

ORIGINAL



APPLICATIONS:

APPEAL APPLICATION

This application is to be used for any appeals authorized by the Los Angeles Municipal Code (LAMC) for discretionary actions administered by the Department of City Planning.

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

- Area Planning Commission, City Planning Commission (checked), City Council, Director of Planning

Regarding Case Number: DIR 1993-0979 (RV)(PAS)

Project Address: 6719 NORTH SEPULVEDA BLVD

Final Date to Appeal: NOV 28 2016

- Type of Appeal: Appeal by Applicant/Owner (checked), Appeal by a person, other than the Applicant/Owner, claiming to be aggrieved, Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): MIKE ENGELMAN

Company: 6705 SEPULVEDA LLC

Mailing Address: 7061 WOODMAN AVE #100

City: VAN - Nuys State: CA Zip: 91405

Telephone: 818-901-6019 E-mail: PROJECT@SANDAPROP.COM

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

- Self (checked), Other:

- Is the appeal being filed to support the original applicant's position? Yes, No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable):

Company:

Mailing Address:

City: State: Zip:

Telephone: E-mail:

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part

Are specific conditions of approval being appealed? Yes No

If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

5. APPLICANT'S AFFIDAVIT

I certify that the statements contained in this application are complete and true:

Appellant Signature: Mike Gibson

Date: 11/15/2016

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee). NO RECEIPTS
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered Original Applicants and must provide noticing per LAMC 12.26 K.7, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. [CA Public Resources Code ' 21151 (c)].

This Section for City Planning Staff Use Only		
Base Fee: <u>\$89.00</u>	Reviewed & Accepted by (DSC Planner): <u>Tracy Williams</u>	Date: <u>11/18/2016</u>
Receipt No: <u>0201368391</u>	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

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TW

To whom it may Concern:

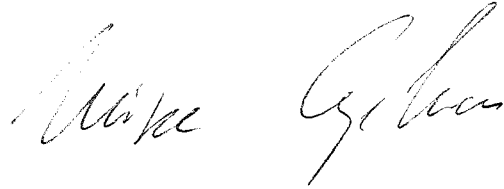
I Mike Engelman, Would like to appeal this letter, because the building has been demolished.
The determination those conditions no longer apply because the building is not there case #DIR
1993-0979(RV)(PA5)

Sincerely,

Mike Engelman

310-713-2556

11/17/16

A handwritten signature in black ink, appearing to read "Mike Engelman". The signature is written in a cursive style with a large, stylized initial "M".



LYNN K. WYATT
CHIEF ZONING ADMINISTRATOR

ASSOCIATE ZONING ADMINISTRATORS

JACK CHIANG
HENRY CHU
LOURDES GREEN
THEODORE L. IRVING
ALETA D. JAMES
CHARLES J. RAUSCH, JR.
FERNANDO TOVAR
DAVID S. WEINTRAUB
MAYA E. ZAITZEVSKY

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

DEPARTMENT OF
CITY PLANNING

VINCENT P. BERTONI, AICP
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

November 10, 2016

Chief Zoning Administrator (A)
Office of Zoning Administration
200 North Spring Street, #763
Los Angeles, CA 90012

6705 Sepulveda LLC (O)
C/O Mike Engelman
7061 Woodman Avenue, Unit 100
Van Nuys CA 91405

Hsui R. Young (O)(Op)
20907 Chatsworth Street
Chatsworth, CA 91311

Ridge Motel
6719 North Sepulveda Boulevard
Van Nuys, CA 91411

CASE NO. DIR 1993-0979(RV)(PA5)
REVIEW OF CONDITIONS
6719 North Sepulveda Boulevard
Van Nuys-North Sherman Oaks
Planning Area
Zone : [Q] RD1.5-1-RIO
D. M. : 180B145
C. D. : 6
CEQA : ENV 2015-2623(CE)
Legal Description: Lot 12, Arb 1 and 2,
Tract 8946

Pursuant to Section 12.27.1 of the Los Angeles Municipal Code, I hereby DETERMINE:

that the operation of the motel known as the Ridge Motel at 6719 N. Sepulveda Blvd. has been in partial compliance with the corrective Conditions previously established by Case No. ZA 1993-0979(RV)(PA4)(1A) effective December 30, 2013.

I hereby retain and modify (as shown in underlined text and ~~strikethrough~~) the existing terms and Conditions as follows:

1. **[MODIFIED]** Compliance Review. A Plan Approval application shall be filed within ~~nine (9)~~ twenty-four (24) months from the effective date of this determination. The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with each of the conditions contained herein at the time of filing the Plan Approval review application. The applicant/owner shall submit proof that at least a summary of the Compliance Documentation and any information to allow for a review of the effectiveness in implementing the Conditions established herein. The Compliance Documentation shall be mailed to the Council District Office, Los Angeles Police Department Van Nuys Vice Section, and Van Nuys Neighborhood Council and include a statement that "In compliance with Case No. DIR 93-

RECEIVED NOV 14 2016

0979(RV)(~~PA4~~)(PA5), the attached documentation is mailed to interested parties. To assist the Planning Department in preparing for a public hearing, interested parties should contact the Office of Zoning Administration within two weeks."

A public hearing shall be conducted. A notice of the public hearing shall be mailed to all property owners and occupants located within 500 feet of the property. The Zoning Administrator conducting the hearing may add, modify or delete conditions as determined to be appropriate. The Zoning Administrator may also require the discontinuance of the uses or any portion of the property or individual lease space if the applicable findings can be made.

2. [Deleted January 12, 2001]
3. 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.
4. 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.
5. The motel owner and/or manager shall comply with all applicable laws and conditions and shall properly manage the motel to discourage illegal and criminal activity on the premises.
6. The motel manager and all persons employed or authorized to act for the operator shall be made completely familiar with these conditions and shall implement them as required. A copy of these conditions shall be maintained on the premises at all times and shall be presented to any member of the Los Angeles Police Department or other authorized law enforcement personnel upon request.
7. The manager or other responsible person on duty shall be fluent in the English language.
8. Within 45 days of the effective date of this action, the property owner or operator shall submit proof of the following:
 - a. Employ a state licensed security guard to be on duty twenty-four hours per day, seven days per week. The guard must be registered with the California Bureau of Security and Investigative Services (not merely possessing a temporary registration card). The security guard must be an employee of State of California licensed private patrol operator (i.e., not employees of the Ridge Motel). The security guard must not work additional duties as a desk clerk or otherwise be employed or utilized in any non-security capacity. The guard shall comply with the requirements of California Business and Professions Code section 7582.26(1) which requires private security guards to wear a distinctive uniform, with a patch that reads, "Private Security," and contains the name of the private security company. The guard must

possess a permit with photographic identification that is to be presented to law enforcement upon request.

- b. The guard shall not live, stay or reside in the Motel, either on a full or part-time basis. The guard shall maintain a patrol log, indicating the dates and times of security checks/areas patrolled and any illegal or unusual activity observed. Maintain the log at the Motel and produce it to law enforcement personnel upon request.
9. The manager shall have duplicate room keys at all times if needed by emergency services personnel to gain entry.
10. Prices for accommodations shall be posted in the office of the motel in view of customers and shall also be posted in each guest room. Each guest room shall also display a sign in letters at least 1/2-inch in height stating, "No Person Shall Occupy or Use a Room in This Facility without First Registering with the Front Desk. Failure to Register Constitutes a Misdemeanor."
11. The manager shall not knowingly permit the property to be occupied by prostitutes or their customers, nor narcotics dealers or their customers nor any person who is not identified at the time of registration.
12. The consumption of alcoholic beverages on the property, other than in the guest rooms, is prohibited.
13. Guest rooms shall not be rented for less than 24-hour periods.
14. Loitering on the property is not permitted unless such person(s) provide a justifiable reason to the security guard or manager.
15. [Deleted January 12, 2001]
16. Lighting shall be sufficient to make persons in the parking area easily discernible to law enforcement personnel. Exterior lighting along the northern boundary of the property on the building shall be installed and maintained to provide sufficient illumination so as to render objects or persons on the property clearly visible.
[Amended, January 9, 2009]
17. Registration of guests shall be accompanied by photo identification of all adults; recordation of names and addresses of each guest; license plate number, make and year of vehicle registration; date and time of registration and room number. Registration files shall be maintained for at least five years and shall be made available to any law enforcement officer.
18. Graffiti shall be removed on a daily basis in a color that matches the surface to which it was applied.
19. The property shall be kept free and clear of trash, and debris on a daily basis. Trash bins shall be stored within an enclosed area on the premises so as not to result in noise, odor or debris impacts on any adjacent residential uses. In addition within 14 days of the effective date of this determination, the property owner shall

contract for the services of a professional gardener who shall, on a regular basis, mow the grass and trim other trees and plants on the property and keep the premises weed free. Proof of this shall be provided to the Zoning Administrator within 30 days of the effective date of this determination. *[Amended, January 9, 2009]*

20. Guest rooms shall not be rented to more persons than the designated occupancy of such rooms. The designated occupancy shall be determined by the number of persons customarily occupying the bedding accommodations. Room registration forms shall include a section asking for the total number of occupants registering per room.
21. The property owner shall post one sign at the office in view of prospective guests and at least one sign in a conspicuous location elsewhere on the property stating, "No Trespassing, No Prostitution, No Drugs or Drug Dealing, No Loitering, No Weapons. This Property is patrolled by the Police and Private Security."
22. The motel operator shall permit no minor to use or occupy the property unless such minor is accompanied by his or her parent(s) or legal guardian.
23. The property owner shall not permit any public telephones on the property unless they are within the office or the guest rooms.
24. The property owner shall join and support the efforts of the local business or residential neighborhood watch.
25. The motel operator and property owner shall meet with the Van Nuys LAPD Vice Unit on a monthly basis to receive appropriate training and to be aware of persons the Police are looking for who may be in the area and attempting to stay in the motel. The property owner is responsible for contacting the Senior Lead Officer to be made aware of such meetings. Evidence of attendance of such meetings shall be provided to the Zoning Administrator upon request. *[Amended by January 21, 2009 Determination]*
26. The motel shall be equipped with remote control cameras which provide a continuous view in the manager's office of those portions of the property which are not visible from the office. Evidence of compliance shall be provided to the Zoning Administrator within 30 days of the effective date of this action. The motel will allow the Van Nuys Vice staff to review the effectiveness of the exterior video camera and will make whatever changes to the camera operation the Police require. *[Amended, April 25, 2003]*
27. Within 45 days of the effective date of this action or mutually agreed upon time, a new covenant acknowledging and agreeing to comply with all the terms conditions established herein shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file.

28. The property owner shall maintain the services of a qualified State Licensed Security service to provide security on and adjacent to the Motel premises at all times that the motel is open for business. Proof of such services shall be made available upon request of the Zoning Administrator.
29. [Deleted January 12, 2001]
30. The existing barbed wire on the north side of the subject property shall be removed within 30 days of the effective date of this action. Within 30 days of the effective date of this determination, the property owner/operator of the Ridge Motel shall provide evidence to the Zoning Administrator that the barbed wire has been removed. *[Amended, January 9, 2009]*
31. The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers, or employees 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.
32. The motel shall be equipped with video cameras which provide a continuous view in the manager's office and of those portions of the property which are not visible from the office. The motel will allow law enforcement to review the effectiveness of the exterior video camera and shall record and maintain footage for a minimum of 60 days.
33. Pursuant to Los Angeles Municipal Code Section 12.27.1-C,2, the Director of Planning has imposed a condition directing the payment of a fee set forth in Section 19.01-P of the Los Angeles Municipal Code to cover the City's costs in processing this matter. If the decision is not appealed, then the amount shall be paid in full to the City of Los Angeles with confirmation of the payment being provided to the Director of within 30 days of the decision date. If an appeal is filed and the decision of the Director is upheld on appeal, then the fee shall be paid in full with confirmation made to the Director within 30 days of the effective date of the decision. If the Council reverses in total the decision of the Director, then no payment of fees other than the appeal fee specified in 19.01-P shall be required. *(Standard Condition)*

TRANSFERABILITY

This action runs with the land. In the event the property is to be sold, leased, rented, or occupied by any person or corporation other than the current owner, it is incumbent that the owner advise them regarding the Conditions of this action.

VIOLATIONS OF THESE CONDITIONS IS A MISDEMEANOR

It shall be unlawful to violate or fail to comply with any requirement or Condition imposed by final action of the Zoning Administrator, Board, or Council. Such violation or failure to

comply shall constitute a violation of Chapter 1 of the Municipal Code and shall be subject to the same penalties as any other violation of such Chapter. (Section 12.27.1 of the Municipal Code)

Every violation of this determination is punishable as a misdemeanor and shall be punishable by a fine of not more than \$1,000 or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment. (Section 11.00-M of the Municipal Code)

APPEAL PERIOD - EFFECTIVE DATE

The Zoning Administrator's determination in this matter will become effective after **NOVEMBER 28, 2016** 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 staff member assigned to this case. This would include clarification, verification of Condition compliance, submittal of all required evidence as required in this determination, 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 report of the Staff Investigator thereon, and the statements made at the public hearing before the Hearing Officer on August 27, 2015, all of which are by reference made a part hereof, as well as knowledge of the property and the surrounding district, I find that there is cause

for continuation of Conditions based upon the provisions of Section 12.27.1 of the Municipal Code as established by the following facts:

NUISANCE ABATEMENT AUTHORITY - SECTION 12.27.1 OF THE LOS ANGELES MUNICIPAL CODE

The Zoning Administrator, on behalf of the Director of Planning, has the authority to investigate and initiate corrective actions against any use which constitutes a public nuisance, adversely affects the safety of persons residing or working in the surrounding area, and does so on a repeated basis, pursuant to the provisions of Section 12.27.1 of the Los Angeles Municipal Code, established under Ordinance No. 171,740 on October 27, 1997. This Ordinance amended earlier nuisance abatement authority established May 25, 1989 under Ordinance No. 164,749.

It has been the City's practice and policy to impose corrective Conditions when a property is initially determined to be a nuisance location and to give any owner/operator an opportunity to correct the problems before any possible revocation.

Prior to an action by the Zoning Administrator requiring that a use be discontinued, it must be found that prior governmental efforts to eliminate the problems associated with the use have failed and the owner or lessee has failed to demonstrate to the satisfaction of the Zoning Administrator a willingness and ability to eliminate the problems associated with the use.

BACKGROUND

The last change of ownership was October 6, 2008 according to ZIMAS.

On March 18, 1994, the Zoning Administrator determined in Case No. 93-0979(RV) that the operation of the Chateau Motel (now known as the Ridge Motel) constituted a public nuisance and imposed corrective Conditions pursuant to LAMC Section 12.27.1 in order to mitigate adverse impacts caused by the operation of the motel. The effectiveness of compliance with Conditions has been reviewed four times. On September 26, 2013, the Zoning Administrator (DIR 93-0979(RV)(PA4)) determined that substantial compliance with corrective Conditions was not found and thereby imposed additional Conditions necessary to mitigate land use impacts caused by the use of the premises. The owner/operator appealed part of the determination of the Zoning Administrator, and the City Council thereby imposed the modified Conditions approved by the Planning and Land Use Management Committee, attached to Council File No. 13-1341, on the operation as a motel. On December 18, 2013, the City Council adopted the findings of the Zoning Administrator Case No. ZA 93-0979(RV)(PA4)(1A). This action became effective on December 30, 2015.

Condition No. 1 of the Zoning Administrator's determination (DIR 93-0979(RV)(PA4)) / CF No.13-1341 effective December 30, 2013, states in relevant part:

1. [Amended] Compliance Review: A Plan Approval application shall be filed within nine (9) months from the effective date of this determination. The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with

each of the conditions contained herein at the time of filing the Plan Approval review application. The applicant/owner shall submit proof that at least a summary of the Compliance Documentation and any information to allow for a review of the effectiveness in implementing the Conditions established herein. The Compliance Documentation shall be mailed to the Council District Office, Los Angeles Police Department Vice Section, and Neighborhood Council and include a statement that "In compliance Case No. DIR 93-0979(RV)(PA4), the attached documentation is mailed to interested parties. To assist the Planning Department in preparing for a public hearing, interested parties should contact the Office of Zoning Administration within two weeks."

The Office of Zoning Administration has filed the instant application in compliance with the above Condition and in response to a Letter of Communication – Overdue Plan Approval dated August 6, 2014. The Plan approval was due no later than September 30, 2014. The owner/operator has failed to file the instant application in compliance with the stated Condition. This is the fifth review for Condition Compliance.

Property and Area Information

The property is comprised of two adjacent lots. The northerly property of 30,647 square feet is developed with a motel and located on the southwest corner of Sepulveda Boulevard and Archwood Street. The southerly property of 17,971 square feet is undeveloped consisting of a vacant lot. The site has a frontage of approximately 170 feet on the west side of Sepulveda Boulevard and a frontage of approximately 180 feet on the south side of Archwood Street.

The property is zoned [Q]RD1.5-1-RIO and is developed with a 39-room motel consisting of three structures. There is a rectangular-shaped, one-story structure, approximately 1,800 square feet in size, located on the southerly portion of the site containing the motel office and other rooms. The main structure is located in the middle of the site and is a two-story, approximately 5,000 square feet, rectangular-shaped building containing the majority of the rooms. A third structure is located on the northerly portion of the site and is a one-story, rectangular-shaped, approximately 1,700 square-foot building containing some rooms and two carport areas. The southerly structure is connected to the main structure through an overhang and is the main entrance for guests. The main structure is connected to the northerly structure through an overhang and is closed by a metal gate approximately 10 feet in height. There is surface parking along the western property line and along the north side of the two-story structure.

Properties to the north across Archwood Street are zoned C2-1VL-RIO and developed with one-story commercial buildings occupied by a locksmith, a dry cleaners, and a fishing tackle store

The adjoining property to the south is zoned [Q]RD1.5-1-RIO. It is under the same ownership and is currently vacant. Properties further south across Lemay Street are developed with two-story multi-family apartment buildings.

Properties to the east, across Sepulveda Boulevard, are zoned [Q]R4-1-RIO and developed with one- and two-story apartments and commercial buildings

Properties to the west, along Archwood Street, are zoned R1-1-RIO and developed with one- and two-story single-family dwellings.

Surrounding properties are within the R1-1-RIO, [Q]R3-1-RIO, [Q]R4-1-RIO, RE11-1-RIO, C2-1VL-RIO, and [Q]RD1.5-1-RIO Zones and are characterized by level topography and improved streets. The surrounding properties are generally developed with one- and two-story single-family dwellings, apartments and commercial buildings.

Sepulveda Boulevard, adjoining the property to the east, is a Boulevard II with a right-of-way width of 110 feet and fully improved with curb, gutter and sidewalk.

Archwood Street, adjoining the property to the north, is a Local Street Standard with right-of-way width of 60 feet and fully improved with curb, gutter and sidewalk.

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

Subject Property:

Case No. DIR 93-0979(RV)(PA4)(1A); Council File No. 13-1341 – On September 25, 2013 an appeal was filed by the owner, Tee Young (Representative: Julia Sylva, Attorney at Law, Law Offices of Julia Sylva, A Law Corporation), from part of the determination of the Zoning Administrator. On December 10, 2013 (continued from November 19, 2013), the Planning and Land Use Committee considered an appeal of Conditions imposed to mitigate the adverse impacts on the community caused by the operation of Ridge Motel. On December 30, 2013, the Council resolved to deny the appeal filed by owner/ operator.

Case No. DIR 93-0979(RV)(PA4) – On September 26, 2013, the Zoning Administrator determined substantial compliance with corrective Conditions was not found and continued imposition of Conditions is necessary in order to mitigate land use impact caused by use of the premise.

Case No. ZA 93-0979(RV)(PA3) – On February 5, 2009, the Zoning Administrator retained and/or amended the Conditions applicable to the operation of the Ridge Motel (previously the San Miguel Motel).

Case No. ZA 93-0979(RV)(PA2) – On May 12, 2003, the Zoning Administrator retained and/or amended the Conditions applicable to the operation of the Ridge Motel.

Case No. DIR 93-0979(RV)(PAD)(PA2) – On March 12, 2003, Zoning Analyst visited the subject site during business hours to review the Conditions established under the previous action pursuant to Case No. DIR 93-0979(RV)(PAD). The owner/operator was in substantial, but not full, compliance.

Case No. ZA 93-0979(RV)(PAD)(PA) – On October 19, 2001, the Zoning Administrator held a public hearing to review compliance with the previously imposed Conditions. The matter was taken under advisement and no determination was issued in order to hold the instant hearing to give the operator additional time to bring the motel operation into full compliance with the Conditions.

Case No. ZA 93-0979(RV)(PAD) – On January 29, 2001, the Zoning Administrator retained and/or amended the Conditions applicable to the operation of the Ridge Motel (previously the San Miguel Motel). The determination was appealed to the City Council

and at the meeting of the City Council the appeal was denied effective April 19, 2001, the Zoning Administrator's findings upheld, and the Conditions of operation were amended (CF 01-0433).

Case No. ZA 93-0979(RV)(PAD) – On June 5, 2000, the Zoning Administrator amended or retained Conditions applicable to the operation of the Ridge Motel (previously the San Miguel Motel). The Zoning Administrator found that only two Conditions (Condition Nos. 25 and 28) had not been implemented. The Conditions remained in effect.

Case No. ZA 93-0979(RV)(PAD)/ BZA Case No. 5587 – On June 15, 1998, the Zoning Administrator, held a public hearing to review compliance with the Conditions of March 2, 1994, for the San Miguel Motel (formerly the Chateau Motel). The Zoning Administrator retained, amended, and added to the Conditions relative to the operation of the San Miguel Hotel. The determination was appealed, by the motel owner, to the Board of Zoning Appeals (BZA Case No. 5587) and was denied at the meeting of August 25, 1998. The Zoning Administrator's findings were upheld, and the Conditions of operation were modified.

Case No. ZA 93-0979(RV) – On March 2, 1994, the Zoning Administrator, found that the subject use (the Chateau Motel) constituted a public nuisance and resulted in repeated nuisance activities. The Zoning Administrator established Conditions for the operation of the motel.

Case No. ZA 84-0803(CUZ) – On April 12, 1985, the Zoning Administrator denied a conditional use to permit the expansion of an existing 36-unit motel on an R4-1 zoned site by the addition of three two-story buildings containing a total of 48 dwelling units and the addition of a swimming pool. Further, the construction, use and maintenance of a one-story 3,975 square-foot restaurant on the southerly portion of the R4-1 zoned site and the use of an adjacent R1-1 zoned lot as an accessory parking area for 15 vehicles.

Surrounding Properties:

Case No. ZA 86-0188-CUZ – On May 30, 1986, the Zoning Administrator approved the construction of a three-story 30-unit motel. The BZA on August 19, 1986 granted appeal of the Administrator's decision, located at 6705 Sepulveda Boulevard.

Case No. ZA-1991-1134-RV/BZA Case No. 4583 – On March 26, 1992, the Zoning Administrator determined that the 7-Eleven convenience store's alcohol sales constituted a public nuisance. On June 19, 1992 the BZA (Case No. 4583) denied the appeal for part of the Zoning Administrator's determinations, did not revoke the alcohol sales permit, and modified Conditions of the Zoning Administrator.

Case No. ZA 93-0945(CUB) – On February 10, 1994, the Zoning Administrator denied conditional use authority to permit 24 hour per day operation of the involved 7-Eleven store and the waiver of all requirements for a security guard.

Case No. ZA 2007-5013(CUB) – On May 30, 2008, the Zoning Administrator denied a request for a conditional use to permit the sale of a full line of alcoholic beverages for off-site consumption at a market within an existing shopping

Comments from Other Departments and/or the General Public

The Los Angeles Police department submitted the following reports:

At the time of staff report preparation, arrests and investigative reports, consolidated crime analysis database (CCAD) reports and call for service were not submitted by the Los Angeles Police Department.

Other Departments: At the time of report preparation, no public agency submitted any written comments.

General Public: None

PUBLIC HEARING

A public hearing was held by the Hearing Officer on August 27, 2015 at 10:00 a.m. at 6262 Van Nuys Boulevard. The hearing was noticed and mailed to the property owner, business facility, and to the owners and occupants of nearby properties within 500 feet, in compliance with Municipal Code requirements. The purpose of the hearing was to obtain testimony from the owner/operator of the subject facility and from any other affected or interested parties regarding the operation of the motel to determine whether the use continues to constitute a public nuisance and to determine whether Conditions should be maintained, added, or eliminated on the operation of the premises.

Prior to opening the hearing to public testimony, the Department of City Planning staff investigator presented a summary of background information and other pertinent information regarding the subject site. The presentation was a summary of the staff report, which is attached to the case file.

In attendance at the hearing and testifying on behalf of the property owner and business, the daughter, Christine Young, explained that the owner intended to discontinue the use of the subject site as a motel and that the property owner was in escrow to sell the property.

Ms. Young also answered the Hearing Officer's questions relating to the required private security guard, stating that security is provided "on call 24-hours, seven days a week." She contended that security guards are present at different times of the day to inspect the property and that they sign and indicate the time of inspection per Condition No. 8a.

The Hearing Officer stated that the Condition requires a state-licensed security guard to be present on site 24-hours, seven days a week. Ms. Young indicated it was her impression the Condition required an on-call security guard service. The Hearing Officer inquired about a contract with the private security guard. Ms. Young stated to have a contract with a security guard company, but did not have a copy with her.

The Hearing Officer inquired about Condition No. 25 requiring the operator to meet with the Police Department for training purposes. The son of the property owner Tee Young presented testimony indicating that the Police Department gives a flier to the operator

and they attend when this flier is handed to them. The Hearing Officer indicated that it is the responsibility of the operator to contact the Police Department.

Also present was Officer Cindy Schreiner from the Los Angeles Police Department who presented testimony that the operator had not made any effort to contact the Police Department as required by Condition No. 25 nor hired private security as required by the Conditions. Officer Schreiner also stated that other Conditions relating to the operations had not been complied with and that the Applicant had expressed an inability to afford the private security guard.

In addition, the officer stated that prostitution was observed days prior to the public hearing in the motel's immediate surrounding area. Further, she stated that it is the responsibility of the operator to maintain the immediate surroundings in a clean state. The officer issued an accidental death report two days prior to the public hearing that took place on the subject premises. The deceased was a son of the operator who also was the motel manager. Officer Schreiner indicated that she was unclear who will be the manager of the motel since he was the person responsible for the motel's operation.

In response to the Hearing Officer regarding the Condition requiring the operator to meet with the Police Department, Officer Schreiner stated that she notified the operator about the scheduled meetings and gave the hotel manager a copy of the Conditions, directly pointing to the Condition requiring the meeting with the Police Department. She also stated that the operator has not met with the Police Department during the previous year for the quarterly motel/hotel training meetings. Officer Schreiner stated that quarterly meeting notices have been forwarded to the subject location and that she has patrolled and driven by the motel for the last year approximately three times a week.

Finally, testimony was presented by Mike Engelman who stated to be in the process of purchasing the property and inquired whether or not the Conditions would remain on the site and whether they will have any future effect on the site. The Hearing Officer indicated that these Conditions run with the land and they will remain with the site.

The Hearing Officer left the public hearing open for two weeks until September 11, 2015 to allow the operator to submit a copy of the security guard contract and to allow LAPD to follow up with documents showing site visits and visual inspections reports (lack of security guards, security guards and meeting logs).

WRITTEN COMMUNICATIONS RECEIVED AT AND SUBSEQUENT TO PUBLIC HEARING

Death Investigation Report: At the public hearing on August 27, 2015, the Los Angeles Police Department submitted an accidental death investigation report of an individual due to an overdose on August 8, 2015 at approximately 11:47 a.m.

The operator submitted a private security patrol contract on September 1, 2015. It establishes four (4) patrols to occur every twenty-four (24) hours, seven days a week.

Also, on September 1, 2015, the operator submitted a letter indicating that the motel ceased operations voluntarily, as well as a copy of an escrow agreement indicating the intent of Yaya Archwood LLC to purchase the property.

STATUS OF COMPLIANCE WITH TERMS AND CONDITIONS OF CASE NO. ZA 1993-0979(RV)(PA4)

This section describes the degree of compliance with existing Conditions based upon a visit to the premises by planning staff, testimony at the public hearing, and submissions to the record. Staff conducted a field analysis as part of the Condition compliance investigation on July 8, 2015 at approximately 10:00 a.m. At the time of the investigation, staff did not meet with owner/operator due to the City-initiated Plan Approval.

1. ~~[Unchanged] At any time during the effective period of this grant, should documented evidence be submitted showing violation of any condition of this grant, resulting in an unreasonable level of disruption or interference with the peaceful enjoyment of the adjoining and neighboring properties, the Zoning Administrator reserves the right to require the applicant to file for a plan approval application and associated fees pursuant to Section 19.01-I of the Los Angeles Municipal Code, the purpose of which will be to hold a public hearing to review the applicant's compliance with and the effectiveness of these Conditions. The applicant shall prepare a radius map and cause a notification to be mailed to all owners and occupants of properties within a 500-foot radius of the property, the Council Office, and the Los Angeles Police Department corresponding Division. The applicant shall also submit a summary and any supporting documentation of how compliance with each condition of this grant has been attained. Upon this review the Zoning Administrator may modify, add or delete conditions, and reserves the right to conduct this public hearing for nuisance abatement/revocation purposes.~~

~~At any time should there be a change in the ownership and/or the operator of the business, the new owner or operator shall be required to file a Plan Approval application and associated fees pursuant to Section 19.01-I of the Los Angeles~~

~~Municipal Code at the Planning Department Public Counter. The Plan Approval application shall be submitted to the Planning Department within 30 days of the date of legal acquisition by the new owner or operator. A public hearing shall be conducted with notification of all owners and occupants of property within a 500-foot radius. The purpose of the plan approval will be to review and establish conditions deemed applicable to the use as maintained and conducted by the new owner or operator consistent with the intent of the Conditions of this grant. Upon this review the Zoning Administrator may modify, add or delete conditions, and if warranted, reserves the right to conduct this public hearing for nuisance abatement/revocation purposes. *[Amended, January 9, 2009]*~~

[Amended] Compliance Review. A Plan Approval application shall be filed within nine (9) months from the effective date of this determination. The applicant/owner shall provide appropriate documentation to substantiate ongoing compliance with each of the conditions contained herein at the time of filing the Plan Approval

review application. The applicant/owner shall submit proof that at least a summary of the Compliance Documentation and any information to allow for a review of the effectiveness in implementing the Conditions established herein. The Compliance Documentation shall be mailed to the Council District Office, Los Angeles Police Department Vice-Section, and Neighborhood Council and include a statement that "In compliance Case No. DIR 93-0979(RV)(PA4), the attached documentation is mailed to interested parties. To assist the Planning Department in preparing for a public hearing, interested parties should contact the office of Zoning Administrator within two weeks."

A public hearing shall be conducted. A notice of the public hearing shall be mailed to all property owners and occupants located within 500 feet of the property. The Zoning Administrator conducting the hearing may add, modify or delete conditions as determined to be appropriate. The Zoning Administrator may also require the discontinuance of the uses or any portion of the property or individual lease space if the applicable findings can be made.

Investigator Response: The Plan Approval was due September 30, 2014 and had not been filed by the owner/operator. A Letter of Communication-Overdue Plan Approval/ Covenant and Agreement was mailed to the owner/ operator on August 6, 2014 regarding a compliance review of conditions No. 1. The City initiated the Plan Approval on July 10, 2015.

Analysis: Not in compliance. A covenant of imposed Conditions was due on February 15, 2014 and was recorded by city personnel on February 6, 2015, Case No. DIR 1993-0979(RV)(PA4).

2. [Deleted January 12, 2001]
3. [Unchanged] 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.

Investigator Response: Zoning Administrator's discretion.

Analysis: There are no known violations regarding this Condition.

4. [Unchanged] 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.

Investigator Response: Zoning Administrator's discretion.

Analysis: Based on submissions from the Los Angeles Police Department, the Zoning Administrator exercised the right to consider the imposition of

additional corrective Conditions and to review compliance with existing Conditions, requiring a Plan Approval.

5. [Unchanged] The motel owner and/or manager shall comply with all applicable laws and conditions and shall properly manage the motel to discourage illegal and criminal activity on the premises.

Investigator Response: Zoning Administrator's discretion. Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: The lack of submissions from the Los Angeles Police Department has made it difficult to assess compliance with this Condition.

6. [Unchanged] The motel manager and all persons employed or authorized to act for the operator shall be made completely familiar with these conditions and shall implement them as required. A copy of these conditions shall be maintained on the premises at all times and shall be presented to any member of the Los Angeles Police Department or other authorized law enforcement personnel upon request.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

7. [Unchanged] the manager or other responsible person on duty shall be fluent in the English language.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

8. ~~[Amended] The property owner shall provide 24-hour on-call response and 8-hour per day on-site presence from a State-licensed security firm. Within 45 days of the effective date of this action, the property owner or operator shall submit proof of the following:~~

- a. Employ a state licensed security guard to be on duty twenty-four hours per day, seven days per week. The guard must be registered with the California Bureau of Security and Investigative Services (not merely possessing a temporary registration card). The security guard must be an employee of State of California licensed private patrol operator (i.e., not employees of the Ridge Motel). The security guard must not work additional duties as a desk clerk or otherwise be employed or utilized in any no security capacity. The guard shall comply with the requirements of California Business and Professions Code section 7582.26(1) which requires private security guards to wear a distinctive uniform, with a patch that reads, "Private Security," and

contains the name of the private security company. The guard must possess a permit with photographic identification that is to be presented to law enforcement upon request.

- b. The guard shall not live, stay or reside in the Motel, either on a full or part- time basis. The guard shall maintain a patrol log, indicating the dates and times of security checks/areas patrolled and any illegal or unusual activity observed. Maintain the log at the Motel and produce it to law enforcement personnel upon request.

Investigator Response: Upon field investigation, staff did not observe a security guard on the subject site. Furthermore, proof of a state-licensed security guard was not attached to the Case File No. 93-0979(RV)(PA4).

Analysis: Not in compliance.

9. [Unchanged] The manager shall have duplicate room keys at all times if needed by emergency services personnel to gain entry.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

10. [Unchanged] Prices for accommodations shall be posted in the office of the motel in view of customers and shall also be posted in each guest room. Each guest room shall also display a sign in letters at least 1/2-inch in height stating, "No Person Shall Occupy or Use a Room in This Facility without First Registering With the Front Desk. Failure to Register Constitutes a Misdemeanor."

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

11. [Unchanged] The manager shall not knowingly permit the property to be occupied by prostitutes or their customers, nor narcotics dealers or their customers nor any person who is not identified at the time of registration.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval. However, multiple condoms were observed along the property border.

Analysis: Could not be determined.

12. [Unchanged] The consumption of alcoholic beverages on the property, other than in the guest rooms, is prohibited.

Investigator Response: Drinking or evidence of drinking on the property was not observed during site investigation.

Analysis: In compliance.

13. [Unchanged] Guest rooms shall not be rented for less than 24-hour periods.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

14. [Unchanged] Loitering on the property is not permitted unless such person(s) provide a justifiable reason to the security guard or manager.

Investigator Response: Upon field investigation, staff did not observe any signs of loitering on the property.

Analysis: In compliance.

15. *[Deleted January 12, 2001]*

16. [Unchanged] Lighting shall be sufficient to make persons in the parking area easily discernible to law enforcement personnel. Exterior lighting along the northern boundary of the property on the building shall be installed and maintained to provide sufficient illumination so as to render objects or persons on the property clearly visible. *[Amended, January 9, 2009]*

Investigator Response: The subject site has three exterior lights along the northern boundary of the property affixed to the building. There appears to be sufficient lighting in the parking lot and along the exterior of the property on the building. From staff's perspective, it appears that these lights are set so as not to disturb the adjoining residential neighborhood.

Analysis: In compliance.

17. [Unchanged] Registration of guests shall be accompanied by photo identification of all adults; recordation of names and addresses of each guest; license plate number, make and year of vehicle registration; date and time of registration and room number. Registration files shall be maintained for at least five years and shall be made available to any law enforcement officer.

Investigator Response: Condition could not be verified during site investigation due to the city-initiated application for a Plan Approval.

Analysis: Could not be determined.

18. [Unchanged] Graffiti shall be removed on a daily basis in a color that matches the surface to which it was applied.

Investigator Response: During site investigation, no graffiti was observed on the site. However, graffiti was observed along public sidewalk adjacent to the eastern portion of the vacant property.

Analysis: Substantially in compliance.

19. [Unchanged] The property shall be kept free and clear of trash, and debris on a daily basis. Trash bins shall be stored within an enclosed area on the premises so as not to result in noise, odor or debris impacts on any adjacent residential uses. In addition within 14 days of the effective date of this determination, the property owner shall contract for the services of a professional gardener who shall, on a regular basis, mow the grass and trim other trees and plants on the property and keep the premises weed free. Proof of this shall be provided to the Zoning Administrator within 30 days of the effective date of this determination. *[Amended, January 9, 2009]*

Investigator Response: The site was generally free of trash and debris. However, the site was littered with feces, small debris, and a condom box. The trash bin was stored within an enclosed area on the property along Archwood Street. Plants on the property was generally weed-free and pruned. Proof of contracting services for a professional gardener is not attached to the case file DIR 1993- 0979(RV)(PA4).

Analysis: Not in compliance.

20. [Unchanged] Guest rooms shall not be rented to more persons than the designated occupancy of such rooms. The designated occupancy shall be determined by the number of persons customarily occupying the bedding accommodations. Room registration forms shall include a section asking for the total number of occupants registering per room.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

21. [Unchanged] The property owner shall post one sign at the office in view of prospective guests and at least one sign in a conspicuous location elsewhere on the property stating, "No Trespassing, No Prostitution, No Drugs or Drug Dealing, No Loitering, No Weapons. This Property is patrolled by the Police and Private Security."

Investigator Response: One sign was posted outside near the office entrance in view of prospective guests. No other signs in conspicuous locations were observed.

Analysis: In compliance.

22. [Unchanged] The motel operator shall permit no minor to use or occupy the property unless such minor is accompanied by his or her parent(s) or legal guardian.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

23. [Unchanged] The property owner shall not permit any public telephones on the property unless they are within the office or the guest rooms.

Investigator Response: No public telephones were observed on or around the property.

Analysis: In compliance.

24. [Unchanged] The property owner shall join and support the efforts of the local business or residential neighborhood watch.

Investigator Response: Condition could not be verified during site investigation due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

25. [Unchanged] The motel operator and property owner shall meet with the Van Nuys LAPD Vice Unit on a monthly basis to receive appropriate training and to be aware of persons the Police are looking for who may be in the area and attempting to stay in the motel. The property owner is responsible for contacting the Senior Lead Officer to be made aware of such meetings. Evidence of attendance of such meetings shall be provided to the Zoning Administrator upon request. *[Amended by January 21, 2009 Determination]*

Investigator Response: No evidence of meeting attendance with Van Nuys LAPD Vice Unit is attached to the Case File No. DIR 93-0979(RV)(PA5).

Analysis: Not in compliance.

26. [Unchanged] The motel shall be equipped with remote control cameras which provide a continuous view in the manager's office of those portions of the property which are not visible from the office. Evidence of compliance shall be provided to the Zoning Administrator within 30 days of the effective date of this action. The motel will allow the Van Nuys Vice staff to review the effectiveness of the exterior video camera and will make whatever changes to the camera operation the Police require. *[Amended, April 25, 2003]*

Investigator Response: During site investigation, staff observed five cameras. Two were installed in view of the walkway in the northerly portion of the property, one in front of the lobby entrance in view of Sepulveda

Boulevard, one looking north in view of Archwood Street, and one in view of the walkway in the southerly portion of the property; however, proof of the effectiveness of the remotely controlled cameras within the manager's office was unavailable due to city- initiated application for Plan Approval.

Analysis: Could not be determined.

27. ~~[Amended] Prior to the issuance of any permits relative to this matter, Within 45 days of the effective date of this action or mutually agreed upon time, a new covenant acknowledging and agreeing to comply with all the terms conditions established herein shall be recorded in the County Recorder's Office. The agreement shall run with the land and shall be binding on any subsequent owners, heirs or assigns. The agreement must be submitted to the Zoning Administrator for approval before being recorded. After recordation, a copy bearing the Recorder's number and date shall be provided to the Zoning Administrator for attachment to the subject case file. This covenant shall be recorded within 30 days of the effective date of this determination.~~

Investigator Response: A covenant of imposed conditions was due on February 15, 2014 and has been recorded by city personnel on February 6, 2015, Case No. DIR 1993-0979(RV)(PA4).

Analysis: Not in compliance.

28. [Unchanged] The property owner shall maintain the services of a qualified State Licensed Security service to provide security on and adjacent to the Motel premises at all times that the motel is open for business. Proof of such services shall be made available upon request of the Zoning Administrator.

Investigator Response: During site investigation, evidence of a qualified State Licensed Security guard was not observed on the premises. No documentation of services of a qualified State Licensed Security service was attached to Case No. DIR 93-0979(RV)(PA4).

Analysis: Not in compliance.

29. *[Deleted January 12, 2001]*

30. [Unchanged] The existing barbed wire on the north side of the subject property shall be removed within 30 days of the effective date of this action. Within 30 days of the effective date of this determination, the property owner/operator of the Ridge Motel shall provide evidence to the Zoning Administrator that the barbed wire has been removed. *[Amended, January 9, 2009]*

Investigator Response: No barbed wire was observed on the northerly portion of the subject property.

Analysis: In compliance.

31. [Added] The applicant shall defend, indemnify and hold harmless the City, its agents, officers, or employees from any claim, action or proceeding against the City or its agents, officers, or employees 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.

Investigator Response: Zoning Administrator's discretion.

Analysis: In compliance.

32. [Added] The motel shall be equipped with video cameras which provide a continuous view in the manager's office and of those portions of the property which are not visible from the office. The motel will allow law enforcement to review the effectiveness of the exterior video camera and shall record and maintain footage for a minimum of 60 days.

Investigator Response: During site investigation, staff observed five cameras. Two were installed in view of the walkway in the northerly portion of the property, one in front of the lobby entrance in view of Sepulveda Boulevard, one looking north in view of Archwood Street, and one in view of the walkway in the southerly portion of the property; however, proof of the effectiveness of the remotely controlled cameras within the manager's office was unavailable due to city-initiated application for Plan Approval.

Analysis: Could not be determined.

33. [Added] Pursuant to Los Angeles Municipal Code Section 12.27.1-C,2, the Director of Planning has imposed a condition directing the payment of a fee set forth in Section 19.01-P of the Los Angeles Municipal Code to cover the City's costs in processing this matter. If the decision is not appealed, then the amount shall be paid in full to the City of Los Angeles with confirmation of the payment being provided to the Director of within 30 days of the decision date. If an appeal is filed and the decision of the Director is upheld on appeal, then the fee shall be paid in full with confirmation made to the Director within 30 days of the effective date of the decision. If the Council reverses in total the decision of the Director, then no payment of fees other than the appeal fee specified in 19.01-P shall be required. (Standard Condition)

Investigator Response: Reimbursement fees have been paid in full by the owner/ operator on June 19, 2014 in the amount of \$3,396.89. An invoice and copy of the check is attached to the case file DIR 1993-0979(RV)(PA4).

Analysis: In compliance.

FINDINGS AND DISCUSSION

The motel was initially determined on March 18, 1994 to be a public nuisance as established in Section 12.27.1 of the Los Angeles Municipal Code. Through four Plan Approvals, the Zoning Administrator and City Council found that community allegations and police reports of nuisance and criminal activities were associated with the site, including failure to comply with required operating Conditions.

Based on submissions from the Los Angeles Police Department, the Zoning Administrator exercised the right on August 25, 2015 to consider the imposition of additional corrective Conditions and to review compliance with existing Conditions by requiring a Plan Approval. It appears that since the last review for compliance, there were continued violations, in particular Condition Nos. 8 and 28 requiring the implementation of private security services to prevent nuisance activities from occurring at the site.

During the public hearing, the property owner's daughter presented testimony that the property owner intended to discontinue the use of the subject site. She also stated that the property was in escrow proceedings pending final sale. Mike Engelman, the prospective buyer, stated at the public hearing to be in the process of purchasing the site. Since September 3, 2015, the subject property has been under the ownership of 6705 Sepulveda LLC with Mike Engelman listed as the agent of service for the property.

It is hereby determined that partial compliance has been achieved in the operation of the motel known as Ridge Motel and that nuisances associated with the operation of said motel still impact the surrounding residential and commercial properties. Nevertheless, the testimony and evidence does not suggest at this time that the level of nuisance warrants the revocation of the use of the site as a motel.

Although it appears the motel has changed ownership and is now vacant, the building has not been demolished as of the date of this Letter of Determination. It is therefore also determined that the Conditions contained herein are still necessary to ensure that the prior level of nuisance activity, which had been higher in the past, does not return. Therefore, the Conditions previously imposed are retained as modified herein to address the concerns of the surrounding community. The following modification to existing Conditions has been made based upon the current review:

CONDITION MODIFICATION

Condition No. 1 has been modified to require compliance review no later than twenty-four (24) months from the effective date to evaluate the use of the property, the effects of the use of the property, and all Conditions. If the property undergoes a change of use, as suggested during the public hearing, it may be considered during the future Plan Approval whether Conditions continue to be appropriate or should be eliminated on the subject site.

All other Conditions remain as previously imposed. It appears that if compliance could be achieved with previously imposed Conditions, the use could be made compatible with the surrounding neighborhood. As such, the continued imposition of the Conditions, including the Condition that has been modified, will assure neighbors that potential nuisance

problems will be kept under control. To determine whether the establishment addresses the concerns regarding nuisances associated with the operation of the business, the property owner/business operator is required by this action to file a future Plan Approval application for review of Condition compliance in twenty-four months, leaving open the possibility of future modification or addition of Conditions for abating nuisances at this location, as well as the possible removal of Conditions should the Zoning Administrator find that they are no longer necessary.

It is the purpose of these proceedings, under Ordinance No. 171,740, to provide a just and equitable method to be cumulative with and in addition to any other remedy available for the abatement of public nuisance activities.

It is further determined that the instant action by the Zoning Administrator is in compliance with Section 12.27.1 of the Municipal Code and has been conducted so as not to impair the constitutional right of any person. The owner/operator of the business has been afforded the opportunity to review the file in advance of the hearing, which was duly noticed, and testify and respond to the allegations concerning the impacts of the operation of the motel. The representatives of the property owner and the business owner/operator were in attendance at the public hearing held on August 27, 2015. Further, the Conditions imposed are not so onerous as to prevent the viable operation of the business.

Inquiries regarding this matter shall be directed to Tim Fargo, Planning staff for the Office of Zoning Administration at (213) 202-5407.

VINCENT P. BERTONI, AICP
Director of Planning



ALETA D. JAMES
Associate Zoning Administrator

ADJ:TJF:REG

cc: Councilmember Nury Martinez, Sixth District
Adjoining Property Owners
Public Hearing Sign-in / Notification Sheet: August 27, 2015

