violations:

- For more than a year the Chabad of Woodland Hills/Rabbi Gordon have blatantly disregarded LA City safety and traffic regulations and the concerns of the neighborhood. A picture is worth a thousand words:

In Closing:

The Chabad of Woodland Hills and Rabbi Gordon's deliberate disregard for City of Los Angeles Building and Safety rulings, traffic law and neighborhood concerns deeply troubles my neighbors and me; if the Chabad of Woodland Hills/Rabbi Gordon does not respect current conditions ordered by the City of Los Angeles, what makes any of us believe they will abide by conditions stipulated in a CUP Permit? This is our neighborhood and it is not designed or zoned for commercial or conditional commercial use for a reason. I strongly encourage you to deny the CUP permit our neighborhood safety, property values and harmonious existence depends on it.

October 28, 2012, Sandra Fleming, (Oppose)

I recently received a notice from your office regarding a proposed Conditional Use Permit for the property located at 5233 Bascule Ave., Woodland Hills, CA 91364.

As a business owner in the commercial property directly north of this address, I want to thank you for your kind consideration of my business and the impact the proposed use of this property will have on it.

I am opposed to the approval of a conditional use permit for this property. My primary concerns are parking and safety. As a business owner in this commercial complex for over 13 years, I have experienced a difficult parking situation. I am one of the business owners with a storefront on the lower level of this building. We have had limited parking for many years and have agreed to allot the four spaces directly in front of our individual business for our customers. We have put out signs to designate the spaces that are reserved for our customers. Since the synagogue has been meeting in the property at 5233 Bascule, which seems to be over a year now, parking has become a greater problem. The synagogue uses our parking lot for its members, I believe without permission. This is taking away spaces from our customers. The synagogue members bring extra traffic to an already busy lot, especially on Saturdays. Saturday is the most important business day for me, as my customers, many of whom work a traditional Monday-Friday schedule, come to my business on Saturday. Foot traffic is also heaviest on Saturday.

Regarding safety, I have seen numerous accidents at the corner of Ventura and Kelvin. The entrance to the Target parking lot is confusing. I often see customers exit through the entrance. I have also seen RVs get stuck in the entrance because of the entrance's incline. This situation blocks the entire intersection for several hours as tow trucks are required to tow the vehicles away from the incline. Extra traffic added to this intersection is a hazard to the community. I have experienced the aftermath of the horrible accident that caused the death of a 16-year-old student crossing the street at Kelvin and Ventura a few years back. It is my understanding the synagogue proposes to have school for 20 to 40 students several times a week. This means an additional 40-80 vehicles might be congesting the street for pick-up

and drop off. As there is no stopping on Kelvin, and parking is not allowed on Bascule, I assume the vehicles picking up students will use the parking lot where my business is located. We simply cannot accommodate the extra traffic in our already congested lot. I realize that some parents may park in the Target parking lot and have their students cross the street at Kelvin and Ventura. I believe this would put the students at risk, as this is not a safe intersection. From a strictly business perspective, it will be a detriment to business owners, including myself, to run our businesses in a location that is known to be dangerous. We want to attract business and keep potential customers out of harm's way.

All of the above situations are a detriment to the livelihood of my business. With all due respect, I request that you do not allow the granting of a conditional use permit for this property.

October 28, 2012, Kathy and Bill Roe (Oppose)

I am writing to ask that you deny the request for a Conditional Use Permit for the property located at 5233 Bascule Ave., Woodland Hills, CA 91364. I lived at 5210 Bascule Avenue for seven years from 1988 to 1995, and moved one block away to the address on De La Guerra in 1995. I still reside at this address. I have been a resident of the neighborhood for 24 years.

Two of my children have almost hit members of the Chabad as they walked on Kelvin. On both occasions the Chabad members were jay-walking across Kelvin with young children following behind, untethered to an adult. Both of my children had to slam on their breaks. The members of the Chabad did not even look in the direction of the car, but continued across the street as if nothing happened. My daughters on the other hand, were very shaken from the experience. It would have been a terrible tragedy if my daughters had injured or killed someone. It's not something I would want them to live with for the rest of their lives, nor would I want a Chabad member to lose a family member.

I have experienced greatly increased traffic and nuisance from the Chabad. I have seen Chabad members pull up to the side entrance to the house, let people out of the car, and have seen traffic back up on Kelvin all the way to Ventura Blvd. On one occasion someone headed west on Ventura, making a left turn on to Kelvin against traffic, was stalled in the intersection because of the drop off at the Chabad. It was a potentially very dangerous situation at a very dangerous, in fact, deadly intersection.

The members of the Chabad have been unfriendly, to the neighborhood. In fact, I would call them hostile and aggressive. To have a group of people congregating in our neighborhood who are careless with crossing, aggressive when we walk in the neighborhood, causing extra traffic concerns and upsetting everyone in the neighborhood is unnecessary.

The Chabad has also upset people in the commercial building behind the Chabad. I can't get my hair cut, go to the cleaners, or go to the bank without customers or business owners complaining to me about what has happened to our neighborhood.

We are law abiding citizens who try to keep our homes nice, who try to help one another, look after each other's homes and take care of the neighborhood.

Please do not allow the Chabad to remain in our neighborhood. There are many rentals available on Ventura Blvd that are more suitable for the numbers of people they want to bring into our neighborhood.

October 28, 2012, Andrea Harris, (Support)

I am contacting you today regarding the operation permit of Chabad of Woodland Hills.

As you may know, for many years, this Chabad, under the leadership of Rabbi and Mrs. Yossi Gordon, has been a stalwart member of the West Valley community, providing pastoral and communal support to so many people.

My father, who would have been 75 today, was a founding member of the congregation, and would want nothing more than to see it have a permanent space from which to continue its vital work. Rabbi Gordon officiated at my dad's funeral, and my son's Brit. The good that he and the temple do for the community at large cannot be underestimated.

Granting this permit will not compromise the neighborhood in any way. If anything, it will bring to it an even greater warmth and sense of community. Please support Chabad of Woodland Hills establish its permanent home.

October 28, 2013, Allan Abramson (Support)

With the hearing on this matter scheduled for this Friday, November 2, I am writing to you again in support of Chabad of Woodland Hills (CWH). Prior to the hearing please provide me a copy of the staff report being presented to the commission.

My family and I have been a part of the CWH community since its beginning in 2000. Prior to its opening, we attended Chabad of Tarzana. It was always a dream of mine to have an orthodox synagogue in the community, within walking distance for Shabbat and the Holidays. I have attended CWH since its inception and my son was one of the first Bar Mitzvah's there.

Rabbi Gordon and his wife Daniela have made CWH into an extension of their family. The CWH families have become part of my family; we celebrate holidays together, anniversaries, birthdays, and all general life celebrations. We are there for each other in hard times and Rabbi Gordon is always there to provide spiritual guidance.

CWH is the center for the Jewish community's spiritual connections. Although there may be other Jewish institutions nearby, there are minimal Orthodox Jewish institutions in the community. Those of us who desire an orthodox following need CWH to continue. CWH adds value to the community, it stabilizes the area and adds to families values.

Everyone is welcome to CWH, regardless of affiliation and observance. We are all family and all welcome to Rabbi Gordon's home for Shabbat dinner with his family. Like all families that connect to a church/synagogue or other religious institution, we seek connections for spirituality and to associate with others with similar values, friends for our children in the community and families to grow with. There are only positives for CWH to be here in the community and we should welcome CHW.

I believe that our Chabad community has every right to have a location central to its members. The current location is ideally situated for those attending and provides minimal impact to the near-by residential community. I am a Civil Engineer and a public servant for the County of Los Angeles for 30 years dealing with development and transportation planning. I know the challenges inherent in these types of decision-making issues, balancing the obligations to carry out the law with the issues of the community. The fact is the law does allow for the operation of Churches/Houses of Worship on property not permitted by right under specific conditions. Our community is requesting the Planning Commission approve our application to operate under the conditions stated.

Although the residents on Bascule have complained about safety, traffic, and parking on their block. Anyone that has observed on a regular basis the traffic flow that the synagogue has generated onto Bascule will see it is insignificant. We operate well outside of peak traffic flow hours. We utilize the property for religious services for 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a some others days during the year for holidays. The building is most always vacant the remainder of the time, about 95 during an average week.

Rabbi Gordon and all of us attending have taken extreme measures to be good neighbors and will continue to ensure that we do not inconvenience the neighbors. The Rabbi in all his communications reminds the members to be respectful of the neighbors when entering and leaving and to not park on Bascule A\Je. Personally, I believe it is the neighbors who are being unreasonable attempting to treat a public street that already has weekday parking restrictions as their own private street and wanting to choose who can and cannot part on it.

There have been complaints of additional traffic into the area, pedestrians jaywalking and illegally crossing the street, and walking in the street. I know the facts presented to the commission will show that synagogue's operation does not create a significant increase or changing pattern that would make the current conditions at all unsafe. As long as both drivers and pedestrians follow the law and use due care there is no adverse traffic impact. I believe that having the Chabad in its current location will be an asset to the community and will not infringe on the neighbors right to enjoy their properties as before.

October 29, 2013, Neil M. Sunkin, (Support)

My name is Neil Sunkin and I have been attending services regularly at Chabad since January, 2012, and before that I attended on and off several years ago. I live in and work in Woodland Hills. My home is a bit too far to walk to Shul, so I drive. I always park in the parking structure in the office building across the street from the Shul on Kelvin. I receive text messages from the Rabbi each Friday reminding me to park in that lot. During the nearly 11 months that I have been attending the Chabad regularly, I have NEVER seen any cars parked on Bascule during services. In fact, with a couple of exceptions, most notably, for a person who is disabled and must receive assistance walking to the front door of the Shul, most persons enter the Shul from the entrance on Kelvin, not on Bascule.

Our Jewish/Chabad community needs a location central to its members. The current location is ideally situated for the current membership and for the Woodland Hills

Jewish Orthodox community. I attend services at the Chabad regularly on Saturday morning, during which time there are generally not more than approximately 15-20 people. On occasion I have attended on Friday nights, and on those occasions, there are generally not more than about 12 people.

We go out of our way to ensure that our community does not inconvenience the neighbors. Our community is conservative, respectful and professional. We have Doctors, Attorneys, and Accountants etc. amongst others. (I am an attorney). So the neighbors need not fear a "bad element" entering the area on the few hours each week that the Chabad actually used.

I believe that Chabad will be an asset to the community. Please let me know if I can provide you with any additional information.

October 29, 2012, Yasha Varga (*Support*)

My name is Yasha Varga and I have been a member of the Chabad of Woodland Hills for 6 years now.

I am an semi-observant Jew, and as such, I drive to services on the Sabbath because I live on Leonora Drive, about 2 miles from Chabad.

I consider myself a respectful, courteous and sincere person and always consider the neighbors when I visit the temple by parking in the structure across the street.

I understand that there has been some resistance by the neighbors to the new location of the Chabad of Woodland Hills. I'd like to offer my support in favor of the new location and counter arguments to the neighbors' potential complaints.

- I believe that our Jewish/Chabad community has every right to have a location central to its members. The current location is ideally situated for the current membership and for the Woodland Hills Jewish Orthodox community.

- I'm sure it's been noted that the Chabad is ONLY used by the community a few hours a week, i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. The Chabad is probably vacant of people for about 95 of the time in any given week - an actual BENEFIT to the people residing nearby.

- Rabbi Gordon has and will continue to go absolutely out of his way to ensure that our community does not inconvenience the neighbors. There is not a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave. Rabbi Gordon has even hired someone to sit outside the Chabad during services to ensure no-one parks on Bascule Avenue, even in front of the Chabad's own parking area, to be extra sensitive to the neighbors.

- Rabbi Gordon has secured parking in the office building across the road from the Chabad to ensure no inconvenience to the neighbors.

- Our community is conservative, respectful and professional. We have Doctors, Attorneys, and Accountants etc. amongst others so the neighbors need not fear a

"bad element" entering the area on the few hours each week that the Chabad is actually used. Having the Chabad in its currently location is a blessing to the community and as such would never infringe on the neighbors right to enjoy their properties.

Councilman Dennis Zine, I hope you will support this worthy project.

October 29, 2012, Wayne Gross, (Support)

My name is Wayne Gross and Councilman line and I worked together on the board of the American Diabetes Association.

I have been a member of the Chabad of Woodland hills for a number of years and as so would ask that Councilman line to please cast his vote in favor of this valuable organization.

I am sure that it has been noted that, the Chabad is ONLY used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. The Chabad is probably vacant of people for about 95 of the time in any given week.

Rabbi Gordon has and will continue to go absolutely out of his way to ensure that our community does not inconvenience the neighbors. There is not a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave. Rabbi Gordon even hired someone to sit outside the Chabad during services to ensure that no-one parked on Bascule Avenue (no parking even in front of the Chabad's own area to be extra sensitive to the neighbors).

Rabbi Gordon has secured parking across the road from the Chabad (in the office building) to ensure no inconvenience to the neighbors.

Our community is conservative, respectful and professional. We have Doctors, Attorneys, and Accountants etc. amongst others. So the neighbors need not fear a "bad element" entering the area on the few hours each week that the Chabad is actually used.

In summary, I believe that having the Chabad in its current location will be an asset to the community and should in no way infringe on the neighbors right to enjoy their properties as before.

Councilman Dennis line, I hope you will support this worthy project.

October 29, 2012, Robert and Debra Boyle (Oppose)

We are writing to oppose the application for a Conditional Use Permit (CUP) for the property located at 5233 Bascule Ave. in Woodland Hills.

We are extremely concerned about this for a number of reasons. First, we have already seen on the nights when the congregants gather that often cars will be lined up for a long distance down Bascule, on both sides of the street. Not only is this

unfair to the residents who live on the street, but neither Kelvin nor Bascule are wide enough to allow a solid lineup of cars to be parked on both sides and then still allow traffic to pass going both ways. This is hazardous on narrow streets and is also an impediment to clearance for passage of emergency responders. We are also concerned about the large numbers of people walking in the street at night going to the Chabad. Our next door neighbor told us that one night he was driving his car and came upon between 35 and 40 people walking from the Chabad down Bascule in the dark, and he said he did not see them until he was on top of them. We understand that they have stated they will be able to park in the structure across Kelvin, but they are not always doing that even now, and there is no guarantee that the owners of the parking structure will allow them to continue using it. Even if they are presently allowed to park there, that could change at any time, or if a lease is given it would not be for indefinite use. We are very concerned that as the Chabad continues to grow in this location, parking and safety problems will only be compounded. The intersection of Kelvin and Ventura is particularly troublesome already. Long lines of cars often wait on Kelvin to make a left turn onto Ventura Blvd, and with the Target there the traffic is already terrible. I have personally witnessed two major collisions right before my eyes at Ventura and Kelvin. It is a dangerous spot.

A second area of concern is that, just as anyone else would feel about their own neighborhood, we would like to keep our quiet, single family residential neighborhood just that - a residential neighborhood. We do not believe that a single family residential home in our neighborhood should be turned into a Chabad, church, mosque, school or any religious facility, or for that matter commercial use facility. Our own church has been looking for a space to expand into, and I also would not support my own church being in this location. We are also fearful that this sets a precedent. If this single family residence is allowed to be turned into a Chabad, then another religious organization could reasonably petition to be allowed to turn any other single family residential home into a similarly sized church or mosque with a school. Otherwise they could claim religious discrimination. And since the parking is so bad in this location, it stands to reason that almost any other location would also be allowed to go through, even next to your own home or next to my home, because in my opinion the parking situation could not be any worse on any other residential street. We fear that this sets a really bad precedent and opens up an area where other religious and then even non-religious groups could purchase single family residences and, using this as an example, apply for Conditional Use Permits.

We also have deep concerns about the manner in which Rabbi Yossi Gordon has already dealt with the city. Since he has already ignored the authority of the City of Los Angeles and has already ignored orders from Building and Safety to cease and desist in his use of the property as a religious facility, we have no reason to believe that he will be any more respectful in his future dealings with the City or with his neighbors. Once he has the go ahead, we believe that will be a green light to expand far beyond what he has promised. They say that the if you want to know what a person is going to do, look at what they have done in the past, because the past doesn't lie. Rabbi Yossi Gordon has already made clear that his personal goals are not subject to the rules of the City of Los Angeles.

We have no personal animosity towards Rabbi Yossi Gordon, and in fact he is a neighbor of ours. But I can tell you that even as a neighbor he is not considerate of

basic city rules. He leaves his trash bins out for days (our trash pickup is Thursday, and as of tonight, Monday, the bins are still there from last week. In fact we took a picture of the street - everyone else has complied and taken their trash bins in except him.) He also routinely piles large trash items out on the street such as old couches, tables etc., and they will be there for over a month just piled on the curb. I am afraid this is a predictor for how he will treat the surrounding area once the residence on Bascule becomes a busy Chabad.

We very respectfully ask you to deny the request for a CUP at 5233 Bascule Avenue in Woodland Hills.

October 30, 2012, Kathryn Lawrence (Oppose)

Safety is the first issue of importance, And-the Chabad operating a business/religious services out of a single-family home is unsafe. It is only a matter of time before a calamity minor or major occurs because of the unsafe conditions surrounding this home at 5233 Bascule -

- 1 The Chabad/Applicant stated "safety is. foremost' - yet their actions demonstrate a total disregard for the cease and desist order - families cross the street unsafely, illegally and continue to park illegally as well.
2. Zoning Code allows religious use on residential zone, but does not allow assembly in a single family dwelling.
3. Promotion of walking communities as long as safe facilities for pedestrian traffic exist There are no Sidewalks at 5233 Bascufe Avenue to accommodate pedestrian traffic.
4. Scale of project presented is not as stated on application on file. The document presented by Mr. Pilchen has no bearing on this application and should be ignored.
5. "Family Life Cycle Events" strongly implies the Chabad's intent to lease out the facilities. How can a single-family home of 1400 square feet accommodate 90 people with only four parking places? Clearly, it cannot safely do so.
6. No ADA compliance for pedestrian traffic. Grounds for denial of application.
7. Parking agreement by Covenant is the only way to allow off-site parking. The parking agreement has never been delivered to the PLUM Committee in April (as promised by the Applicant/Covenant)

In closing the Chabad/Applicant has consistently shown disregard for Codes and Rules of Civic Law. Therefore one could conclude this pattern of behavior will continue - including the misinformation presented to the Plum committee by the Chabad/Applicant. This is a neighborhood of single-family homes, and all the neighbors want, is to' keep it that way - as you would want to keep it in your neighborhood.

October 30, 2012, Hadi Shakiba Nejad, (Oppose)

I am the owner of Cal Best Insurance Agency. I recently received a letter from your office concerning the formation and assembling of a synagogue in the same neighborhood as my business.

I am against allowing the property at 5233 Bascule to be used as a synagogue. The traffic, noise, and disturbance caused by the activity of the synagogue is detrimental to my business. The most important day of the week for my business is Saturday.

The people who attend the synagogue on Fridays and Saturdays do not seem to have any place to park. They park in our lot, taking up our parking spots and have parked right in front of my offices on many occasions, taking spots away from my customers. The business owners on the ground level of this building have struggled with parking for many years. About five years ago we finally put out parking signs on the sidewalk in front of our individual businesses with arrows pointing to which spots our customers could use, with each business allotted two spaces. We did this because parking is such a big issue for us. On one occasion recently, a woman from the synagogue parked directly in front of my offices in the morning, disregarding the sign, and after services were over in the late afternoon, she could not get her car started. She had to call a mechanic for assistance. The mechanic's truck blocked the parking lot and she ended up keeping her car overnight in the parking lot. This type of situation is detrimental for business owners, in an already very busy parking lot.

I am also concerned about both pedestrian safety and inconvenience for my customers. The members of the synagogue walk down the most heavily trafficked corridor in the parking lot, against oncoming traffic, sometimes four or five wide, with young children following behind, unattached to an adult, and apparently oblivious to cars and danger. They have no regard for people trying to enter the parking lot in their cars. It is almost as if they do not see the cars. It deters people from wanting to enter the parking lot, and it also deters them from wanting to do business with me.

The traffic on Kelvin is very heavy. The intersection at Kelvin and Ventura is also very heavy. If my customers or prospective customers have to face a very inconvenient, heavily trafficked parking lot, which they are currently experiencing with the addition of this synagogue, and if they have no convenient place to park, my business will not grow, and in fact it will suffer!

I have been in this location for many years and have never had this type of situation arise. I am very opposed to the City of Los Angeles allowing this synagogue to continue to meet in the house at 5233 Bascule Ave. It is clearly detrimental to my business.

I thank you for being concerned about my business. It is very reassuring to know the City of Los Angeles cares about its businesses and is willing to protect us from situations such as this.

October 30, 2012 Elizabeth Van der Wel, (Oppose)

I am writing to you as a concerned resident living within walking distance of the subject property.

It is my understanding that the above referenced case number is requesting a Conditional Use Permit for the operation of a religious facility in an existing single family dwelling. It is also my understanding that, along with a Conditional Use Permit (CUP), the applicant is also requesting a Variance to allow for a reduction in required parking spaces.

With all due respect to the Chabad, the approval of this CUP will detrimentally affect the quality of life and overall safety of our beloved neighborhood. This house has already been used as a religious facility in the past and I can personally attest that I

have seen the hazards that have come from the increased number of cars, traffic and even pedestrians dodging speeding cars.

As a stay at home mother of 3 small boys, my main job is ensuring the safety of my children. I already have to keep them from riding bikes in the street during the 3pm hour because of traffic going to and from the local elementary school (no sidewalks on Bascule). Am I now going to have to keep them off the street altogether because of the increased cars and traffic that will result from the many events/classes/leased events the applicant has indicated will occur in its application?

Not only do I care about the welfare of my children and the local residents, I also care about the welfare of the members of the Chabad. To allow for such a use within such a small residential community increases the likelihood of accidents and only puts everyone in the area and coming to the area, at risk.

Given all of the above, I am asking that you deny the request for this CUP and Variance as it is proposed as the house and its surrounding neighborhood simply cannot withstand this type of use. While I respect and value the role of the Chabad within our community, I hope that you and they understand we are merely trying to preserve the sanctity of our homes and neighborhood.

October 30, 2012, Joel Haggin, (Support)

I have been a member of the Chabad of Woodland Hills for few years now.

I am an Observant Jew, and as such, I may NOT drive to services on the Sabbath but rather walk.

I live on DeSoto Ave., which is about 1 mile North of the Chabad house. I consider myself a respectful, courteous and sincere person.

I own a company that employs over 5 people. I understand that there has been some resistance by the neighbors to the new location of the Chabad of Woodland Hills. I would like to offer my support in favor of the Chabad proposed location and counter arguments to the neighbor's potential complaints (I understand the complaints are based on what MAY happen and not based on anything that has happened).

- Firstly, I believe that our Jewish/Chabad community has the right to have a location central to its members. The current location is ideally situated for the current membership and for the Woodland Hills Jewish Orthodox community.
- Secondly, I am sure that it has been noted that, the Chabad is ONLY used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. The Chabad is probably vacant of people for about 95 of the time in any given week. The neighbors should be thrilled about this! (i.e., a neighbor that is inactive for most of the time).
- Would the neighbors prefer families with noisy young kids or teenage kids entering and leaving all times of the day/night or playing loud music?

- Rabbi Gordon has and will continue to adamantly ensure that our community does not cause the neighbors any discomfort. There is not a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave. Rabbi Gordon even hired someone to sit outside the Chabad during services to ensure that no-one parked on Bascule Avenue (no parking even in front of the Chabad's own area to be extra sensitive to the neighbors).
- Rabbi Gordon has secured parking across the road from the Chabad (in the office building) to ensure no inconvenience to the neighbors.
- Our community is conservative, respectful and professional. We have Doctors, Attorneys, and Accountants etc. among others. The neighbors need not fear any detrimental element entering the area on the few hours each week that the Chabad is actually active.

In summary, I believe that having the Chabad in its currently location will be an asset to the community and should in no way infringe on the neighbors' right to enjoy their properties as before.

October 31, 2012, Beverly Gruber (Oppose)

As the owner of the commercial building located at 20812 Ventura Blvd., Woodland Hills, CA 91364, I am deeply concerned about the granting of a Conditional Use Permit to Rabbi Yoshi Gordon for the property located at 5233 Bascule Avenue in Woodland Hills, California.

I have had repeated conversations with the Rabbi about his congregants using the parking lot at 20812 Ventura Blvd. for their Chabad services, meetings and festivities. He has been told that under no circumstances are any of his congregants to park in this lot. It appears the Rabbi has dismissed everything that I have communicated to him. The Chabad congregants continually park in this lot on Fridays, -Saturdays. Sundays. and during the week for special celebrations or holidays. If the Rabbi's congregants continue to park in this lot, I will have no choice to have their cars towed from the premises.

The misuse of these parking spaces is not in the best interest of my tenants, detracts from the ability of customers to easily do business with them, and creates a serious liability for me. I ask you to deny a Conditional Use Permit for the above-mentioned property.

October 31, 2012, Fawaz Amer (Oppose)

As a business owner at the property located directly north of 5233 Bascule Avenue, I ask for your denial of a request for a Conditional Use Permit with a variance for reduced parking for this location. The Chabad members who meet at 5233 Bascule Avenue continually park in the parking lot associated with this building. It appears they have no other place to park. The members of the Chabad park here without permission, and take spaces away from my customers.

As convenience is an important factor in choosing where to do business, it is imperative that parking not be a problem for customers of my business. I intend to

build my business and flourish in this busy, well- used commercial building. Parking and traffic is heavy in this lot, but still manageable. If the Chabad continues to grow, and continues to use our parking lot, it will be impossible to provide a convenient and safe place for my customers to park.

Thank you for your consideration of this request. With respect, I ask you to deny the request for a Conditional Use Permit with reduced parking for 5233 Bascule Ave., Woodland Hills, Ca.

October 31, 2012, Ben Beezy (*Support*)

I have been a member of Chabad of Woodland Hills for 10 years. live on 5421 Aura Ave. in Tarzana and specifically walk to Chabad on the Jewish Sabbath and holidays because of my religious observance of Judaism. While I understand that there is resistance to Chabad of Woodland Hill's occupancy of 5233 Bascule, I feel that the synagogue's location is critical to the vibrancy of the local Jewish community. Chabad of Woodland Hills is only used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. Rabbi Gordon is a wonderful spiritual leader and friend, and will make every effort to ensure that our community does not inconvenience the neighbors. I believe that having the Chabad in its current location will be an asset to the community and should in no way infringe on the neighbors right to enjoy their properties as before. I appreciate your assistance on this matter. Thank you.

October 31, 2012, Barak Isaacs (*Support*)

Dear Mr. Mensman: I am a local attorney and a member of Chabad of Woodland Hills. I write in support of the Chabad. I have been attending Chabad for over six years and the simple fact of the matter is that we have roughly the same amount of member now as we did when I joined. We are, for the most part, a weekend temple, have about 10-12 people for one hour on Friday, about 30 for four hours on Saturday and the same 10-12 people for one hour on Sunday. In other words, out of the 168 hours in a given week, we are there for approximately 6. We cause absolutely no disturbance to the neighbors and any claim by the neighbors that we do is simply not true. As to parking, there really is no issue. Those of us who drive to temple, like me, do not park on Bascule or Kelvin but rather, park in a parking lot in a commercial building across the street. Chabad is an important part of my and my family's life, something needed in our community, and a project I ask that you strongly consider approving.

October 31, 2012, Similar letters from Wayne Lipschitz, Birjan Danesh, Daniel Brelow, Soli Iny, Gary Puterman, - (*Support*)

My name is ... and I have been a member of the Chabad of Woodland Hills for 9 years now and have lived in the area for 15 years. I was extremely excited when Chabad finally made it to Woodland Hills.

I am an Observant Jew, and very much enjoy the ability to walk to Chabad in my area when I attend.

I live on Betron Street, which is about 1 mile west of the Chabad.

I consider myself a respectful, courteous and sincere person. I run a company that employs over 300 people.

I understand that there has been some resistance by the neighbors to the new location of the Chabad of Woodland Hills.

I would like to offer my support in favor of the new location and counter arguments to the neighbors' potential complaints (I believe that the complaints are based on what MAY happen and not based on anything that has happened already).

- Firstly, I believe that our Jewish/Chabad community has every right to have a location central to its members, just as there are several churches nestled amongst homes in Woodland Hills, south of the Boulevard. The current location is ideally situated for the current membership and for the Woodland Hills Jewish Orthodox community.
- Secondly, I am sure that it has been noted that, the Chabad is ONLY used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. The Chabad is probably vacant of people for about 95 of the time in any given week. The neighbors should be thrilled about this! (i.e. a neighbor that is never there).
- Would the neighbors prefer families with noisy young kids or teenage kids entering and leaving all times of the day/night or playing loud music?
- Rabbi Gordon has and will continue to go absolutely out of his way to ensure that our community does not inconvenience the neighbors. There is not a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave.
- Rabbi Gordon even hired someone to sit outside the Chabad during services to ensure that no-one parked on Bascule Avenue (no parking even in front of the Chabad's own area to be extra sensitive to the neighbors) . . Rabbi Gordon has secured parking across the road from the Chabad (in the office building) to ensure no inconvenience to the neighbors . .
- Our community is conservative, respectful and professional. We have Doctors, Attorneys, Accountants etc. amongst others. So the neighbors need not fear a "bad element" entering the area on the few hours each week that the Chabad is actually used.

In summary, I believe that having the Chabad in its currently location will be an asset to the community and should in no way infringe on the neighbors right to enjoy their properties as before. trust that everyone feels the same about the churches nestled amongst the houses, including Saint Mel which is right in front of my house and has traffic issues and parking issues that affect me, but to which I am respectful and have never considered complaining as it resembles something important to the community. Councilman Dennis Zine, I hope you will support this worthy project.

November 1, 2012,

Petition with 54 signatures in opposition stating, "By signing my name to this document I affirm that I am opposed to the approval of the application for a Conditional Use permit, described as a religious facility with a variance for reduced parking, for the property located at 5233 Bascule Avenue, Woodland Hills, CA 91364."

November 1, 2012, Anton Sher (Support)

I have been a member of the Chabad of Woodland Hills for 8 years.

I am an Observant Jew who lives on Chapter Drive, Woodland Hills which is about a 15mins walk from Chabad.

I consider myself a respectful, courteous and sincere person. I am a Partner at a Big 4 Public Accounting & Management Consulting firm.

I understand that there has been some resistance by the neighbors to the new location of the Chabad of Woodland Hills. I would like to offer my support in favor of the new location and counter arguments to the neighbors' potential complaints. Looking forward:

- Firstly, I believe that our Jewish/Chabad community has every right to have a location central to its members. The current location is ideally situated for the current membership and for the Woodland Hills Jewish Orthodox community.
- Secondly, I am sure that it has been noted that, the Chabad is ONLY used by the community a few hours a week i.e. approx. 2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a couple of other days during the year for the High Holidays. The Chabad is probably vacant of - people for-about 95 of the time in any given week. The neighbors should be thrilled about this! (i.e. a neighbor that is never there).
- Rabbi Gordon has and will continue to go absolutely out of his way to ensure that our community does not inconvenience the neighbors. There is not a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave. Rabbi Gordon even hired someone to sit outside the Chabad during services to ensure that no-one parked on Bascule Avenue (no parking even in front of the Chabad's own area to be extra sensitive to the neighbors).
- Rabbi Gordon has secured parking across the road from the Chabad (in the office building) to ensure no inconvenience to the neighbors.
- Our community is conservative, respectful and professional. We have Doctors, Attorneys, Accountants etc. amongst others. So the neighbors need not fear a "bad element" entering the area on the few hours each week that the Chabad is actually used.

November 1, 2012, (Support)

Submittal of petition in support with 12 signatures stating "I own and reside at the property stated below, located near 5233 Bascule Avenue. I am aware of the application to the Planning Department to use Rabbi Gordon's property as a

synagogue, including seven parking spaces of the property. I have seen the Site Plan, and I do not object to the City approving the rabbi's application."

November 1, 2012, Ester Miller (Support)

My name is Esther Miller and a little over a year ago, I relocated to Woodland Hills from Simi Valley, where I resided for over 18 years. My current address is 22044 Clarendon Street - about 1-1/2 miles from Chabad of Woodland Hills. Since moving to Woodland Hills in August 2011, I have unfailingly attended Sabbath prayers services each and every Sabbath morning, although this clearly was not my intention at the outset. As a new resident of Woodland Hills, understandably it was my intention to "sample" the neighboring synagogues, before becoming involved with any particular "house of worship". This was particularly the case because religiously I was searching for what strongly resonated with me.

Chabad of Woodland Hills was at the top of my "sampling" list only because of its proximity to my new home. However, after my initial visit to Chabad of Woodland Hills, there was no need for me to look elsewhere. I found an exceptionally welcoming environment where I felt absolutely spiritually comfortable, principally due to Rabbi Yossi Gordon. I found Rabbi Yossi Gordon to be an exceptionally warm, vibrant, funny, kind, caring, very bright and utterly engaging young Rabbi. I learned all of this via the Rabbi's captivating & inspiring sermons given every Sabbath morning, and which have demanded, and continue to demand my presence every single Sabbath since my arrival in Woodland Hills. After each sermon, Rabbi Gordon reminds the congregants that no one is to park his/her vehicle on Bascule, due to complaints of neighbors, and that what is of paramount importance is that the neighbors be in no way inconvenienced. The congregation of Chabad in Woodland Hills is an extremely closely knit group, consisting of doctors, attorneys, engineers, professors, and the like, and each congregant is fully committed to doing everything possible that he/she can possibly do to ensure that Chabad be allowed to remain at its present location on 5233 Bascule - a location which is central to where many of the congregants reside, many of whom are strictly Orthodox Jews who walk to Chabad to attend Sabbath prayer services.

In summary, I am asking that you support Chabad of Woodland Hills in its quest to obtain the requisite permit to operate as a "Jewish House of Worship" on Bascule, from where it serves the Jewish community in an outstanding fashion.

November 1, 2012, Safaee Damavandi, (Support)

We are writing to you in support of Rabbi Gordon and Chabad of Woodland Hills. We have been a member of the Chabad of Woodland Hills for almost 10 years. We are Observant Jew, and we rather NOT to drive to our services.

We are known as respectful, courteous, sincere, GOD fearing, Law obeying people in our professional lives.

We know that there has been some resistance by the neighbors to the new location of the Chabad of Woodland Hills.

My Family and I supports Rabbi Gordon, and Chabad's new location. The arguments of some of the neighbors is based what MAY happen and not based on anything that has happened.

We believe that our Jewish community has every constitutional rights to have a location central to its members and more importantly convenient for the Rabbi and his family. The current location is ideally situated for the current members of Woodland Hills Orthodox community.

It has been documented that the Chabad is ONLY used by the congregants only few hours a week. Approximately 1-1/2 hours on Friday night, 4 hours on Saturday mornings, 1 hour on Sunday mornings and a few hours of other days during the year for the Holidays. This Chabad is unoccupied 98 of the time in any given week. All the neighbors are aware of this fact.

Would the neighbors prefer families with noisy children, or teenagers entering and leaving all times of the day/night or playing loud music? Rabbi Gordon has and will continue to go absolutely out of his way to ensure that our congregants does not inconvenience the neighbors. There has not been a sermon that does not end with, or a newsletter that does not remind the members to be respectful of the neighbors and not to park on Bascule Ave. Rabbi Gordon even instructed volunteer-members to sit outside the Chabad during services and remind any guest or visitors NOT to parked on Bascule Avenue. Rabbi Gordon has secured parking in the office building across to ensure NO inconvenience to the neighbors.

Our community is respectful, and professional. We have the pleasure of having the Service members, Doctors, Engineers, Scientist, Attorneys, Accountants, Advisors and Planners amongst others. The neighbors should NOT fear an "Unwanted Crowd" entering the area on the few hours each week during services. In conclusion, I believe that having the Chabad in its current location will be of a great importance to us and the community.

Our presence in NO way infringe on the neighbors rights to enjoy their properties as before.

November 5, 2012, Vincent and Nanette Thorpe, (*Oppose*)

We are writing to urge your denial of the proposed conditional use for 5233 Bascule Ave. We have lived on this quiet residential street for 47 years. Our children and grandchildren once played ball and rode bikes and scooters in the street here. Now with great joy and satisfaction, we see neighbor children safely doing the same every day. Neighbors up and down the street have invested their lives in this family neighborhood.

This has been an accident free street for children for the 47 years we have lived here. Unfortunately that has not been true for the nearby commercial intersections. Bringing an institutional use onto our street with pick-ups and drop offs would inevitably bring increased risk to the children living here.

The proposed use - (I don't have to detail for you all that it would involve.) - would permanently change the character of this street.

Importantly, it is so unnecessary. We understand the applicant previously operated in a rental location on Ventura Blvd just a few blocks away. That location was just as convenient to the prospective users as the location of this private home would be. A walk down Ventura Boulevard in either direction from this site reveals an ample number of vacant commercial sites for sale or rent within walking distance. There is simply no sense, need or justification for moving this institutional use from nearby vacant sites where it would be in compliance with zoning laws.

At the conclusion of public hearing, the Zoning Administrator "Took the Case Under Advisement" to review the parking plan with Department of Building and Safety, to evaluate alternatives, and research conflicting statements made at the public hearing. Also, the record was "Left the Record Open" to permit the submittal of additional written testimony. Moreover, the applicant requested additional time to review and respond to written material submitted at the public hearing.

The following correspondence was received after the public hearing:

November 16, 2012, Ronald A. Hartmann (Opposition)

This letter, and the accompanying exhibits, are being submitted to you for consideration in opposition to the above referenced Case Number ZA 2012-0161(CU)(ZV» (5233 Bascule Avenue, Woodland Hills, CA 91364 (hereinafter referred to as "the 5233 Bascule SFR")).

I am a tenant in the commercial building, commonly known as "Carlton Plaza," located at the address above, which is across the street from the 5233 Bascule SFR. I received notice of, and attended, the public hearing on November 2, 2012, because my office is within the 500 foot radius of the proposed location.

Rabbi Gordon and the Chabad of Woodland Hills' members are currently using parking spaces in the parking structure at Carlton Plaza and have cited such availability of parking in support of the application for a Conditional Use Permit and Variance for parking. I have serious concerns regarding the CUP and Variance, and I have spoken with several of the homeowners in the neighborhood, who have asked me to incorporate their concerns in this presentation. I have also spoken with the managers for Carlton Plaza and the parking structure regarding the use of parking by Rabbi Gordon and the Chabad.

Let me begin by informing you that the Property Manager for Carlton Plaza, which is Bantry Holdings LLC, and the parking manager, PCA Management, are currently reviewing their month-to-month agreement to provide a limited number of limited use parking spaces to Rabbi Gordon and the Chabad of Woodland Hills, and are considering terminating that agreement. Therefore, you should not consider Rabbi Gordon's reliance on the availability of parking spaces in the Carlton Plaza/PCA parking structure in support of his application for a Conditional Use Permit and Variance for parking. Please see Tab 1 hereto which is correspondence from Bantry Holdings regarding this matter.

Until very recently, neither Bantry nor PCA were aware that representations were being made by Rabbi Gordon and his representative to you regarding the availability of parking in the Carlton Plaza lot in support of the CUP and Variance application. Moreover, representatives of Bantry and PCA confirmed that the parking provided

up to this point is much more limited than as represented to you at the recent Public Hearing. The 10 to 40 spaces are not available "24/7" as represented by Rabbi Gordon's representative Lloyd Pilchen, and there is no availability of "unlimited" parking spaces even if requested. The agreement was a month-to-month arrangement for the limited use of 10-20 spaces, with up to 40 maximum, on Friday evenings and weekends only and for limited hours, and the agreement was subject to unilateral termination at any time. At this point, Bantry and PCA are considering terminating the agreement.

As you will recall, the gate to the on-site parking at the 5233 Bascule SFR is locked from Friday evening through Sunday. Therefore, there is no on-site parking available for the Chabad's members, and thus, without any guarantee of any parking available across the street on those days, the Variance for parking requested by Rabbi Gordon must be denied on that basis alone. Moreover, without the approval for the parking Variance, the CUP must also be denied as Rabbi Gordon is well aware that without adequate parking, the Chabad cannot operate in the manner requested in the CUP at this location.

IMPORTANT POINTS The following important points are discussed in detail throughout the following pages, and are merely highlighted below:

- Parking is illusory. Adequate, zoning mandated parking, is critical. At best, the Chabad has a 30 day, month to month, limited use lease on 20 spaces, with no guarantee of future parking. Presently, Carlton Plaza is reviewing the parking.
- The Applicant has self-created any alleged "burdens", The Applicant moved from a commercial zone to a residential zone, without any prior approval of a CUP/Variance for the residential zone, and now is suffering from a host of problems due to the fact that it chose to not do proper due diligence on the Bascule location, and it chose to invade a beautiful residential neighborhood, rather than relocate to another commercial zone. The law does not allow the Applicant to select an inappropriate location and then use the City's efforts to enforce its zoning laws in an attempt to manufacture "special circumstances" to manufacture false justification to avoid the laws.
- Numerous commercial spaces are available in the immediate area. As demonstrated by the commercial listings in Tab 8, there are numerous commercial spaces available for sale or lease within approximately one mile of the proposed location, including one space which is within SOO feet of the 5233 Bascule SFR. These alternatives available to Rabbi Gordon and the Chabad deflate any argument that a substantial burden exists if the CUP/Variance is not granted.
- The Applicant chose to relocate to a residential neighborhood rather than a commercial zone that is within a 500 foot radius of the Bascule location and must financially and lawfully bear the consequences of its poor decision making. The Applicant, and not the City, has boxed itself into a corner by making a series of bad decisions. There is no action by the City that has placed a burden on the Applicant.
- The City of Los Angeles has the right to strictly enforce its zoning laws. The Applicant, and not the City, has boxed itself into a corner by making a series of bad decisions. RIUIPA does not stop the City from enforcing its zoning laws. The Applicant has no right under RIUIPA to establish his synagogue wherever he wants.

The Applicant has no right to avoid the zoning laws. The Applicant has no right to create his own burdens and then use those burdens to try to avoid complying with the law.

- The self-created alleged burdens of which the Applicant complains are of no consequence to RLUIPA. RIUIPA addresses inappropriate government land use decisions. RIUIPA has nothing to do with burdens, substantial or otherwise, that an Applicant chooses to put on himself. The relevant inquiry is whether the government has placed a substantial burden upon the applicant. Nothing in the Applicant's CUP/Variance request indicates any inappropriate conduct by the City, and denial of the CUP/Variance would be within the law, and actually appropriate given the Applicant's overbearing efforts to bend the laws to favor the Applicant.
- The alleged economic / parking burdens of which the Applicant complains are of no consequence to RLUIPA. There is nothing illegal about an Applicant suffering burdens from a CUP/Variance process. The law is only concerned with inappropriate government conduct. No inappropriate government conduct is present, and therefore there is no RIUIPA issue. The only inappropriate conduct here is by the Applicant, whereby the Applicant has created a bevy of problems and "burdens", now complains of the problems and burdens, and is now attempting to use the problems and burdens that it has created to make an end run around the zoning laws and threaten "RIUIPA". Again, given the number of commercial properties available in the immediate area, there is no substantial burden on Rabbi Gordon if the CUP/Variance is not granted.
- The requested CUP/Variance create significant threats to the safety of the neighbors and the congregants. As has been expressed repeatedly, there is simply no safe way for the Chabad to operate from the 5233 Bascule SFR without endangering the neighbors and the congregants. The on-site parking is insufficient for the Chabad's needs, as has been conceded, and the proposed off-site parking, which may not be available any longer, creates a dangerous situation for pedestrians crossing in a 30 mph zone. Parking cars on Bascule creates significant hazards for the residents on that street because there are no sidewalks and it will push pedestrians into the middle of the street. Finally, the no stopping zone on Kelvin creates a hazard for pedestrians and automobiles alike, as the congregants of the Chabad continue to use this area to drop off and pick up in violation of this restriction. (See Tab 7 - Photographs).

I and the neighbors whose letters are attached in Tab 6 strongly and respectfully request that you deny the CUP / Variance for Rabbi Gordon. Although we are providing the neighbors letters as part of this presentation for your convenience, we stress that you should be sure to review each of the letters individually as the voices of each of them is important in their own right.

Finally, although we are vehemently opposed to the granting of the CUP / Variance under any circumstances, in the event that you feel it is necessary, we request that you consider the mitigation measures put forth by the neighbors in their letters in Tab 6 hereto. Issues that should be addressed are no expansion of the home for the life of the CUP, no event large than 50 people, limit to 3 special events/year, no leasing of the property for any event, noise reduction (engineered sound walls), amplification (amplification should be prohibited), hours of operation should be limited to that similar to the neighboring businesses, anti-loitering and anti-littering

signs should be posted and enforced, enforcement of traffic and pedestrian crossing laws, Chabad paid for measures to ensure pedestrian and vehicular safety, etc. This is only a summary of some of the issue raised, and again, please review each of these letters individually to assess the detailed requests of all of the interested neighbors. Thank you for consideration of the reasonable requests of the neighbors to ensure safety for all, and to mitigate the nuisance. This remainder of this presentation is structured as follows:

Tab Materials (*refer to case file*)

Tab 1: LETTER FROM BANTRY HOLDINGS RE PARKING Tab 2: SHORT HISTORICAL SUMMARY Tab 3: SUMMARY OF IMPORTANT POINTS Tab 4: DISCUSSION OF CONDITIONAL USE ISSUES Tab 5: DISCUSSION OF VARIANCE ISSUES Tab 6: LETTERS AND PETITION FROM AFFECTED NEIGHBORS Tab 7: ANNOTATED PHOTOGRAPHS Tab 8: EXAMPLES OF AVAILABLE COMMERCIAL SPACE Tab 9: RLUIPA DISCUSSION AND SUMMARY OF APPLICANT'S DEFICIENCIES CONCLUSION

I and the neighbors, whose letters are submitted herewith, respectfully request that the Applicant's CUP and the requested Variance be denied.

November 16, 2012, Project Proponent's 1st Response after Public Hearing

On behalf of the Applicant, Rabbi Joseph Gordon, this letter responds to certain issues raised at the November 2, 2012 public hearing, pursuant to the direction of the Zoning Administrator.

1. Street Improvements, Drop-off/Pick-up, and Proposed Condition.

The Applicant opposes any requirement to construct a drop-off lane on Kelvin Avenue or other street improvements for the following reasons:

1. The evidence shows that the small impacts of the Project do not justify street improvements. (See Overland Traffic Study, dated July 23, 2012, and discussion of RLUIPA in Part 4, below.)
2. Submitted photographs showing Project-related parking on Bascule predate the rental of spaces by the Applicant at the parking structure, which began about ten months ago. Since then, the Applicant has diligently and successfully prevented Bascule parking.
3. Drop-off/pick-up is not a programmatic element of the Project. Children typically accompany parents into the facility, and there is no weekday afternoon children's instruction that would induce drop-off activity.
4. Widening of street would: (i) increase the distance required for pedestrians to cross the street; (ii) remove the current traffic-calming effect of the southbound street-narrowing transition; and (iii) be detrimental to the appearance of the neighborhood.
5. Any plan to encourage drop-offs prior to parking (to reduce pedestrian street crossing) would not be effective for two reasons: (i) on days of religious restriction against driving, the few patrons that arrive by car prefer to use the parking structure, and would be embarrassed to pull up in front of the building-unless necessary for the benefit of an elderly or disabled passenger; and (ii) most drivers arrive alone, with no one to drop off.

6. The substantial expense and inconvenience of street improvements, including the relocation of existing utilities, amounts to an excessive exaction. The Applicant recognizes that, occasionally, a car will drop off a passenger before parking. To address any impact of this on Kelvin traffic, we propose the following condition of approval:

1. The Applicant shall instruct patrons and guests that drop-off/pick-ups are restricted to the Bascule Avenue frontage, and may not take place on Kelvin.

2. Weekly Schedule and Special Events. We provide the following detail to add to the weekly schedule and table of annual religious holidays and events included in pages 5 and 6 of the Staff Report, dated October 22, 2012.

- The Applicant agrees to eliminate weekday children's instruction from the request.
- Friday evening use of the facility begins at Sunset, 5pm at earliest, and ends by 9pm.
- Add Saturday evenings, beginning at Sunset, 5pm at earliest, and ending by 9pm.
- One night a year is a midnight service with about ten attendees.
- One of the floating events is the holiday of Sukkot (in Sept/Oct.), which is largely celebrated in the backyard, including the construction and use of a temporary ritual hut ("sukkah").

3. Miscellaneous Items. This religious community's walkers are as safe as other pedestrians, with children accompanied by parents. They have been safely walking in this neighborhood for 12 years without incident.

Conceivable impacts of occasional noise caused by the Project should be considered in the context of the Project Site's adjacency to the Ventura Boulevard corridor and the substantial noise associated with that bustle of activity.

On Monday, November 12, 2012, at Rabbi Gordon's request, the rabbi had a cordial, in-person meeting with his neighbor, Mr. Barney Stanfield, including their spouses. In response to Rabbi Gordon's question, Mr. Stanfield would not describe any term or condition that he would like placed on the operation of the religious facility- he simply does not want it. As an ongoing effort, Rabbi Gordon will strive to address any specific complaints from neighbors.

Notably, it appears that a company called Barney Stanfield Construction operates out of Mr. Stanfield's home at 5223 Bascule Avenue in Zone RA-1. The website www.manta.com provides the following information associated with that address:

Barney Stanfield Construction in Woodland Hills, CA is a private company categorized under Home Builders. Our records show it was established in 2001 and incorporated in California ... Estimates show Barney Stanfield Construction employs 6 people and has an annual revenue of \$780,000.

In addition, when Rabbi Gordon first moved in, Mr. Stanfield proudly told the rabbi that he, too, had previously operated a church gathering out of his home here for several years.

Another Project opponent, Mr. John Lawrence, similarly has a professional operation in his home. According to manta.com, Image Work Communications/Carpe Diem Productions at 5166 Kelvin Avenue "is a private company categorized under Film Strip and Slide Producer ... Estimates show Image Work Communications employs 5 to 9 people and has an annual revenue of \$1 to 2.5 million."

These facts are relevant because they reveal a double standard: Two of the most vocal opponents of Rabbi Gordon's application appear to be fine with "commercial intrusion" when it results in their own financial gain. But then they turn around and argue it is a violation of residential integrity in the case of a non-profit synagogue that benefits a community, as contemplated by the Zoning Code.

4. Federal Law Supports Project Approval Without Burdensome Conditions.

The Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA") is a federal law that applies when a land use regulation affects religious exercise. (42 U.S.C. 2000cc.) By its terms, RLUIPA must be "construed in favor of broad protection of religious exercise, to the maximum extent permitted" (Id. subpart 3(g).)

RLUIPA heightens the normal standard before government can impose a substantial burden on religious exercise. To illustrate this, at the public hearing we described a federal case in which the court overturned a city's denial of a permit for a church that was based on lack of code-required parking. [Footnote No. 1 - See Lighthouse Community Church of God v. City of Southfield, Case No. 05-40220 (E.O. Mich. 2007).]

RLUIPA states:

No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution- (A) is in furtherance of a compelling governmental interest; and (B) is the least restrictive means of furthering that compelling governmental interest.

(42 U.S.C. 2000cc(a)(1).) If city's land use decision is challenged in court, RLUIPA provides the right to recover attorney fees. (See 42 U.S.C. 1988(b).) RLUIPA applies the exacting "strict scrutiny" standard of judicial review to government actions. Courts have consistently found that denying a religious institution the ability to use its property for religious practice constitutes a substantial burden on religious exercise. [Footnote No. 2 - "Preventing a church from building a worship site fundamentally inhibits its ability to practice its religion. Churches are central to the religious exercise of most religions." (Cottonwood Christian Ctr. v. Cypress Redevelopment Agency (C.O. Cal. 2002) 218 F. Supp. 2d 1203, 1226.) The Seventh Circuit ruled that a substantial burden exists where the government's action caused the "delay, uncertainty, and expense" of either submitting a revised project, or finding another site. (Constantine & Helen Greek Orthodox Church, Inc. v. City of New Berlin, 396 F.3d 895 (7th Cir. 2005).]

The legal bar is high for cities to show that both: (A) there is "a compelling governmental interest" to justify the burden on religion; [Footnote No. 3) See National Advertising Co. v. City of Orange, 861 F.2d 246, 249 (9th Cir. 1988) (interests in traffic safety and aesthetics were not "compelling"); applied by Whitton v. City of Gladstone, 54 F.3d 1400, 1408 (8th Cir. 1995) ("a municipality's asserted interests in traffic safety and aesthetics, while significant, have never been held to be compelling").] least restrictive means of furthering that compelling governmental interest" (emphasis added). At our November 2nd public hearing, one speaker mentioned that some RLUIPA cases have gone against the church-plaintiff. We do not dispute this. For example, we do not employ RLUIPA in this letter to challenge the CUP requirement, itself.

Rather, we invoke RLUIPA for the high standard it places on government. In Lighthouse Community Church, the court said that the city's reliance on a code standard to deny the project was not enough. Rather, the parking requirement must be justified by evidence of the demand of the specific project. [There, the City of Southfield failed to demonstrate why the code ratio of three church seats to one parking space was accurate and made sense in this particular situation, as opposed to, say, four to one. As a result, the city failed to prove that "use of worship space will lead to a certain number of extra vehicles affecting parking and traffic." (Lighthouse Community Church of God v. City of Southfield.)] With our Project, the Overland Traffic Study (dated July 23, 2012) shows impacts from the peak weekly demand of typical operations on traffic, parking, and pedestrian safety to be less than significant and "consistent with the existing neighborhood use of the street."

In addition to the law's effect on the Project approval as a whole, RLUIPA particularly restricts the City's ability to impose the street improvements recommended by Bureau of Engineering. According to its procedure, as here, BOE simply applies the City's street standards to any project that crosses its desk-a practice that falls short of RLUIPA's strict standard. Moreover, any concern related to occasional drop-offs (unrelated to any programmatic element, because the Project includes no school independent of family attendance) can and should be addressed by the simpler and more logical requirement that drop-offs take place on Bascule. This would be less burdensome than street construction, and would achieve the protection of traffic flow on Kelvin.

The Applicant reserves its rights to all legal arguments to challenge the proceedings and decision, and has not waived any such right.

January 9, 2013, Project Proponent's 2nd Response after Public Hearing

This final letter of the Applicant, Rabbi Gordon, supplements our November 16 letter, and responds to material submitted to the Planning file during the two weeks after the November 2, 2012 public hearing. We submit this letter in accordance with the time extension granted by the Zoning Administrator.

A preliminary note.

This Project serves an intimate community of religious worshipers. Its numbers are small. It owns property ideal for its purposes, located on the border between bustling commercial activity and residential use. The record includes substantial

evidence that the location is proper in relation to these adjacent uses, and that the Project satisfies the legal findings for approval.

The Applicant is gratified by the support expressed at the public hearing by longtime residents and by the Council District Office. Naturally, many others in the community have no objections, but were not heard from. While the public hearing included a group of vocal opponents, our Constitution and its values, wisely, do not countenance majority rule by the gallery as a factor to decide where a minority may practice its faith.

1. The new off-site parking location for the Project comports with the Project Description, the volunteered condition and with discussion at the public hearing.

In addition to the many justifications described in the application and at the hearing for granting the Project requests, the Applicant volunteered the following condition of approval [(see "Applicant's Presentation - Outline" dated November 2, 2012):]

Off-site Parking. Once a year, Applicant shall submit to the Planning Department a letter from the proprietor of a parking lot located within 1,500 feet of the Site stating the number of parking spaces currently rented by the applicant, and that additional spaces are available upon request for special events.

Accordingly, the Applicant has entered into a new parking lease agreement to replace the former lease with Carlton Plaza. The new parking location is on the south side of Ventura, next door to Carlton Plaza, at 20720 Ventura Boulevard. On ZIMAS, we measure the distance between this parking location and the Project Site at approximately 363 feet (as the crow flies), and a walking route of roughly 650 feet along Ventura and Kelvin to the property entrance on Kelvin. Although we propose off-site parking merely as added justification for the grant of variance-and thus it is not subject to the requirements of LAMC section 12.1-A.4(g)-the distance is within the LAMC standard.

Attachment 1 is a December 26, 2012 letter from Mr. Brett Tooth, landlord, describing the lease of parking spaces for the congregation's use. As was the case with Carlton Plaza, the landlord will not agree to burden his property with a recorded covenant. To protect the City, the volunteered condition places the burden of proof on the Applicant to continually document the rental of spaces.

Parking at 20720 Ventura Boulevard is consistent with the discussions about parking at the public hearing, because, like Carlton Plaza, it is located east of Kelvin and keeps any traffic or pedestrian impacts away from Bascule Avenue residences. Moreover, the location improves upon the arrangement at Carlton Plaza with respect to street crossing: Previously, some had expressed concern about patrons crossing Kelvin without a stoplight. Now, the walking route between 20720 Ventura and the Project Site includes street crossing at the Ventura-Kelvin split intersection.

The Applicant also volunteered to provide additional off-site parking for events, with clear instructions given to all guests, for all events with anticipated attendance over 50. This parking will be located either at 20720 Ventura Boulevard (available for typical event times), or at one of the following potential locations (with distances to the Site indicated):

20750 Ventura Carlton Plaza)	60 feet
20812 Ventura	75 feet
20820 Ventura	
APN 2166-033-047	310 feet
20833 Ventura	450 feet
20660 Ventura	775 feet

In addition to the Project's 7 on-site and 10 off site spaces, the Site's frontage on Bascule provides four street parking spaces (except for No Parking during weekday business hours-when the Project has no need for it).

2. The Neighborhood Council.

A. The Applicant participated in five neighborhood council ("NC") meetings (combined PLUM and full council). At these meetings the Applicant attempted to discuss and volunteer operating conditions, but vocal NC members would have none of it. In the e ,the majority voted to recommend disapproval, but there were table abstentions by several voices of reason.

B. The 11/16/2012 letter from Mr. Douglas Nix inaccurately states that the parking agreement with the Carlton Plaza parking structure and management was also misrepresented [and] no parking agreement was produced, [e]ven though the applicant and his council [sic] told the PLUM committee that they would produce this agreement, notarized within 24 hours

In fact, we repeatedly and accurately described to the NC all of the following: (i) the existence of the current parking lease; (ii) the impossibility of securing an agreement that binds Carlton Plaza; and (iii) our proposed solution to annually submit a letter. But the NC doggedly continued to demand a binding covenant.

C. The full NC failed to provide the Applicant with a fair meeting and unbiased decision-maker, as due process requires. [Footnote No. 1 - Due process ... always requires a relatively level playing field ... , in other words, a fair hearing before a neutral or unbiased decision-maker." (Nightlife Partners v. City of Beverly Hills (2003) 108 Cal.App.4th 81, 90, emphasis in original.)] Prior to its deliberation and vote on the Project on September 12, 2012, the full NC met on July V 25,2012 and approved a letter to LADBS to complain about the synagogue. The NC's letter states: "We're writing this letter on behalf of the neighbors " By allying itself, on the record, with those opposed to this religious gathering, the NC violated Rabbi Gordon's constitutional right to due process.

3. Project opponent misrepresented the applicant's parking arrangement with Carlton Plaza. As described above, the Applicant has entered' to a new parking lease to replace the former lease with Carlton Plaza. The Applicant looks to the future, and realizes that the cause of the Carlton lease termination is not especially relevant to this proceeding. But because Carlton's property manager was told things about the synagogue and its use of the parking structure that are not true, we must correct what was submitted into the record.

A. The Applicant and counsel were at all times forthright in their communications with PCA Management (the parking facility tenant), and PCA communicated with

the building owner. Not only did PC know the purpose of the Applicant's parking lease, but they discussed at length the parking needs of the synagogue, including special events. They also discussed the possibility of creating a recorded parking covenant. After Carlton Plaza rejected a covenant, the parties together developed language that PCA agreed to state in an annual letter to the Planning Department, which would attest to the existing arrangement. (See July 9-10, 2011 correspondence between Lloyd Pilchen and Brian Weir (PCA), at Attachment 2.)

B. It is claimed there were misrepresentations regarding parking at Carlton Plaza. For about the past 10 months, the applicant rented 10 parking spaces, and was provided 10 key-cards for entry by his congregation into the structure at all times. PCA's invoice included in the case file. PCA was also willing to rent additional spaces or special events.

C. Accusations that the Applicant misrepresented parking conditions, or misused the parking structure, are also false. Typical use of the Project on Friday, Saturday, and Sunday, including use of the parking structure, is documented in the Overland Traffic Study (dated July 23, 2012). Attendance is normally under 40 people.

D. Opponents argued that the Public Hearing Notice should have described parking at Carlton Plaza. Not so. The Project does not require parking at any exclusive location, and off-site parking is not an element of the variance request. The variance seeks 10 on-site spaces in lieu of 23. Off-site parking within a certain radius is proposed by the Applicant as added justification. The fate of the Project is not tied to any particular lease.

4. Miscellaneous Items.

A. Regarding Building and Safety design concerns, we defer to the DBS plan-check permit process. At the hearing we submitted plans and the Clearance Summary Worksheet for Permit No. 12016-20000-13761.

B. We reject the line of argument that essentially demands: "Go somewhere else." This congregation purchased property that ideally matches its needs for a variety of reasons, including floor area, the backyard, conveniently near Ventura Boulevard, while also a safe distance from it. Arguing that the Applicant should find another site is not relevant to the findings for approval.

5. RLUIPA. We discussed the federal religious land use law in our November 16, 2012 letter. There we described the high bar that RLUIPA places on government restriction of religious practice. In response to the opponents' characterizations of RLUIPA, if the law had no effect on government decisions, it would be meaningless. While it does not always provide a "free pass" for religion, RLUIPA significantly heightens the standard in discretionary land use decisions in favor of religious

January 4, 2013, series of emails with Project Proponent

The Applicant requests an additional 10 days in which to submit his final letter—to the end of day on January 14, 2012.

Thank you for your direction of this case.
Regards,

- From: Lloyd Pilchen <lloyd.pilchen@gmail.com>
Date: Sat, Dec 1, 2012 at 5:20 PM
Subject: Re: Extension of Time - 5233 Bascule
To: "Brown, R. Nic" <RNic.Brown@lacity.org>, Marianne King
<Marianne.King@lacity.org>

Mr. Brown,

The Applicant accepts January 4, 2013 as the new Record Close date.
Thank you.
Lloyd Pilchen

From: R. Nicolas Brown <rnic.brown@lacity.org>
Date: Fri, Nov 30, 2012 at 2:18 PM
Subject: Extension of Time

To: Lloyd Pilchen <lloyd.pilchen@gmail.com>

I am in receipt of your request and think it is reasonable considering the correspondence received at such a late date regarding changes in your lease. December 21st is the beginning of AZA work furloughs. I prefer to set January 4th as the "Record Close" date, if permitted by you.

Recent developments since the November 2nd hearing require the Applicant to explore alternative off-site parking. In addition, the religious holiday of Hanukah occupies the full week beginning December 9. Consequently, we request that the Applicant's time to submit his final letter be extended from November 30 through December 21, 2012. If this conflicts with the LAMC regarding the timing of the Zoning Administrator's decision, the Applicant waives time for the number of days of this extension.

Thank you for your direction of this case.
Regards,

January 10, 2013, series of emails

Marianne King <marianne.king@lacity.org> Thu, Jan 10, 2013 at 12:00 PM
To: Arstumpf <arstumpf@aol.com>
Cc: Nicolas Brown <rnic.brown@lacity.org>
Hi Andrew,

I have cc'd Nic Brown on this e-mail (Zoning Administrator for this case), so he can get back to you and let you know what the status is and roughly when a Determination will be mailed.

On Thu, Jan 10, 2013 at 12:23 AM, Arstumpf <arstumpf@aol.com> wrote:

Marianne,

Just checking in on the case above. I understood a finding would be released in December.

I look forward to hearing from you soon.

Andrew
Andrew R. Stumpf, AIA

R. Nicolas Brown <rnic.brown@lacity.org> Thu, Jan 10, 2013 at 12:07 PM
To: Marianne King <marianne.king@lacity.org>

The record close period was extended because the applicant lost their lease for parking and needed time to obtain a new lease. Information was submitted yesterday regarding this matter and I will review it sometime next week. I may know next week when the Determination will be prepared.

Arstumpf <arstumpf@aol.com> Mon, Jan 28, 2013 at 1:31 PM
To: rnic.brown@lacity.org
Cc: marianne.king@lacity.org
Mr. Brown,

After speaking with Ms. King this afternoon, I wish to direct my question directly to you regarding your statement:

"The record close period was extended because the applicant lost their lease for parking and needed time to obtain a new lease. Information was submitted yesterday regarding this matter and I will review it sometime next week."

Specifically, please explain how a parking lease affects the determination on this residential property. To my knowledge there is nothing in the public paperwork outlining this matter.

Additionally, this weekend I witnessed significant activity at the property (5233 Bascule) that included the parking of several cars in the backyard. It appears the property is already being utilized per Change of Use request, yet I understand we are still awaiting the determination.

With this process taking longer than expected, and with the recent activity noted on the property this weekend, I am concerned negotiations are occurring and approvals given without the knowledge or involvement of the community.

I look forward to your response. Thank you.

Andrew
Andrew R. Stumpf
(818) 926-6736

From: Arstumpf <arstumpf@aol.com>
To: marianne.king <marianne.king@lacity.org>
Sent: Fri, Jan 11, 2013 12:33 am
Subject: Re: Vacation Re: Case: ZA 2012-0161 (CU) (ZV), Re: 5233 Bascule

Marianne,

Thanks for the response. I don't understand how a parking lease affects the determination on this residential property and will try to call you to gain a better understanding.

Andrew
(818) 926-6736

From: Marianne King <marianne.king@lacity.org>
To: Arstumpf <arstumpf@aol.com>
Sent: Thu, Jan 10, 2013 12:18 pm
Subject: Fwd: Vacation Re: Case: ZA 2012-0161 (CU) (ZV), Re: 5233 Bascule

Hi Andrew,

See response from Nic Brown below

R. Nicolas Brown <rnice.brown@lacity.org> Mon, Jan 28, 2013 at 1:43 PM
To: Arstumpf <arstumpf@aol.com>

You should report any violation to the Department of Building and Safety. Otherwise, I have no way to verify the accuracy of your statement, if it's a matter you want considered. The project proponent contended off-site parking helps reduce traffic and parking impacts on the surrounding residential and commercial uses. Thus, there will be impacts without a lease.

January 28, 2013, series of emails

As we are all aware, the deadline for a decision on this project was moved from the original December 17, 2012 until?

A number of us in the neighborhood have finally been able to see the material that Lloyd Pilchen, Chabad's attorney, has put into the record and we would like to address his "representations."

How long can we have to do so?

I can see that we would need another 10 days, especially since Mr. Pilchen has made so many allegations in his response. Would that be ok with you?

Thank you for your cooperation in this matter.

Regards,
Ron Snow

R. Nicolas Brown <rnice.brown@lacity.org> Mon, Jan 28, 2013 at 10:18 AM
To: Ron Snow <snotown@aol.com>
Mr. Snow,

The record will be left open until Feb. 1st in order for you to respond to the recent submittal regarding change in the location of off-site parking.

January 30, 2013, Charles Ian Blaugrund (Oppose)

Provided a list of neighborhood churches "very close proximity to the subject site" that provide parking for their congregants and he believes the proposed project should do the same, if off-site parking is acquired in lieu of on-site parking,, the number of spaces should be the total number required by code, the applicant has entered a situation where self-inflicted hardship is the root of an inability to comply with the code requirements.

January 31, 2013, Ronald Snow, (Oppose)

Expressing his frustration with continued activities at the subject site, their failure in not using the parking lot across the street at PCA and Carlton Plaza, and statements in disagreement with statements made by the project proponent at the public hearing.

February 1, 2013, Douglas Nix, (Oppose)

The applicant will not use his one property for parking, the applicant has ample space in the rear yard to develop substantially more parking, not utilizing parking on the applicant's own property at all times of use is a self-inflicted hardship, not a condition denying the applicant similar rights as other properties in the same zone or vicinity. The purchase of property that is non-conforming to applicant's intended use for Chabad of Woodland Hills and associated requirements is also self-inflicted hardship, Overland's traffic report does not address additional pedestrians and vehicular traffic during operation, list of other potential parking locations, requesting that neighborhoods be responsible for enforcing special conditions that do not apply to other residents in the same zone and surrounding, the applicant places an unfair burden on surrounding properties, misrepresentations of parking agreements and PLUM Committee, it is imperative that street improvements be done, list of MND mitigation measures of concern, the increase in congregants has increase the number of people knocking on his door and stopping in his driveway.

February 1, 2013, (Oppose)

Additional written testimony from Sanda Fleming and Hadi Nejad reflected in their prior written submittals. New submittal from Beverly Gruber where no new contentions were raised already presented by others. Barney and Martha Stanfield including photographs of applicant using off-site parking without permission and new contentions not already in other submittals.

February 1, 2013, Ronald A. Hartmann, (Oppose)

Responses to January 9, 2013 letter submitted by project proponent, request to Zoning Administrator to dismiss requests because applicant may not legally act on behalf of a suspended corporation, request for the applicant to provide evidence that he has informed his lender that that he is applying to change the zoning for the subject home, summary of response to applicant's public hearing presentation (Exhibits include State of California Certificate of Status, State Business Entity Detail, Response to applicant's presentation outline, and applicant's recorded deed of trust.)

February 19, 2013, Project Proponent's 3rd Response after Public Hearing

This responds to recent comment letters regarding parking at Wells Fargo and at 20812 Ventura. Rabbi Gordon repeatedly announces to his congregation that no one may park there. Two or three congregants have occasionally done so. The owner of the parking lot has called Rabbi Gordon, and Rabbi Gordon said to her that she may feel free to have any such cars towed, at the owner's expense. Despite these occasional lapses—which occur in the adjacent commercial-zoned areas—the fact remains that patron parking for the religious facility does not impact the residential neighborhood. If you have any questions, please contact me.

April 1, 2013, Zoning Administrator spoke with project proponent to ensure they had an opportunity to consider all information submitted to the public record. He stated that his February 19th submittal was his final response to all information in the file.

On April 1, 2013, the "Record Closed" for all supplemental information and the Zoning Administrator deliberated. After review of the entire administrative record, the Office of Zoning Administration denied the request for a reduction in Code required parking, approved a Variance for required parking to be off-site by lease and approved the Conditional Use Permit for a Place of Worship in the RA Zone Classification, as discussed in the Findings.

BASIS FOR CONDITIONAL USE PERMITS

A particular type of development is subject to the conditional use process because it has been determined that such use of property should not be permitted by right in a particular zone. All uses requiring a conditional use permit from the Zoning Administrator are located within Section 12.24-W of the Los Angeles Municipal Code. In order for a religious institution to be authorized, certain designated findings have to be made.

FINDINGS

Following (highlighted) is a delineation of the findings and the application of the relevant facts to same:

1. **The proposed location will be desirable to the public convenience or welfare.**

On October 4, 2011, the Department of Building issued an Order to Comply No. A-2868826 for the unapproved use of a synagogue in the RA Zone at the subject

location. The order required the use to discontinue until all required permits, inspections, approvals, and Conditional Use Permits have been obtained.^{1/}

The applicant is seeking a Conditional Use Permit to operate a religious facility (synagogue) in the RA-1 Zone Classification and a Zone Variance to allow seven on-site parking spaces in lieu of 23 spaces. (*Refer to Finding Nos. 5-9 for the Zone Variance*) The following discussion addresses the first Finding of a Conditional Use Permit which asks if “[t]he proposed location will be desirable to the public convenience or welfare.”

In a 1954 Supreme Court case, Justice William O. Douglas opined, “the concept of public welfare is broad and inclusive. The values it represents are spiritual as well as physical and aesthetic as well as monetary.”^{2/} This broad and inclusive concept of public welfare can also apply to a Place of Worship which transcends a narrow definition of public convenience and welfare as determined by physical, aesthetic, economic, or fiscal measurements.

More recently, Congress has confirmed the importance of freedom of religious practice by the year 2000 adoption of the Religious Land Use and Institutionalized Persons Act (RLUIPA). In the process leading to its adoption, it was said a Place of Worship provides “civic value” that reaffirms our society’s desire to encourage and support for what is the foundation of our country.^{3/}

RLUIPA is about the relationship between religious land users and local governance. It addresses the conflict that exists between religious advocates and communities as found in several reoccurring themes in litigation and dispute:^{4/}

Churches Seeking to Locate in Commercial Areas: Churches will often attempt to locate in depressed commercial areas or even shopping centers where land values and rents are low.

Churches Seeking to Expand in Residential Zone. Existing churches in residential zones are often too small, but may wish to expand the scope and intensity of their activities, or expand their physical facilities to accommodate growth in membership. Many have active and varied ministries involving religious education and daycare, or feeding and housing the homeless, substance abuse rehabilitation, counseling, and shelter for abused persons.

1/ The Office of Zoning Administration was contacted by the public several times regarding continued use of the site as a synagogue even after being cited. Those who inquired were informed of the general policy allowing a use to continue until a Letter of Determination is effective unless it’s a public nuisance or matter of public safety. They were asked to contact the Department of Building and Safety in order to evaluate if the use is a public nuisance or matter of public safety.

2/ Berman v. Parker, 348 U.S. 26, 75 Sup. Ct. 98, 99 L. Ed 27(1954)

3/ Religious Land Use and Institutionalized Persons Act (2000)

4/ American Bar Association, Section of State and Local Government Law News, Vol. 26, No. 2, Winter 2003

Religious Use of Single Family Residences. Another common situation in residential zones involves religious groups or individuals seeking to use single-family homes in single-family neighborhoods for their religious activities. Neighbors or such uses often are concerned about loss of residential character that can accompany conversion from residential to religious use.

The Federal Government's adoption of RLUIPA sought to address the problem of discrimination against religious organizations and Places of Worship by local governments. The statute provided special protections for religious land users in that a regulation that substantially burdens religious exercise will not withstand legal challenge if it does not serve a compelling public interest and is the least restrictive means to serve a governmental purpose.

The first question in this analysis is if the proposed project an exercise of religion? The prior location of Chabad of Woodland Hills was 20646 Ventura Boulevard which was a commercial zone consisted of four lots/buildings east of Kelvin on Ventura Boulevard. As stated by the applicant, at that location it became an established congregation with a longstanding presence in Woodland Hills. The applicant decided to relocate for economic reasons and seeks to remain in the area of its members.

Chabad of Woodland Hills proposes to convert a 1,482 square-foot single-family dwelling into a religious facility on a 14,894 square-foot lot in the RA-1 Zone. As stated by the applicant, the proposed project will provide services customarily associated with a religious facility, including worship, religious instruction, meetings, rituals and celebrations (e.g. lifecycle events such as weddings and bar mitzvahs), individual counseling and ministry. Activities will take place within the building and gatherings in the backyard. The applicant submitted a general schedule of activities (*refer to the case file*).

Thus, it is resolved the proposed project is for religious practice and is desirable to the public convenience and welfare because it serves the local community's need for a nearby synagogue and provides for social gathering and community life.

2. The location is proper in relation to adjacent uses or the development of the community.

The second Conditional Use Permit Finding seeks to evaluate if the proposed project will be compatible with surrounding land uses. Pursuant to Section 12.24-W,9 of the Los Angeles Municipal Code, a Place of Worship on a site zoned and planned for residential is appropriate by authorizing a Conditional Use Permit.^{5/}

Regulations in the Zoning and Planning Code are deemed necessary in order to encourage the most appropriate use of land; to conserve and stabilize the value of property; to provide adequate open spaces for light and air, and to prevent and fight fires; to prevent undue concentration of population; to lessen congestion on streets; to facilitate adequate provisions for community utilities and facilities such as

^{5/} Section 12.24-W,9. Churches (except rescue mission or temporary revival) in the A, RE, RS, R1, RU, RZ, RMP, RW1, R2, RD, RW2, R3, C1, C1.5, CM or M Zones.

transportation, water, sewerage, schools, parks and other public requirements; and to promote health, safety, and the general welfare all in accordance with the comprehensive plan. (*Section 12.02, Purpose, Los Angeles Municipal Code*)

The Conditional Use Permit (CUP) process has singled out this use which is essentially desirable, but because of potential impacts is not desirable in every location, in unlimited numbers, or in a location without restrictions tailored to it. A CUP should be denied, if potential impacts cannot be mitigated or if the proposed use is not compatible with the surroundings. In this instance, the project as design and conditioned will ensure the location is proper in relation to adjacent uses or development of the community. The limitations imposed on the project are the least restrictive mitigation measures that balance the applicant's exercise of religion and reduce adverse land use impacts to the surrounding community.

Site zoning and characteristics: (*The location is proper for a synagogue in relation to adjacent uses or the development of the community due to characteristics of the site including being RA Zone Classification, a corner lot with dual frontages, and sufficient exterior and interior space for assembly of individuals while remaining a single family dwelling in appearance and function.*)

The subject site is zoned RA which permits one-family dwelling, parks, playgrounds or community centers, owned and operated by a government agency, golf courses, except driving tees or ranges, miniature and pitch and putt courses having an average fairway length per hole of less than 125 yards, courses illuminated for nighttime play and similar uses operated for commercial purposes, truck gardening and nurseries, the keeping of equines, bovines, goats or other domestic livestock other than swine), poultry, fowl, rabbits, chinchillas and other small animals, in conjunction with the residential use of the lot, provided limitations, two-family dwellings, on lots having a side lot line adjoining a lot in a commercial or industrial Zone, provided limitations, and Conditional uses enumerated in Sec. 12.24 when the location is approved pursuant to the provisions of said section. (*Section 12.07 of the L.A.M.C.*)^{6/} (*Underline added*)

There is sufficient outdoor space for the assembly of individuals. The subject property is a level, corner, rectangular-shaped lot, consisting of 14,894 square feet with an even width of 86 feet and depth of 165 feet along the east property line and 175 feet along the west property line. The dwelling is set back approximately 45 feet from Bascule Avenue with an extensive lawn area. Frontage of the dwelling and yard along Bascule Avenue will remain unchanged; whereby, continue to appear as a single family dwelling. The rear yard is approximately 75 feet deep with a lawn area on the west side and a concrete area (i.e., sports court) on the east side. The west side yard appears to be 5-1/2 feet wide and may be legal non-conforming. Any exterior construction along the west side would trigger discretionary review (e.g. 12.24-F or Zoning Administrator Adjustment) and require Findings confirming compatibility with its surroundings.

6/ Typically, the majority of Place of Worship locations locate in C2 and RA Zone Classifications. The cases assigned to this Zoning Administrator reveal the following zone classifications for Places of Worship: C2 (32%), RA (24%), MR (3%), and A2 (11%), R3 (8%), R4 (5%), M1 (3%), RD1.5 (3%), RS (3%). Approximately, eight (8) percent have been in the R1 Zone Classification that included a small Jewish home congregation on a Major Highway, use of a 2.58 acre site adjacent to the Canoga Park Women's Club. (*Data gathered in 2009*)

There is sufficient indoor space for a Place of Worship for the assembly of individuals. The 2010 California Building Code "Maximum Floor Area Allowance Per Occupant" for assembly without fixed seats range between 7-15 net square feet. The proposed area of assembly/synagogue is 753 square feet permitting 108 occupants. The play room consisting of 404 square feet permits 12 occupants. The office and conference room of 342 square feet permits 14 occupants. The total occupancy load is 134.^{7/}

There is sufficient indoor space without adding square footage to the existing single family dwelling to accommodate the assembly of individuals. Thus, the size of the dwelling allows space for both assembly and residential uses.^{8/} Lastly, the building complies with the City Mansionization Ordinance and does not appear as an oversized building on the site.

As a corner lot there are two frontages. One is Bascule Avenue (i.e., a Local Street) which will have a residential function and other is Kelvin Avenue (a Collector Street) which will have the higher intensity functioning as ingress and egress for the synagogue. This is consistent with existing residential uses on Bascule Avenue while Kelvin Avenue (i.e., Collector Street) has a non-residential character due to adjacent uses. The north adjoining property is zoned (Q)C1.5-1VLD is developed with a two-story office building currently a bank use that fronts Ventura Boulevard with a surface parking lot at the rear of the site which adjoins the subject property. The east abutting property is zoned (Q)C1.5-1VLD and developed with a large four-story office building complex which fronts Ventura Boulevard with side and rear vehicle access to the site from Kelvin Avenue leading to a driveway roundabout and a two- to three-story parking structure. The driveway roundabout for the office parking structure is directly across from the subject property.

7/ Obtained from information cited in plans submitted with the application. Also, the applicant submitted "Calendar of Annual Religious Holidays and Events" that estimate no more than 120 individuals at any one time.

8/ A condition is imposed requiring residency of the dwelling for at least 50 percent of the time. This will continue to provide a residential function, feel, and lifestyle to the site, ensure the dwelling is not modified so significantly as to hamper future marketing of the property as residential, and to provide on-site security and oversight.

Surrounding characteristics: *(The location is proper for a synagogue in relation to adjacent uses or the development of the community since the subject site is transitional in character^{9/} between commercial and residential uses.)*

Properties to the north along Ventura Boulevard generally comprised of commercially zoned properties [Q]C1, C1.5-1VL on the south side of Ventura and [Q]C4-1LD on the north side of Ventura Boulevard. The north adjoining property is zoned (Q)C1.5-1VLD and developed with a two-story office building which front Ventura Boulevard with a surface parking lot at the rear of the site which adjoins the subject property. A Place of Worship and school (i.e., St. Mel's) on approximately seven acres is located approximately 235 feet west of the subject fronting Ventura Boulevard and Serrania Avenue).

Properties south of the site are generally zoned RA-1 and comprised of low density single family with an average lot size of approximately 20,000 square feet.

To the west, the subject site adjoins a property zoned RA-1 and developed with a one-story, single-family dwelling built in 1953 with a rear yard swimming pool. This property has a similar deep front yard setback and rear yard as the subject property. With approval of the proposed project, this single-family dwelling will be sandwiched between the proposed use and a P (Parking) Zone Classification used by the adjoining non-residential use.

East abutting subject property is zoned (Q)C1.5-1VLD and developed with a large four-story office building complex which fronts Ventura Boulevard with side and rear vehicle access to the site from Kelvin Avenue leading to a driveway roundabout and a two- to three-story parking structure. The driveway for the office building is a roundabout directly across from the subject property and parking structure with access off of Bascule Avenue.

Nature of the Use and its Operation: *(The location is proper for a synagogue in relation to adjacent uses or the development of the community due to factors cited above and the City encourages this type of use in or close to residential.)*

In this instance, the applicant is relocating from a nearby commercial property and seeks to stay in the immediate area for several reasons. Part of the religious practice of the synagogue is for members to walk on holy days. The applicant is seeking to retain his membership by not greatly increasing the distance they must

9/ The Planning and Zoning Code considers the transitional character of RA lots within 100 feet of commercial as cited Section 12.07 which reads, "Two-family dwellings, on lots having a side lot line adjoining a lot in a commercial or industrial Zone, provided that: *(Amended by Ord. No. 126,309, Eff. 2/13/64.)*

- (a) The lot on which the dwelling is located does not extend more than 100 feet from the boundary of the less restricted Zone which it adjoins;
- (b) There is a minimum lot area of 20,000 square feet for each two family dwelling."

In this instance, the rear lot line adjoins commercial and the side along Kelvin Avenue faces the parking structure for an office building. Thus, the side lot line does not adjoin commercial nor is the site 20,000 square feet; however, this section of the Code is indicative of adjacent zones' affect the RA Zone Classification.

travel. Also, the location enables the applicant to walk from his residence to synagogue.

Not only have legal opinions determined a Place of Worship is proper in low density residential areas, but the City encourages uses such as schools and day care in or close to and in residential areas. It is also noted that current planning policies encourage a more mix of uses.

Since the first American cities were founded in the 17th century, mixed-use development has always been part of the American urban landscape. It was not until after World War II that a movement toward complete segregation of land uses dominated the new American urban landscape. This planning concept is known as Euclidian Zoning (separate-use zoning). This movement and use of this planning tool actually began in the 1920"s and reached its zenith in the 1950s and 1960s. During the 1980s, the New Urbanism architectural movement along with urban revitalization renewed interest in mixed-use development in certain areas of the country. Planning principles has led to mixed-use development being constructed in numerous cities throughout the country.

There are several benefits to mixed-use including: (*Wikipedia, Nov, 2012*)

- greater housing variety and density, more affordable housing (smaller units), life-cycle housing (starter homes to larger homes to senior housing),
- reduced distances between housing, workplaces, retail businesses, and other amenities and destinations,
- better access to fresh, healthy foods (as food retail and farmers markets can be accessed on foot/bike or by transit),
- more compact development, land-use synergy (e.g. residents provide customers for retail which provide amenities for residents),
- stronger neighborhood character, sense of place, and
- walkable, bike-able neighborhoods, increased accessibility via transit, both resulting in reduced transportation costs.

3. The use will not be materially detrimental to the character of the development in the immediate neighborhood.

Testimony in opposition stated, "[i]t is also worth noting and repeating that both the local PLUM Committee and the Woodland Hills Neighborhood Council have recommended, unanimously, that this petition be denied. How often are you faced with multiple, unanimous decisions in a matter such as this? While my neighbors and I respect and value the role of the Chabad to some within a community, we only hope that you and they understand we are merely trying to preserve the sanctity of our homes and neighborhood and the safety of everyone as well."

While a number of individuals testified in opposition, there were also a number of individuals in support and several reside within the surrounding area. The role of a decision-maker is not to take a head count, but to address potential impacts and valid concerns. Section 12.24-F of the Los Angeles Municipal Code states, "[i]n approving the location of any conditional use, the decision-maker may impose those conditions, based upon written findings, which it deems necessary to protect the best interests of the surrounding property or neighborhood, to ensure that the development is compatible with the surrounding properties or neighborhood, or to

lessen or prevent any detrimental effect on the surrounding property or neighborhood or to secure appropriate development in harmony with the objectives of the General Plan.”

Firstly, as evidenced by other similar approvals in the city, a Place of Worship can exist in or near residential areas, if properly designed and conditioned. In this regard, the project proponent is not proposing to alter the dwelling's design along Bascule Avenue and it will continue to appear and function like any residential property.

Secondly, a Place of Worship can exist in or near residential if the project is designed or conditioned to mitigate potential adverse impacts. In this regard, through the environmental review procedure (i.e., Mitigated Negative Declaration - MND), it was determined that the proposed project can be mitigated to a “Level of Less Than Significant” impact and thus will not have an adverse impact on the environment. Mitigation measures include Aesthetics (Landscape Plan), Aesthetics (Landscape Buffer), Aesthetics (Surface Parking), Aesthetics (Signage), Aesthetics (Light), Objectionable Odors (Commercial Trash Receptacles), Increased Noise Levels and Safety Hazards. All mitigation measures are incorporated into the conditions of approval.

Thirdly, in addition to MND mitigation measures, the Zoning Administrator has imposed conditions typical for this type of use.

Lastly, the public hearing process provided opportunity to solicit comments and observations from those potentially most affected. The public notice was mailed to 256 property owners and tenants within a 500-foot radius of the subject site. Interested parties attended the public hearing and thirty-one (31) provided their input in order to influence the decision. In response, the project will be redesigned and conditioned to address concerns.

Issue: Opponents to the request believe a synagogue should not be located in a residential area.

Response: As noted above, not only have legal opinions throughout the country and Federal statute determined a Place of Worship is proper in low density residential areas, but the City encourages non-residential uses such as schools and day care in or close to residential. The City of Los Angeles has considered the issue of a Place of Worship in a single family area specifically regarding a congregation of Hassidic Orthodox Jews in Hancock Park. “The congregation applied for a permit to use the house as a synagogue but they say a small group of homeowners lobbied the city to deny the permit. Indeed, one Hancock Park resident, our raged by the behavior of his neighbors, offered the services of his high-powered law firm, Latham & Watkins, to sue the city, leading to the settlement. The deal capped the number of worshippers at 50 and prohibited ancillary services, such as a day care.” (Los Angeles Times, *Should Churches be Exempt From Zoning?*, Queena Sook Kim, July 15, 2003)

Issue: Hours of Operation - Opponents to the request stated the proposed hours of 7:00 a.m. to 11:00 p.m. 7 days a week are not aligned with a residential neighborhood.

Response: More than two decades ago, the City adopted standards for commercial projects abutting low density residential in order to reduce potential impacts. The hours proposed by the applicant and imposed in this approval are 7:00 a.m. to 11:00 p.m. daily and consistent with the standard.

Issue: Noise – Opponents to the request stated, “[w]e believe the Chabad, a religious gathering place, significantly changes our neighborhood by bringing increased visitors, noise, and congestion to our quiet residential street. . . . The noise is unavoidable as our two houses are each five feet from the property line, and the porch where congregants socialize and teach is about ten feet from the property line. The noise and activity next door impinges on our ability to use and enjoy our outdoor spaces and the section of our home that is closest to the property line. When forty to fifty people gather for several hours almost every weekend and during the week, year-round, the increased noise and commotion feels like a nuisance...having the Chabad next door means enduring noise and inconvenience, equal to a major event, every weekend.

The Chabad has not been a good neighbor. The congregants meet to socialize on the back patio after every service, even during the winter. The Rabbi teaches outside at various times of the day using a loud instructional voice. All of these occasions are very noisy.”

Response: In *Lucas Valley Homeowners Association, Inc., v. County of Marin* (1991) regarding an Orthodox Jewish congregation’s application to convert a single-family residence into a synagogue, the court pointed out that although the project may produce more noise than expected from a typical single-family use, “it is doubtful that any noise generated by the project would cause the general noise environment to exceed” the County sound level maximum 55 dB(A). (pg. 156)

The L.A. CEQA Thresholds Guide (pg. I-1-9) presumes ambient noise level for a residential area is at 50 daytime and 40 nighttime.^{10/} The majority of activity for the proposed use will occur indoors and during daytime hours.^{11/} It is doubtful that a synagogue of the proposed size would generate noise that exceeds the “Normally Acceptable” (i.e., 50 – 60 dB) level. Nevertheless, approval of the project imposes noise limitations consistent with the Municipal Code. Evaluating non-compliance with the Code requires expert evaluation. However, use of smartphone decibel app provides a sufficient yardstick where an increase of 5 decibels at the property line over the presumed ambient noise level could be a possible violation of the noise ordinance.

10/ Ambient Noise” is the composite of noise from all sources near and far in a given environment, exclusive of occasional and transient intrusive noise sources and of the particular noise source or sources to be measured. Ambient noise shall be averaged over a period of at least 15 minutes at a location and time of day comparable to that during which the measurement is taken of the particular noise source being measured. (*Amended by Ord. No. 156,363, Eff. 3/29/82.*)

11/ Daytime cited in Section 111.03 of the Los Angeles Municipal Code is from 7:00 a.m. to 10:00 p.m. and nighttime levels from 10:00 p.m. to 7:00 a.m.) (*Amended by Ord. No. 156,363, Eff. 3/29/82.*)

As reported by the Project Planner, the applicant proposed “[a]ll outdoor activity will be restricted to the backyard. Use of sound amplifying equipment (at maximum of three major events) shall comply with LAMC 115.02 and the Noise Regulation of the City.”

However, Section 115.02 governs public not private property.^{12/} Rather, an imposed condition is “Outdoor public address systems and loudspeakers are prohibited. Any phonograph, radio or other electric equipment used shall be sufficiently modulated so as not to be disturbing to neighbors residing in the immediate vicinity.” This is the standard used for day care facilities and similar uses in or close to residential areas.

Issue: Traffic – Opponents to the request stated, “[o]ur single household neighborhood was not designed to accommodate the increased number of cars or pedestrians currently being experienced by the addition of the Chabad ... This creates a hazard when congregants cross mid-street rather than cross at an intersection [discusses near miss accidents – see letter]... congregants often stop on Kelvin to unload passengers at the main entrance to the facility, causing traffic to build up behind the stopped vehicle. This passenger drop spot has led to stalled traffic on Ventura Blvd ...”

Response: Typically, the Institute of Transportation Engineers (ITE), Trip Generation manual is used to evaluate traffic. A synagogue is defined by ETI as a building in which public worship services are held. A synagogue may also house a sanctuary, meeting rooms, classrooms and, occasionally, dining, catering, or party facilities. Studies used by ETI were not small scale converted single family dwellings. Rather one was a congregation of slightly less than 500 and other slightly under 1050 family members. Also, ETI 8th Edition used only two studies including one from California and other from Pennsylvania, 1976 and 2001, respectively.

The applicant hired Overland Traffic Consultants to prepare a study and Liz Culhane from Overland Traffic Consultants attended the public hearing to testify on the results of the study. One of the conclusions of her study was the highest trip generation observed was 10 vehicles. The other conclusion was the synagogue will operate well outside of peak traffic flow hours. The applicant stated, religious services would occur for two hours on Friday night, four hours on Saturday mornings, one hour on Sunday mornings and a others days during the year for holidays. Other than the higher demand times, the synagogue’s room for religious services would be used by fewer than 30 people, many arriving on foot.

12/ “It shall be unlawful for any person, other than personnel of law enforcement or governmental agencies, or permittees duly authorized to use the same pursuant to Sec. 103.111 of this Code, to install, use, or operate within the City a loudspeaker or sound amplifying equipment in a fixed or movable position or mounted upon any sound truck for the purposes of giving instructions, directions, talks, addresses, lectures, or transmitting music to any persons or assemblages of persons in or upon any public street, alley, sidewalk, park or place, or other public property except when installed, used or operated in compliance with the following provisions: ...” (*underline added*)

Using ETI's data, Los Angeles Department of Transportation has developed a spreadsheet program specific to Los Angeles.^{13/} A synagogue (i.e., area of assembly) at approximately 800 square feet is estimated to generate nine (9) daily trips. Twenty-one (21) daily trips would be generated if the proposed used were 1,938 square feet (total building used for assembly).^{14/} By contrast, a single family detached housing generates 10 daily trips.

Issue: Parking - Opponents to the request stated, "Due to posted parking restrictions and lack of pedestrian sidewalks, the neighborhood is already impacted by the inundation of congregant parking. Numbers of people gathering and frequency of what are termed "life cycle events" in the CUP application have been consistently on the rise. There is little or no plan for the future growth that will surely follow. The facility intends to increase attendance as time goes on as with all religious institutions. More cars, more pedestrian traffic crossing the street."

Response: Refer to Finding Nos. 5-8.

Issue: Pedestrian safety - Opponents to the request stated,

"Unsafe access using Kelvin Avenue as a pickup/drop-off location.

Traffic hazards created due to foot traffic along Kelvin Avenue and blocking of traffic caused by as a pickup/drop-off location.

There is not disabled or ADA access. Current location along Bascule Avenue and Kelvin is dangerous and Kelvin is a blind corner.

Increase foot traffic of attendees on a street with no sidewalks on the west side of the street.

Unsafe attendee foot traffic crossing the street at Kelvin Avenue which is a blind turn.

Unsafe crossing of street across Kelvin Avenue for access to off-site parking."

Response: As indicated by the Project Planner, the commercial zoned properties north and east of the site have sidewalks. There are no sidewalks along Bascule Avenue and none will be required by this authorization [per Bureau of Engineering "BOE"] in order continue maintain the residential character of the street. Currently, Bascule Avenue along the property frontage project out into the street and is not alignment with the existing street configuration. The MND includes mitigation of street widening and continuation of the sidewalk (i.e., from north adjoining commercial sidewalk)

13/ Trips are estimated using weekdays and do not consider special events.

14/ In Lucas Valley Homeowners Association v. Marin, the County Counsel (parallel to City Attorney) advised the county's traffic operations engineer (parallel to Los Angeles Department of Transportation) that a full-fledged traffic study was not warranted in that Chabad had successively reduced its numbers to the point that the proposed use would generate only three to six times the number of trips per year of a single family.

along the Kelvin Avenue frontage per BOE Planning Case Referral Form dated July 11, 2012 (See copy in case file). “

Sufficient evidence was submitted in the form of oral testimony and photographs presenting pedestrians cross Kevin Avenue at the intersection and mid-block. This coupled with a narrow street and drop off/pickup by congregate members creates a traffic hazard. In response, a condition is imposed for street widening and improvements along Kevin Avenue, as recommended by BOE. Further, another condition instructs the applicant to request BOE to allow a drop off/pick up area along the Kevin Avenue. It is also noted that eliminating offsite parking at Carton Plaza reduces the number of Kevin Avenue street crossings at current locations. Rather, pedestrians would use the controlled intersection of Kevin Avenue and Ventura Boulevard

Issue: Signage – “Given this permit, they will have the right to display a such sign on their lawn that reads, Il Chabad House of Woodland Hills”. How is that going to make this neighborhood filled with expensive, beautiful homes look?”

Response: By-right, the applicant is permitted signage pursuant to Los Angeles Municipal Code Section 12.21 which states, “No nameplate, sign or advertising matter of any kind shall be placed or maintained on any lot in any zone except [t]here may be one church bulletin board, not exceeding 18 square feet in area, on any lot in any “A” or “R” Zone. “ (*Amended by Ord. No. 174,547, Eff. 6/10/02.*) (*underline added*)

Issue: Compliance with Conditions – Opponents to the request believe the applicant will not comply with conditions of an approval as evidenced by their illegal use of the property as synagogue even after being cited by the Department of Building and Safety.

Response: Conditions are imposed in this approval as a protective measure for residents, businesses, and visitors to the area and to clearly define operation parameters synagogue. Conditions such as regulating hours of operation, number of attendees, security lighting, proper maintenance, limitation on the noise level, and a complaint response program are operational conditions that continue to protect the community only if the current or future owner/operator continues to act responsibly to issues that adversely impact the community.

Self-policing and enforcement by the property owner and management are important, if the use is to operate without significant adverse impacts to the community. Notwithstanding, a condition is imposed proven to effectively encourage compliance. This condition is an Approval of Plans in one year to review compliance.

4. **The proposed location will be in harmony with the various elements and objectives of the General Plan.**

The Canoga Park-Winnetka-Woodland Hills-West Hills Community Plan Map designates the property for Very Low Residential land use with corresponding zones of RE20, RA, RE15 and RE11. The approved project is consistent with the intent of

the Plan which seeks to promote the economic well-being of the community by designating and implementing appropriate planning standards that enhance the quality of life of citizens of the City. It has always been an overall goal of the General Plan to provide for the location of services to address the needs of the population in a fashion where such services are readily accessible to the population they serve. As such, the project is in full compliance with the objectives of the General Plan and will actively contribute to its implementation. The CUP process has been used to balance the property owner's exercise of religious practice with the interest of the City to protect the character of single family neighborhoods

VARIANCE FINDINGS

In order for a variance to be granted, all five of the legally mandated findings delineated in City Charter Section 562 and Municipal Code Section 12.27 must be made in the affirmative. Following (highlighted) is a delineation of the findings and the application of the relevant facts of the case to same:

5. **The strict application of the provisions of the Zoning Ordinance would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations.**

Parking for the proposed use is calculated based on the square footage of the largest assembly area and whether there is fixed seating or not. Submitted plans indicate the largest assembly area is 753 square feet with no fixed seating. Therefore, required parking is one stall per 35 square feet of floor area resulting in 23 parking stall required (i.e., 753 square feet/35)

The applicant applied for a Variance to allow seven on-site parking spaces in lieu of 23 spaces. The project proponent believes the City's parking ratio assumes use of large assembly spaces such as auditoriums, theaters, and large Places of Worship. This is one impetus for reduced parking for a Place of Worship in a converted single family dwelling. This rationale has been upheld in legal decisions which concluded parking for a Place of Worship does not consider the particular characteristics of expected occupants or uses of building, and differences in how Places of Worship function.^{15/}

The project proponent also contends practical difficulties stem from reconciling a requirement of 23 parking spaces with the limited land area of the site. Further, that strict compliance with the parking requirement would subvert this desirable project. In fact the applicant believes to impose the strict requirement would substantially burden the religious exercise of the applicant and his congregation, which requires a religious facility located within the community.

After the public hearing and during the period the "Record was Left Open", the project proponent lost rights to use parking across the street at Carlton Plaza. Subsequently, the applicant submitted correspondence stating,

^{15/} Lucas Valley Homeowners Association vs. County of Marin, 233 Cal. App 3d 130, 152-153 (1991))

"The new off-site parking location for the Project comports with the Project Description, the volunteered condition and with discussion at the public hearing.

In addition to the many justifications described in the application and at the hearing for granting the Project requests, the Applicant volunteered the following condition of approval (see "Applicant's Presentation - Outline" dated November 2, 2012):]

Off-site Parking. Once a year, Applicant shall submit to the Planning Department a letter from the proprietor of a parking lot located with 1,500 feet of the Site stating the number of parking spaces currently rented by the applicant, and that additional spaces are available upon request for special events.

Accordingly, the Applicant has entered into a new parking lease agreement to replace the former lease with Carlton Plaza. The new parking location is on the south side of Ventura, next door to Carlton Plaza, at 20720 Ventura Boulevard. On ZIMAS, we measure the distance between this parking location and the Project Site at approximately 363 feet (as the crow flies), and a walking route of roughly 650 feet along Ventura and Kelvin to the property entrance on Kelvin. Although we propose off-site parking merely as added justification for the grant of variance-and thus it is not subject to the requirements of LAMC section 12. I-A.4(g)-the distance is within the LAMC standard.

Attachment 1 is a December 26, 2012 letter from Mr. Brett Tooth, landlord, describing the lease often parking spaces for the congregation's use. As was the case with Carlton Plaza, the landlord will not agree to bur en his property with a recorded covenant. To protect the City, the volunteered condition places the burden of proof on the Applicant to continually document the rental of spaces.

Parking at 20720 Ventura Boulevard is consistent with the discussions about parking at the public hearing, because, like Carlton Plaza, it is located east of Kelvin and keeps any traffic or pedestrian impacts away from Bascule Avenue residences. Moreover, the location improves upon the arrangement at Carlton Plaza with respect to street crossing: Previously, some had expressed cone m about patrons crossing Kelvin without a stoplight. Now, the walking route between 20720 Ventura and the Project Site includes street crossing at the Ventura-Kelvin s plight intersection.

The Applicant also volunteered to provide additional off-site parking for events, with clear instructions given to all guests, for all events with anticipated attendance over 50. This parking will be located either at 20720 Ventura Boulevard (available for typical event times), or at one of the following potential locations (with distances to the Site indicated):

20750 Ventura Carlton Plaza)	60 feet
20812 Ventura	75 feet
20820 Ventura	
APN 2166-033-047	310 feet

20833 Ventura
20660 Ventura

450 feet
775 feet

In addition to the Project's 7 on-site and 10 off site spaces, the Site's frontage on Bascule provides four street parking spaces (except for No Parking during weekday business hours-when the Project has no need for it)."

Due to conflicting evidence regarding parking demand (*Refer to Finding No.8*), this decision-maker is not prepared to grant a Variance for reduced parking. However, based on national legal opinions and prior land use decisions in the city, it is justified to grant some type of adjustment from strict application of parking regulations since to some degree Code required parking is not required for the majority of the time. Therefore, a Variance is granted to permit required parking off-site within 1,500 feet and by lease.

6. There are special circumstances applicable to the subject property such as size, shape, topography, location or surroundings that do apply generally to other property in the same zone and vicinity.

The "special circumstances" Finding of a Variance is the second prong of the analysis. A project proponent seeking a Variance bears the burden of proving that circumstances exist to justify its granting (*PMI Mortgage Ins. Co. v. City of Pacific Grove (1982) 128 Cal.App.3d 724*). The project proponent believes using the site as a religious facility and the accompanying need to use the site's limited space to support this beneficial use, are special circumstances that do not apply to other properties in the vicinity. Further, in practice on-site parking has shown to be more than sufficient for the use. Additional street parking spaces are also available along the frontages of the site.

The applicant points Case No. ZA 2009-0227 (CU)(ZV)(ZAA)(ZAD)(ZAI) where a parking variance was granted. In that instance, the Zoning Administrator was willing to grant a variance given that no conflicting evidence was submitted regarding the issue of parking, the project had significant support of the surrounding community, and the use was on a Secondary Highway with available parking in the area. Therefore, it was not compulsory to use substantial caution and safe guards.^{16/} Furthermore, the approval included an Approval of Plans for future review in order to evaluate compliance and if additional mitigation measures may be required to reduce any unforeseen parking impact.

The classic special circumstances are unusual physical characteristics of the property, such as size, shape, topography, location, or surroundings. To evaluate these special circumstances, this decision-maker frames the analysis by seeing if

^{16/}

Finding No. 6 in Case No. ZA 2009-0227(CU)(ZV)(ZAA)(ZAD)(ZAI) stated, [in regards to both Variances, the special circumstances include location, surroundings, and application of the Municipal Code. As evidenced by testimony presented at the public hearing, the location of this Place of Worship is proximate to residents allowing worshippers the ability to walk, which is important for this faith. Thus, non-vehicle trips reduce the need for parking. The most convincing verification that worshippers walk was public testimony obtained from eye witnesses who report that the use has not impacted parking or traffic during its existence. (underline added)

there is a "logical relationship" between the special circumstances identified and the need for a Variance. In this instance there are regulations which create disparate consequences (*Craik v. County of Santa Cruz.*) since the number of Code required parking spaces would not be needed. However, rather than granting reduced parking, this decision-maker selected another "least restrictive means" to serve the governmental purpose of ample parking – offsite parking within 1,500 feet by lease.

It is undeniable the number of parking spaces required by Code exceed that "typically" necessary for a small congregation of Chabad members in a converted single family dwelling. In fact, Overland Traffic Consultants, Inc. determined the highest trip generation observed during their survey period was ten (10) vehicles with a peak parking demand of five (5) occupied onsite spaces on Sunday morning and five (5) off-site in adjacent commercial parking lots.

The Overland survey considered three consecutive days in April 2012. This is a limited static example of traffic and parking demand contrasted to the testimony obtained at the public hearing. While these results may seem to justify a reduction in parking, there is uncertainty in what amount parking should be reduced. Moreover, due to conflicting evidence regarding parking demand (*Refer to Finding No. 8*), this decision-maker is not prepared to grant a Variance for reduced parking. However, a Variance is granted permitting required parking off-site within 1,500 feet by lease.

7. **Such variance is necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships, is denied the property in question.**

A Variance cannot grant a special privilege. (*Section 12.27-D LAMC, California Gov't Code Sec. 65906; Topanga Ass'n for a Scenic County of Los Angeles, 11 Cal. 3d 506, 520 (1974)*). The record before the Zoning Administrator does not evidence the granting of a similar right in the immediate area. However, similar consideration would be given to properties with similar circumstances.

8. **The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.**

The applicant believes "... the religious facility does not generate demand for 23 parking spaces, so granting it [Variance] creates little to no impact to the public" It is undeniable the number of parking spaces required by Code exceed that typically necessary for a small congregation of Chabad members in a converted single family dwelling. In fact, Overland Traffic Consultants, Inc. determined the highest trip generation observed during their survey period was ten (10) vehicles with a peak parking demand of five (5) occupied onsite spaces on Sunday morning and five (5) off-site in adjacent commercial parking lots.

The conclusions reached by Overland are contrasted to the testimony obtained at the public hearing including:

In regards to residential street parking, opponents to the request have stated, "[o]ur property is already affected by on street parking during the work week as a result of the office building located on the south-east corner of Ventura Boulevard and Kelvin Avenue. This office building has a pay to park structure which some individuals choose not to pay for and subsequently park further south on Kelvin Avenue, where on street parking is allowed. The applicant's inability to accommodate the required onsite parking and their proposed hours of operation will compound this issue within the neighborhood."

In regards to commercial parking on nearby lots opponents to the request have stated, [a] a business owner at the property located directly north of 5233 Bascule Avenue, I ask for your denial of a request for a Conditional Use Permit with a variance for reduced parking for this location. The Chabad members who meet at 5233 Bascule Avenue continually park in the parking lot associated with this building. It appears they have no other place to park. The members of the Chabad park here without permission, and take spaces away from my customers."

The Overland survey does not consider the proposed operation for five high holy days, Purim, Passover, Shavuot, nine floating guest lecture minor life-cycle events, and three major life-cycle events when an estimated 120 individuals may attend (*Submitted October, 2012*). Furthermore, as noted above in Finding No. 1, congregates are not required to walk. Rather it is a personal choice. Moreover, there was conflicting evidence on parking demand submitted through the public hearing process.

Therefore, this decision-maker is not prepared to grant a Variance for reduced parking. Thus, the request for reduced parking is Denied and supported by public interest to ensure sufficient parking is provided onsite or offsite that ensures convenient and safe circulation of vehicles and pedestrians. Yet, based on national legal opinions and prior land use decisions in the city, it is justified to permit some type of adjustment from strict application of parking regulations since to some degree Code required parking is not required for the majority of the time. A Variance is hereby granted to permit required parking offsite with 1,500 feet by lease.^{17/}

Section 12.21-A,4(g) of the Los Angeles Municipal Code allows required parking to be located offsite within 750 feet of a benefiting site. The belief is that 750 feet is not so far as to discourage walking. It is reasonable to allow a greater distance as found in the General Provisions Section 12.21 of the Planning and Zoning Code which uses a 1,500 feet distance since it is reasonable foreseeable that much of the demand for offsite parking will be carpoolers using the pickup/drop off then parking in the off-site location.^{18/}

17/ The required number of onsite parking spaces maybe reduced by using the recently adopted Bicycle Ordinance.

18/ Automobile parking spaces for nonresidential projects or buildings located within 1,500 feet of a portal of a fixed rail transit station, bus station, or other similar transit facility, as defined by Section 12.24 Y., may replace up to 30 percent of the required automobile parking spaces with bicycle parking. For buildings with less than 20 required automobile parking spaces, up to 4 parking spaces may be replaced.

Section 12.26-E,5 of the Los Angeles Municipal Code requires that required parking offsite by encumbered through a Master Covenant and Agreement. This instrument is used to ensure the donor site is not sacrificing its required parking and the contractual agreement between the benefiting and donor properties cannot be terminated without the approval of the City.

It is appropriate to allow a lease rather than covenant provided there is a method for the City to monitor the term of the lease. The Approval of Plan procedure allows for such review and gives the City the ability to enforce compliance. A condition is imposed requiring Approval of Plan review one year after the effective date of this Determination. Fee amendments to the Municipal Code have made this process very costly. So, in the future a Modified Approval of Plans review process may be appropriate to save both the applicant and City time and money, if a full review is not necessary. This is how it could work:

- The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with each of the conditions contained herein at the time of filing the Approval of Plans review application. The total application fee is required.
- The applicant shall submit proof that at least a summary of the compliance documentation was mailed to required address labels which included a statement that, "In compliance with the conditions of approval, the attached documentation is mailed to interested parties. To assist the Planning Department in determining if a public hearing shall be held, interested parties should contact the Planning Department within two weeks."
- The Zoning Administrator will hold the case file to end of the two week period then determined if a full Approval of Plans review (e.g., Project Planner investigation, written Letter of Determination, or public hearing) is required. The Zoning Administrator may elect to modify the Approval of Plans condition to allow continued operation by deleting the Approval of Plans review condition or amend the condition for an additional period. In doing so, the project proponent may obtain a refund for the difference between the application fee and that occurred for a Modification (i.e. Section 19.01-C of the Los Angeles Municipal Code). If this process is used, it occurs in weeks rather than months with 75-80 percent cost savings. The bases for determining if a Modification may be processed is if the facility has as not adversely impact the surrounding community, the matter is not likely to evoke public controversy, and the applicant has substantially complied with the conditions of approval.

Residential buildings may replace 10 percent of the required automobile parking with bicycle parking. Automobile parking spaces for residential projects or buildings located within 1,500 feet of a portal of a fixed rail transit station, bus station, or other similar transit facility as defined by Section 12.24 Y. may replace up to 15 percent of the required automobile parking spaces with bicycle parking. If a residential building has applied for and received a density bonus under Section 12.22 A.25., 30 percent of the required automobile parking may be replaced. In such cases, the replacement of automobile parking with bicycle parking shall be implemented in lieu of the parking options in Section 12.22 A.25.(d)."

Another reason for caution in granting a Variance for reduced parking is that the Variance goes with land not with the user or property owner. Therefore, a different religious entity could acquire the property and inherent reduced parking, but their practice does not advocate walking. The Zoning Administrator is not aware of any legal decision opining on use of discretion in allowing one religion reduced parking over another. Nonetheless, it is a slippery slope and should be avoided.

As noted above, the governmental purpose of ample onsite parking relates to safety. Testimony included a number of complaints of additional traffic into the area, pedestrians jaywalking and illegally crossing the street, and walking in the street. The Project Planner reported "traffic flow was noticeable on Kelvin Avenue north and south as it is one of the main access roads to and from the residential neighborhood south of Bascule. Of concern is the narrow roadway along the subject Kelvin frontage. As noted, there is a deep landscaped grass parkway of approximately 18 feet, which is part of the public right of way along the subject Kelvin frontage, which juts out from the north adjoining commercial property creating an abrupt bottleneck feature right at the beginning of the subject property. The lane closest to the property (i.e., southbound traffic) narrows to 9 or 10 feet with a demarcated asphalt shoulder of approximately 3 feet wide which gives little room for pedestrians. The MND includes mitigation of street widening and continuation of the sidewalk (i.e., from north adjoining commercial sidewalk) along the Kelvin Avenue frontage per BOE Planning Case Referral Form dated July 11, 2012 (See copy in case file). Given that many of the congregant/members are noted will walk to the synagogue, which is likely to include children, elderly/handicap, safer and easy access to the site appears warranted. The MND also requires review of the parking and driveway plan as the subject driveway is narrow and will only allow ingress/egress for one car at a time, thus backup on Kelvin could occur."

Prior to the public hearing, the applicant proposed to use the office parking structure across the street at Carlton Plaza. Concern was raised for pedestrians crossing the street at the intersection of Bascule Street and Kevin Street and mid-block crossings. Testimony presented that "[e]ven though the project borders on a commercial zone, the close proximity to Ventura Boulevard creates a traffic hazard on Kelvin for an uncontrolled intersection with no crosswalk or stop sign at Bascule. This is where pedestrian activity would be expected to be high during the facility use because participants are required to park across the street in a parking structure or walking in from the neighborhood." This creates a hazard and unsafe condition when coupled with the narrow road way and Kevin Avenue being used for pickup/drop off.

After the public hearing and during the period the "Record was Left Open", the project proponent lost rights to use parking across the street at Carlton Plaza. Subsequently, the applicant submitted alternative off-site locations for events and volunteered to provide clear instructions given to all guests, for all events with anticipated attendance over 50. The offsite parking will be located either at 20720 Ventura Boulevard or one several potential locations.

Parking at 20720 Ventura Boulevard is consistent with the discussions about parking at the public hearing, because, like Carlton Plaza, it is located east of Kelvin and addresses safety concerns by directing potential traffic and pedestrian impacts away from Bascule Avenue residences. Another mitigation measure will be street widening and improvements as required by the City Engineer to meet city street

standards. Also, a condition is imposed instructing the applicant to request a pickup/drop off along the Kevin Avenue frontage.

9. **The granting of the variance will adversely affect the General Plan.**

Granting the Variance Plan supports the City's continuing efforts to develop off-street parking within the Community Plan area so that an adequate supply of parking is available to meet the demand.

ADDITIONAL MANDATORY FINDINGS

10. The National Flood Insurance Program rate maps, which are a part of the Flood Hazard Management Specific Plan adopted by the City Council by Ordinance No. 172,081, have been reviewed and it has been determined that the property is located in Zone C, areas of minimal flooding.
11. On October 3, 2012, the Department of City Planning Environmental Staff Advisory Committee (ESAC) issued Mitigated Negative Declaration No. ENV 2012-0160-MND and determined that by imposing conditions, project-related impacts could be reduced to less than significant levels. I hereby adopt that action. This Mitigated Negative Declaration reflects the lead agency's independent judgment and analysis. The records upon which this decision is based are with the Environmental Review Section of the Planning Department in Room 351, 6262 Van Nuys Boulevard.



R. NICOLAS BROWN, AICP
Associate Zoning Administrator
Direct Telephone No. (818) 374-5069

RNB:Imc

cc: Councilmember Robert Blumenfeld
Third District
Adjoining Property Owners

I-10. Aesthetics (Landscape Plan)

- Environmental impacts to the character and aesthetics of the neighborhood may result from project implementation. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- All open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped and maintained in accordance with a landscape plan and an automatic irrigation plan, prepared by a Landscape Practitioner (Sec. 12.40-D) and to the satisfaction of the decision maker.

I-20. Aesthetics (Landscape Buffer)

- Environmental impacts to adjacent residential properties may result due to the proposed use on the site. However, the potential impact will be mitigated to a less than significant level by the following measures:
- A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.

I-50. Aesthetics (Surface Parking)

- Environmental impacts may result from project implementation due to excessive ambient heat gain resulting from the new open-spaced parking lot. However, these impacts will be mitigated to a less than significant level by the following measures:
- A minimum of one 24-inch box tree (minimum trunk diameter of two inches and a height of eight feet at the time of planting) shall be planted for every four new surface parking spaces.
- The trees shall be dispersed within the parking area so as to shade the surface parking area and shall be protected by a minimum 6-inch high curb, and landscape. An automatic irrigation plan shall be approved by the Department of City Planning.
- Palm trees shall not be considered in meeting this requirement.
- The genus or genera of the tree(s) shall provide a minimum crown of 30'- 50'. Please refer to City of Los Angeles Landscape Ordinance (Ord. No.170,978), Guidelines K - Vehicular Use Areas.

I-100. Aesthetics (Signage)

- Environmental impacts may result from project implementation due to on-site signage in excess of that allowed under the Los Angeles Municipal Code Section 91.6205. However, the potential impact will be mitigated to a less than significant level by the following measures:
- On-site signs shall be limited to the maximum allowable under the Municipal Code.

I-120. Aesthetics (Light)

- Environmental impacts to the adjacent residential properties may result due to excessive illumination on the project site. However, the potential impacts will be mitigated to a less than significant level by the following measure:
- Outdoor lighting shall be designed and installed with shielding, such that the light source cannot be seen from adjacent residential properties or the public right-of-way.

III-60. Objectionable Odors (Commercial Trash Receptacles)

- Environmental impacts may result from project implementation due to the location of trash receptacles near adjacent residences. However, these impacts will be mitigated to a less than significant level by the following measure:
- Open trash receptacles shall be located a minimum of 50 feet from the property line of any residential zone or use.
- Trash receptacles located within an enclosed building or structure shall not be required to observe this minimum buffer.

X-10. General Plan Designation/Zoning

- The proposed project would permit intensities and or densities exceeding those permitted by the existing _____ District Plan. However, this potential impact will be mitigated to a level of insignificance by the following measure:
- The applicant shall comply with mitigation measures required by this mitigated negative declaration (MND).

X-40. Land Use

- The proposed project would permit a land use which is not compatible with that of the surrounding projects. However, the potential impacts would be mitigated to a less than significant level by the following measure:
- The applicant shall comply with mitigation measures required by this MND.

XII-10. Increased Noise Levels (Landscape Buffer)

- Environmental impacts to the adjacent residential properties may result due to the project. However, the potential impact will be mitigated to a less than significant level by the following measures:
- A minimum five-foot wide landscape buffer shall be planted adjacent to the residential use.
- A landscape plan prepared by a licensed Landscape Architect shall be submitted for review and approval by the decision maker.

- Decision Maker to consider no outdoor events or a limited number, type, and time to ensure there are no adverse noise impacts to nearby residences.

XII-50. Increased Noise Levels (Retail Markets, Bars, Entertainment etc...)

- Environmental impacts to adjacent residential properties may result from project implementation due to noise from the proposed project's activities and parking on the site. However, the potential impacts will be mitigated to a less than significant level by the following measures:
- A 6-foot-high solid decorative masonry wall adjacent to the residential properties shall be constructed, if no such wall currently exists.
- The proposed facility shall incorporate noise-attenuating features (physical as well as operational) designed by a licensed acoustical sound engineer to assure that operational sounds shall be inaudible beyond the property line.
- No window openings shall be allowed along the west side of the dwelling.
- No amplified music or sound shall be allowed outdoors.

XVI-40. Safety Hazards

- Environmental impacts may result from project implementation due to hazards to safety from design features (e.g., sharp curves or dangerous intersections) or incompatible uses. However, the potential impacts can be mitigated to a less than significant level by the following measure:
- The applicant shall submit a parking and driveway plan that incorporates design features that reduce accidents, to the Bureau of Engineering and the Department of Transportation for approval.
- Street dedication and improvements as recommended by BOE shall be required. (See Planning Case Referral Form No. 201200055 dated July 11, 2012).
- The applicant shall submit a Parking Plan for off site/off street parking for Special Events to the Decision Maker for approval.

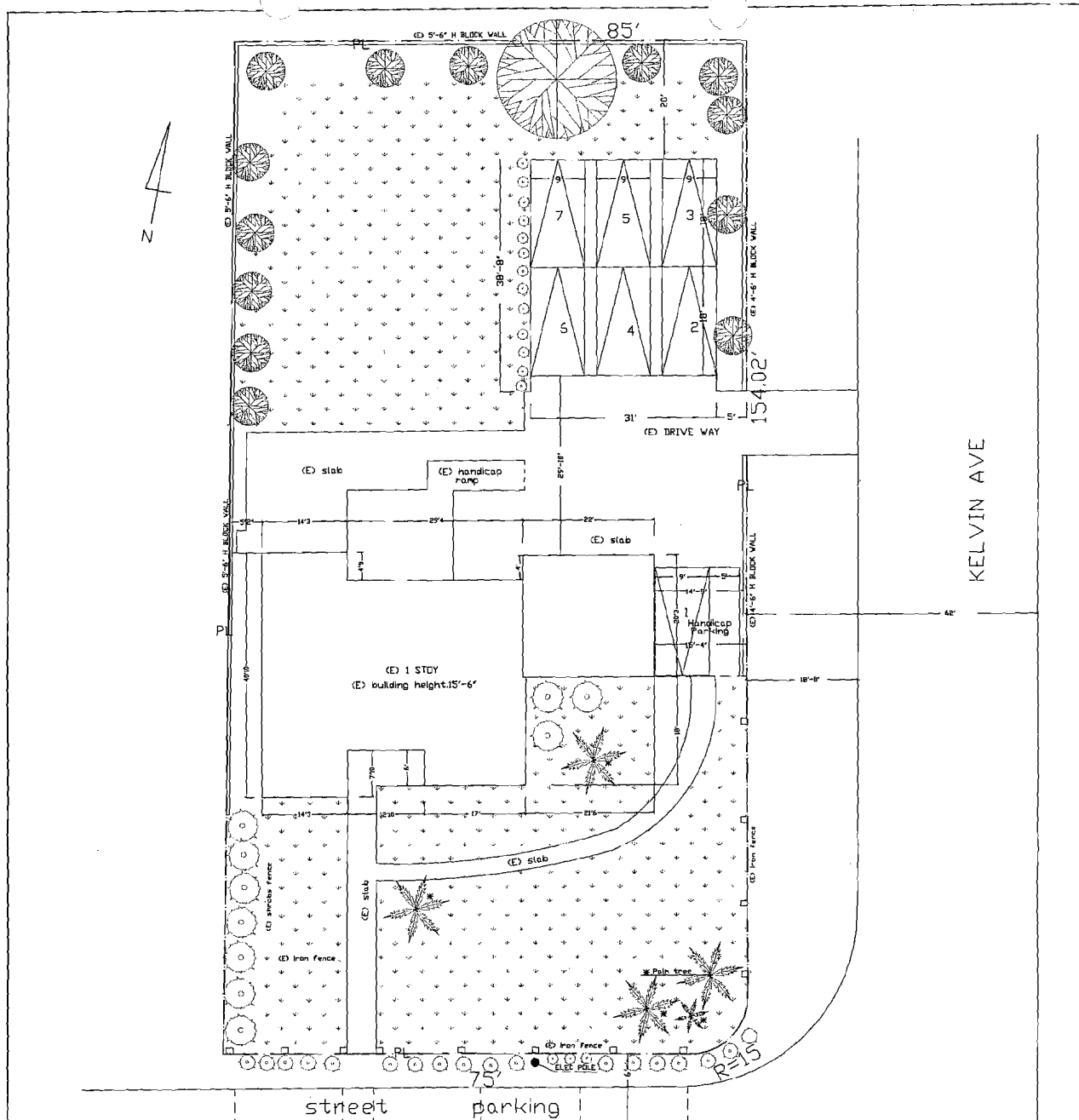


EXHIBIT "A"

BASCULE AVE
SEE DETAIL IN CASE FILE

Parking
required 23 spaces
(based on 799 s.q.f.t)
provided 7 on site

PROJECT SUMMARY

PROJECT DESCRIPTION : Conditional use to operate a religious facility within an existing single-family house in Zone RA-1.

Zoning : RA-1

NUMBER OF STORIES : ONE

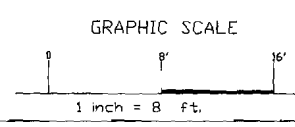
Assessor Parcel Number: 2166028030

legal description : Lot Number: 21 (por)
TRACT # 14557
M.B 422-29-32

Lot Area 14,590 (sq ft)

Building Floor Area 1,482.0 (sq ft)

ZA 2012 0161



SITE plan
SCALE 1/8" = 1'-0"

DATE: _____	DRAWN: _____	CHECKED: _____	SCALE: _____	SHEET: _____	TOTAL SHEETS: _____	PROJECT: _____	ADDRESS: 5233 BASCULE AVE WOODLAND HILLS CA 91364	<small>THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE AND CLIENT FOR WHICH THEY WERE PREPARED. NO CONTACT WITH THESE PLANS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIS EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS. THE PLANS CAN NOT BE USED BY OTHERS OR FOR OTHER WORKINGS WITHOUT THE PERMISSION OF THE ARCHITECT.</small>	<small>ALL DIMENSIONS IN PROGRAM</small>
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