

FILE # 12-1126  
Tuesday, August 14, 2012

This letter is in reference to the above item, which will be heard before the PLUM Committee on Tuesday August 14, 2012.

I urge the PLUM Committee and the entire City Council to reject the effort to overturn the democratic decision of the South Valley Area Planning Commission (SVAPC) that rejected the Zoning Administrator's approval of this project.

The SVPAC correctly found that the developer, the ZA and Councilman Zine failed to show that this project met all five (5) findings required by law for such a project.

As an expert on the factors that affect property values, I have seen no evidence that the developer, et. al. conducted any studies that showed its project:

Requirement (1) Will not be **materially detrimental or injurious to properties or improvements** in the immediate area;

Requirement (3) Will not create an **adverse impact on street access or circulation in the surrounding neighborhood**

Every City Councilmember who voted to seize jurisdiction over the SVPAC and its decision, reached after reading the ZA's findings and listening to testimony from both sides of the issue, has shown despise for the democratic process.

No project - including this one - should proceed without having met all five (5) legal requirements, regardless of the popularity of the project with a Councilmember or his campaign contributors. In fact, ignoring the law as a matter of convenience will have future negative impacts to other neighborhoods as the City Council engages in decision-making based on self-interest rather than both the law and the will of voting property owners.

Sincerely,

Monique Bryher, Broker-Associate/Realtor  
Pinnacle Estate Properties, Inc.  
cell: 818-430-6705 / office: 818-774-0043  
Ca. Lic. #01766461

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*Ed Klenner, 23150 Collins Street, Woodland Hills, CA 91367*

**Statement to Los Angeles City Council PLUM Committee**

**Re: Eldercare Facility at 6221 Fallbrook Ave., Woodland Hills  
Council File # 12-1126**

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Throughout the 42 years that I have lived in Walnut Acres I have consistently opposed any commercial development that would encroach on our residential enclave including previous commercial development proposed for the subject site.

Given the location of the property at 6221 Fallbrook, on a busy street at the edge of Walnut Acres, I have come to believe that this proposed Eldercare facility may well be the perfect project for this long derelict property.

I ask that you accept the Zoning Administrator's determination granting approval of this Eldercare Facility.

Now, about the dark side. The opposition to this Eldercare facility has made references associating Councilman Zine with the dark side.

A closer look at the dark side reveals that the dark side is in fact the opposition to this facility. The unsubstantiated histrionics emanating from this opposition and orchestrated in large measure by one person are more emotional than rational and more fanciful than factual. In their effort to prevent this development they spout a litany of falsehoods, distortions and demagoguery. Unfortunately their behavior and their assertions have descended below any modicum of civility or veracity, and I ask you to examine those assertions carefully before accepting any of them as truth.

Thank you.

To: Members of PLUM and City Council

From: Henry Rice

Re: Eldercare Facility at 6221 Fallbrook Council File# 12-1126

I am a longtime resident of the Walnut Acres community and I am opposed to the referenced proposed eldercare facility on Fallbrook Avenue. The massive, commercial facility surrounded by single family residences is totally out of character in this community. The proposed two story structure is oversize for the lot, overshadows surrounding single story dwellings and very likely violates the Mansionization ordinance. In addition the proposed project does not provide sufficient off street parking, thus forcing parking onto the streets in the neighborhood.

As proposed the project cannot meet all of the five findings necessary for approval. Specifically the following findings will not be met:

1. Will not be materially detrimental or injurious to properties or improvements in the immediate area.
2. Will not create an adverse impact on street access or circulation in the surrounding neighborhood.
3. Consists of buildings and structures (including, height, bulk, and setbacks), off-street parking facilities, loading areas, lighting, landscaping , trash collection, and other pertinent improvements, which is or will be compatible with existing and planned future development on neighboring properties.

Regarding finding #1 – the proposed project by overshadowing and being out of character with the surrounding single family dwellings will be detrimental to those properties.

Regarding finding #2 – by not having sufficient off street parking facilities will have an adverse impact on street access and circulation in the surrounding neighborhood.

Regarding finding #3 – the height and bulk, and lack of off-street parking make the project not compatible with existing and planned future development on neighborhood properties.

For the above reasons I strongly urge you to vote against this proposed eldercare facility.

Thank you for your time and consideration.

A concerned resident,

Henry Rice

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FILE # 12-1126

This letter is in regards to the massive proposed Elder Care Facility with a proposed location of 6221 Fallbrook Ave, Woodland Hills, CA. In short, I oppose this project.

The proposed massive Elder Care Facility will greatly and negatively impact surrounding property values due to the common knowledge fact that properties adjacent to commercial buildings are less desirable than properties located adjacent to like properties.

The proposed massive Elder Care Facility will greatly increase traffic volume in the near vicinity on Fallbrook Avenue as well as the immediately adjacent Erwin Street. Traffic will be negatively impacted from Calvert Street to Victory Blvd on Fallbrook and with the increased speed limit of 45 mph on Fallbrook the increased traffic will present a new danger to drivers.

The proposed massive Elder Care Facility will be an immense departure from and completely inconsistent with the zoning code, the existing single family dwellings, and the style and arrangement of the current building structures on surrounding and neighboring properties. It just doesn't fit our neighborhood!

Please do not allow this project to continue forward and please do not consider like structures in our RA-1 zoned neighborhood in the future.

Sincerely,

Terry Coupe  
23327 Califa St  
Woodland Hills, CA 91367

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FILE # 121126

We bought our home in Walnut Acres within the past year and have invested a lot of money in remodeling it. We would not have bought this property having known about the ill-conceived project on the corner of Fallbrook and Erwin. This project would severely impact our home. The coming and going at all hours of the night, including emergency vehicles and services vehicles will increase the traffic dramatically. The increased traffic will be a danger to our small children and we are opposed to this project in any form! Also the possibility of only having 2 attendants for 76 beds at night increases the likelihood that Alzheimer's patients will wander from the home, creating havoc in the surrounding neighborhoods.

Best regards,

John & Amy Feldmann  
22940 Erwin street  
Woodland Hills, CA 91367

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**Re: Eldercare Facility at 6221 Fallbrook, Council File # 12-1126**

We live a short way from this proposed project and we urge you to **STOP** your attempt to use your influence over other council members to overturn a decision on this project that was made after MANY months of review and negotiations between the Zoning Administrator, the developer, and the residents!!! In addition to the fact that the subject property would result in difficulties or hardships on the adjacent neighborhood, it is also **INCONSISTENT** with the general purpose and intent of the zoning regulations!! Please remember that the Eldercare Facility **MUST MEET ALL 5 CRITERIA** - and research shows you that it does **NOT**

On a personal level, I want to say how disappointed we are in your attempt to coerce your fellow councilmembers into rejecting this project that has already been proven unworthy:( We know they have not studied (or even READ) the background on this facility, but in a "you scratch my back, I'll scratch yours" move, they defer to your opinion - and you have chosen to attempt to "bully" your residents in a lame-duck move in order to win favor with a major contributor to your campaigns, but this move is not going unnoticed by your constituents either in OR out of that neighborhood!

We are Neighborhood Watch Block Captains just north of Vanowen and Fallbrook who have supported you for years because of your previous commitment to help residents with neighborhood issues. Regardless of how you might protest, your action on this matter gives the appearance that you are deeply entrenched in "Pay to Play" politics:( You are not just abstaining on the issue but are taking the lead role **AGAINST** a decision that was made after many months of "due process" during which residents made great sacrifices of time and money to defend their neighborhood.

This project was denied because it does not meet all 5 required criteria, and your choice to support a campaign contributor over the residents you were elected to represent will not go unnoticed the next time many of us vote for an office of which you are a candidate. It is hard not to reach the conclusion that you have been corrupted by politics when your actions seek to make a "mockery" of legitimate due process. Please take a step back and re-consider your motivations for this action.

Sincerely yours,

Jim and Elaine Boynton

6953 Minstrel Avenue

West Hills, CA 91307

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**Re: Eldercare Facility at 6221 Fallbrook. Council File # 12-1126**

We live a short way from this proposed project and we urge you to **VOTE NO** on this project. The project underwent many months of review and negotiations between the Zoning Administrator, the developer, and the residents - and it was denied. In addition to the fact that the subject property would result in practical difficulties or unnecessary hardships inconsistent with the general purpose and intent of the zoning regulations, please note that the Zoning Administrator must find that the Eldercare Facility must meet ALL 5 criteria - and research will show you that it does not.

Please do not "rubber stamp" Dennis Zine's attempt to "bully" residents in order to win favor with a major contributor to his campaigns! Please READ the file carefully and consider the severe impact on the surrounding neighborhood BEFORE YOU VOTE on this large, commercial development in a residential neighborhood. Do not let Dennis Zine make a "mockery" of the legitimate due process that so many people have contributed to over these past months.

Sincerely yours,

Jim and Elaine Boynton

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West Hills, CA 91307

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File # 121126

Councilmembers:

It has come to my attention that lame duck Councilmember Dennis Zine has sold out Walnut Acres in Woodland Hills on behalf of a Developer who wants to construct an eldercare facility at the location indicated above even though the findings required to grant approval to construct such a facility in a residential neighborhood without a change in zoning have not been satisfied. It is laughable to think that there are elders in the Walnut Acres community who want this facility. If a busload of elders show up at the meeting next week, you can be sure they are not residents of Walnut Acres. I live in the community and know no one who favors it. The facility, among other objections, would clearly be materially detrimental and injurious to properties and improvements in the immediate area, will create an adverse impact on street access and circulation in the surrounding neighborhood and is incompatible with existing neighboring properties. I am not opposed to elder housing but it should be constructed in a commercial rather than residential area.

I am so disappointed in Councilmember Zine. I did not realize how insincere he was in representing his district, particularly the Walnut Acres area. I know he wants to run for Controller and needs contributions but selling out his constituents to achieve that goal shows a lack of character which in my opinion disqualifies him for the office he aspires to hold in the City of Los Angeles. I know that some other Councilmembers are seeking higher office and hope they and all of you will share my view that this project is inappropriate for Walnut Acres and refuse to assume jurisdiction in this case and take it away from the South Valley Area Planning Commission who has already disapproved this project. It would be so encouraging to the Walnut Acres community if you did not assume jurisdiction and let the matter be decided by people who are most affected by it. Perhaps I am naïve in thinking that is possible but I sure hope not.

Joseph P. Heffernan

Mary E. Heffernan

22920 Hatteras Street

Woodland Hills, CA 91367

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File # 12-1126

The proposed eldercare facility does not meet the five standards required by law and was rejected by the SV Area Planning Commissioners in a 4-1 decision. These members are appointed by the mayor to learn the laws of the land use regulations and make careful decisions based on facts presented. Decisions made are only based on law, not feelings. This is not a political issue. It is a "law" issue that has already been determined by the correct commission.

There is a very strange and unethical turn that has taken regarding this situation from Councilman Zine. He is so determined to have this facility built and seems to stop at nothing to do so. Bringing in busloads of seniors who don't own property in the neighborhood to speak in favor of the facility seems nothing short of desperate. There is a beautiful facility in Woodland Hills on Ventura Blvd that offers this same type care and service. The only difference is that it is located in an appropriately zoned area. There is no shortage of senior facilities large or small in the west valley. While we do not have any "hotel" size facilities in Walnut Acres, since that would be violating land use regulation laws, we do have numerous smaller residential-type facilities throughout the neighborhood. I have one across the street from me and have no issues with it being there. It looks like a single family residence, does not detract from the looks of the neighborhood, does not impact traffic or parking in the area, and does not intrude on the peace and quiet of our beautiful community. However, if it were the size of a hotel, I would definitely have an issue with it.

I am asking that you respect the well informed law based decision made by the SV Area Planning Commission on June 28, 2012.

Pati Moser  
23547 Burbank Blvd

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File no 12-1124

Councilman Reyes,

As a long time resident of this neighborhood, I urge you not to approve this blight on our neighborhood. This facility only benefits the present property owner and the builder.

As a senior (I'm 70), I can tell you that this place will not be affordable to the overwhelming majority of seniors.

As a neighbor I can tell you this facility will be a parking, traffic and noise disaster for us.

Please do not approve this project.

Thank you,

Henry Spitzer

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