

To the

Planning and Land Use Management Committee  
Los Angeles City Hall  
200 North Spring Street, Los Angeles, CA 90012

Members: Council Member Ed P. Reyes, Council Member Jose Huizar and Council Member Paul Krekorian  
Legislative Assistant: Patrice Lattimore

RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project,  
Council File No. 10-0017, 10-0017-S  
DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Dear Councilmembers:

I support the SB1818 appeal by Valley Village, Worthington Plaza, and others in this case. I am troubled and outraged by the tactics of City Planning and the one-size-fits-all SB1818 promulgators, who are destroying the character of our neighborhoods and densifying the city without infrastructure to support it. I find it particularly egregious that the City is not following its own CEQA guidelines and continues to refuse to address significant unmitigatable cumulative impacts.

**CUMULATIVE TRAFFIC IMPACTS** -- the City was given a flawed and faulty Traffic Study from the Developer and reviewed wrongly by DOT which has been evaluated and rebutted by a community-commissioned Traffic Expert.

This project directly **VIOLATES THE CITY OF LOS ANGELES CEQA THRESHOLDS GUIDE FOR SHADE AND SHADOW**. The community presented their own expert study to refute the study paid for and provided by the Developer. The study clearly shows a significant cumulative impact on sensitive uses that has been ignored.

The Planning Department has also failed to follow its own protocol, and the law in effect at the time, when evaluating the materials presented by the developer. Additionally, they misled the community when verifying what law applied to this project. They **made their Determination relying upon a Site Plan Review** which was performed for the previously approved- with-conditions 78-unit condo project. The community maintains a new Site Plan Review must be performed again in light of this SB1818 project's **tripling of existing density**. This Site Plan Review required a public hearing which was denied to the community. And finally, **City Planning and the City Attorney "narrowed the focus" of the City Planning Commission to NOT CONSIDER many of the items of the Appeal** including ZONING, SITE PLAN while omitting others as if they didn't exist. They testified these were items that the CPC could NOT consider, and so the CPC didn't. The community deserves to be heard and the significant impacts of the project must be mitigated.

Thank you,

Annette Mercer  
2647 Glendon Avenue  
Los Angeles, CA 90064

**From:** Karen Zimmerman [mailto:[zimzip@ca.rr.com](mailto:zimzip@ca.rr.com)]

Planning and Land Use Management Committee  
Los Angeles City Hall  
200 North Spring Street, Los Angeles, CA 90012  
Members: Council Member Ed P. Reyes, Council Member Jose Huizar and Council Member Paul Krekorian  
Legislative Assistant: Patrice Lattimore

RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council File No. [10-0017](#),  
DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Ms. Lattimore,

Due to a family matter I am unable to attend Tuesday's meeting. Thank you for this opportunity to pass along my comments regarding the proposed project. I have been very concerned about the review process for 11933 Magnolia. Frankly it is indicative of the difficulties constituents of our city have been facing over a long period of time. As we experienced with the proposed Sunland-Tujunga Home Depot project, those who are most impacted by a project are the last ones to be involved and the first to be discounted.

In the case of the proposed 11933 Magnolia Project the public was not included in the initial review process. Specifically there was no public hearing for residents and other concerned stakeholders. From my understanding the Planning Commission meeting late last year was the only time the community was invited to be part of the hearing process.

Significant CEQA issues have not been addressed. Having grown up in North Hollywood I am well aware the city has failed to address the cumulative impact of projects, specifically the CUMULATIVE negative impact on TRAFFIC. For too long projects have been evaluated in a vacuum. CEQA now requires that the cumulative impact on traffic must be included in the decision making process.

The proposed project also violates our city's own CEQA thresholds for SHADE and SHADOW. This issue is particularly pertinent in light of SB1818. State law should not be interpreted to violate CEQA nor residents' access to the sun. Homeowners and others should not be denied adequate solar access, whether for solar panels, pools, landscaping, health, or simply the enjoyment of daylight.

The proposed project has gone through a SERIES OF CHANGES and ownership; however, the Planning Department based their findings on the ORIGINAL Site Plan Review. That Site Plan Review does not reflect the final version of the project, which is significantly larger and would have greater environment impact on the community as a whole, as well as adjacent residents. A new Site Plan Review is required and it must be open to the public.

It was apparent at last year's Planning Commission meeting that the review and appeal parameters for this project were severely restricted. The Planning Commission cut off the legs of the appeal process, telling the community they could present their arguments; however, those arguments would not be taken into consideration in the final vote.

I applaud City Council Member Paul Krekorian's 245 Motion. The review process for the proposed 11933 Magnolia Project has been significantly flawed and must be re-addressed. I urge the city to do its due diligence regarding this process.

Karen Keehne Zimmerman

Karen Keehne Zimmerman  
[V.O.I.C.E.](#) – Volunteers Organized in Conserving the Environment  
[Sunland-Tujunga Alliance](#)  
[STNC Land Use Committee](#)

**From:** armina ghevian [mailto:armina@arminaghevian.com]

**Sent:** Monday, January 25, 2010 8:34 AM

**To:** Patrice.Lattimore@lacity.org

**Cc:** 'Jennifer Reed'

**Subject:** COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council file 10-0017."

RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council File No. [10-0017](#), DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Dear Ms. Lattimore,

I am a resident on Magnolia Blvd. and have moved here two years ago to an area that I thought is one of the nice neighborhoods in the city of LA and in particular in the Valley village/studio city area. I am not a person who is against development and I certainly understand that it is a vital part of our growth, but, having said that I also am a firm believer that everything has its own limits. Especially when an error is being made and when an obvious mistake is being made. It is so much easier to revisit the case and make the necessary corrections to benefit the society as a whole. Long after this enormous building is built, everyone, including the developer and city planning employees will forget the case and go about their lives and the residents will remain to suffer and live with the consequences of a mistake which could have been prevented. SO PLEASE DO CONSIDER THE FOLLOWING AMONG SO MANY OTHER FACTORS:

**Erroneous Underlying Zoning:** The Zoning on this property is incorrect, and should have been downzone as part of the AB 283 Zoning/Community Plan Consistency Program. This is important because it affects the BASE number of units the developer was entitled to "by right" and the mistakes spiral forth from there with the number of Density Bonus Units awarded, and the nature and size of the entitlements.

**Economic Feasibility Issue:** The City did not seek input as to whether the incentive requested by the developer was necessary to provide financial justification for the request. The community has provided evidence with alternate pro-formas that found that the project economics were favorable without waiving the development standards. The city can make Findings that refute the assertion that the incentives requested were required to make the project economically feasible and failed to do so.

Thank you for your consideration.

*Arminé*

**Arminé Ghevian**

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**From:** Freddie Goldberg [mailto:fsgoldberg@turner-law.com]  
**Sent:** Sunday, January 24, 2010 1:50 PM  
**To:** Patrice.Lattimore@lacity.org  
**Cc:** Jennifer Reed; Sandy Hubbard  
**Subject:** COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council file 10-0017

Planning and Land Use Management Committee  
Los Angeles City Hall  
200 North Spring Street, Los Angeles, CA 90012  
Members: Council Member Ed P. Reyes, Council Member Jose Huizar and Council Member Paul Krekorian  
Legislative Assistant: Patrice Lattimore  
RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council File No. [10-0017](#), 10-0017-S1 DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Dear Ms. Lattimore:

I am a resident of 11911 Magnolia Boulevard, Valley Village, CA. I have been active in the issue at hand. I wanted you to know that this is a VERY important issue not just to Valley Village, but to all of Los Angeles. A decision to correct the wrongs done to the community will enhance all of Valley Village. It will once again be the community I have lived in for over 15 years. Please review the following prior to your next PLUM meeting.

- 1. Erroneous Underlying Zoning:** The Zoning on this property is incorrect, and should have been downzoned as part of the AB 283 Zoning/Community Plan Consistency Program. This is important because it effects the BASE number of units the developer was entitled to "by right" and the mistakes spiral forth from there with the number of Density Bonus Units awarded, and the nature and size of the entitlements
- 2. CEQA Issue - CUMULATIVE TRAFFIC IMPACTS** -- the City was given a flawed and faulty Traffic Study from the Developer and reviewed wrongly by DOT which has been evaluated and rebutted by a community-commissioned Traffic Expert.
- 3. CEQA Issue - This project directly VIOLATES THE CITY OF LOS ANGELES CEQA THRESHOLDS GUIDE FOR SHADE AND SHADOW,** The community presented their own expert study to refute the study paid for and provided by the Developer.
- 4. Economic Feasibility Issue:** The City did not seek input as to whether the incentive requested by the developer was necessary to provide financial justification for the request. The community has provided evidence with alternate pro-formas that found that the project economics were favorable without waiving the development standards. The city can make Findings that refute the assertion that the incentives requested were required to make the project economically feasible and failed to do so.
- 5. Inconsistency of Protocol and Policy Implementation:** Planning failed to follow its own protocol, and the law in effect at the time, when evaluating the materials presented by the developer. Additionally, they misled the community when verifying what law applied to this project.

6. **The Planning Department made their Determination relying** upon a Site Plan Review which was performed for the previously approved- with-conditions 78-unit condo project. The community maintains a new Site Plan Review must be performed again in light of this SB1818 project's **tripling of existing density**. This Site Plan Review required a public hearing which was denied to the community.
7. **City Planning and the City Attorney “narrowed the focus” of the City Planning Commission to NOT CONSIDER many of the items of the Appeal** including ZONING, SITE PLAN while omitting others as if they didn't exist). They testified these were items that the CPC could NOT consider, and so the CPC didn't.

Thank you for your consideration.

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**Ms. Freddie Goldberg**  
**11911 Magnolia Boulevard, #36**  
**Valley Village, CA 91607**  
**Telephone: (818) 752-1962**

Planning and Land Use Management Committee  
Los Angeles City Hall  
200 North Spring Street, Los Angeles, CA 90012  
Members: Council Member Ed P. Reyes, Council Member Jose Huizar and Council  
Member Paul Krekorian  
Legislative Assistant: Patrice Lattimore

RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council File  
No. [10-0017](#), DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Ms. Lattimore, Ms. Saxon;

Thank you for this opportunity to pass along my comments regarding the proposed project. I have been very concerned about the review process for 11933 Magnolia. I attended the October 22, 2009 hearing in Van Nuys. It was disturbing and disappointing to observe at the hearing, that the planning board (Savana and her colleague) was continually consulting with and advising Gary Sheffel and his council (the developers). They never spoke with us, the members of the community who came to appeal. The panel at the hearing also chose to look at this appeal in the narrowest terms and summarily discounted the evidence which the community members brought forward. It really appeared that they had already decided on this and were just a facilitator for the developer.

We are thankful to have had the opportunity to address this on Tuesday January 19, 2010 at City Hall

In the case of the proposed 11933 Magnolia Project the public was not included in the initial review process. Specifically there was no public hearing for residents and other concerned stakeholders. From my understanding the Planning Commission meeting late last year was the only time the community was invited to be part of the hearing process.

Significant CEQA issues have not been addressed. Having grown up in North Hollywood I am well aware the city has failed to address the cumulative impact of projects, specifically the CUMULATIVE negative impact on TRAFFIC. For too long projects have been evaluated in a vacuum. CEQA now requires that the cumulative impact on traffic must be included in the decision making process.

The proposed project also violates our city's own CEQA thresholds for SHADE and SHADOW. This issue is particularly pertinent in light of SB1818. State law should not be interpreted to violate CEQA nor residents' access to the sun. Homeowners and others should not be denied adequate solar access, whether for solar panels, pools, landscaping, health, or simply the enjoyment of daylight.

The proposed project has gone through a SERIES OF CHANGES and ownership; however, the Planning Department based their findings on the ORIGINAL Site Plan Review. That Site Plan Review does not reflect the final version of the project, which

is significantly larger and would have greater environment impact on the community as a whole, as well as adjacent residents. A new Site Plan Review is required and it must be open to the public.

We entered as evidence at the October 22, 2009 hearing that the soil study used by the planning board to approve the 150 unit project was the same soil study used for the 78 unit original condo project. The new project has a garage twice as deep. This oversight or neglect could have potentially catastrophic consequences for the neighboring residences. How did the hearing panel choose not to consider this?

It was apparent at last year's Planning Commission meeting that the review and appeal parameters for this project were severely restricted. The Planning Commission cut off the legs of the appeal process, telling the community they could present their arguments; however, those arguments would not be taken into consideration in the final vote.

I applaud City Council Member Paul Krekorian's 245 Motion. The review process for the proposed 11933 Magnolia Project has been significantly flawed and must be re-addressed. I urge the city to do its due diligence regarding this process.

Thank You.

Michael Krubiner  
11911 Magnolia Blvd apt 30  
Valley Village, Ca 91607



## Please post this to both Council files 10-0017 and 10-0017-S1

Re: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council files 10-0017 and [10-0017-S1](#)

Planning and Land Use Management Committee  
Los Angeles City Hall

200 North Spring Street, Los Angeles, CA 90012

Members: Council Member Ed P. Reyes, Council Member Jose Huizar and Council Member Paul Krekorian  
Legislative Assistant: John Saxon

RE: COMMUNICATION FROM THE PUBLIC for the 11933 Magnolia Project, Council File No. 10-0017, DIR-2008-1178-DB-SPP, ENV-2008-1179-MND

Dear Mr. Saxon:

I am writing to protest the construction of this monstrosity and to make sure all the issues are being addressed regarding this project. I am convinced that if all the items below are followed; that this project will need to be downsized back to it's original plan to make sure the community is not negatively affected.

1. 1. The **Zoning** on this property is incorrect, and should have been downzoned as part of the AB 283 Zoning/Community Plan Consistency Program. This is important because it effects the BASE number of units the developer was entitled to “by right” and the mistakes spiral forth from there with the number of Density Bonus Units awarded, and the nature and size of the entitlements
2. 2. The City was given a flawed and faulty Traffic Study from the Developer and reviewed wrongly by DOT which has been evaluated and rebutted by a community-commissioned Traffic Expert.
3. 3. This project directly **VIOLATES** THE CITY OF LOS ANGELES CEQA THRESHOLDS GUIDE FOR **SHADE AND SHADOW**, The community presented their own expert study to refute the study paid for and provided by the Developer.
4. 4. The City did not seek input as to whether the incentive requested by the developer was necessary to provide financial justification for the request. The community has provided evidence with alternate pro-formas that found that the project economics were favorable without waiving the development standards. The city can make Findings that refute the assertion that the incentives requested were required to make the project economically feasible and failed to do so.
5. 5. Planning failed to follow its own protocol, and the law in effect at the time, when evaluating the materials presented by the developer. Additionally, they misled the community when verifying what law applied to this project.

6. 6. The community maintains a new Site Plan Review must be performed again in light of this SB1818 project's **tripling of existing density**. This Site Plan Review required a public hearing which was denied to the community.
7. 7. City Planning and the City Attorney "narrowed the focus" of the City Planning Commission to NOT CONSIDER many of the items of the Appeal including ZONING, SITE PLAN while omitting others as if they didn't exist). They testified these were items that the CPC could NOT consider, and so the CPC didn't.

Sincerely,

Dennis Charnoff  
Homeowner  
11911 Magnolia Blvd. #29  
Valley Village, CA 91607