

# MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

APPEAL TO THE: City Council  
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: CPC-2014-3258-CU-SPR-ZV-ZAA  
CEQA: ENV-2014-3259-MND

PROJECT ADDRESS: 11038, 11070, 11100 W Peoria St.

FINAL DATE TO APPEAL: June 3, 2015

- TYPE OF APPEAL:
1.  Appeal by Applicant
  2.  Appeal by a person, other than the applicant, claiming to be aggrieved
  3.  Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

\* IUS ADDITIONAL APPELLANTS - SEE ATTACHED

APPELLANT INFORMATION – Please print clearly

Name: KEITH MURPHY

- Are you filing for yourself or on behalf of another party, organization or company?  
 Self  Other: NEIGHBORHOOD ADJACENT TO THE PROPERTY (24 OWNERS)

Address: 9501 - 9503 CUYBURN AVE

SUN VALLEY, CA Zip: 91352

Telephone: 213-841-9698 E-mail: KEITHMURPHY@EARTHLINK.NET

- Are you filing to support the original applicant's position?  
 Yes  No

REPRESENTATIVE INFORMATION

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-mail: \_\_\_\_\_

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

**JUSTIFICATION/REASON FOR APPEALING** – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

- Entire  Part

Your justification/reason must state:

- The reasons 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

**ADDITIONAL INFORMATION/REQUIREMENTS**

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
  - Master Appeal Form
  - Justification/Reason for Appealing document
  - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K "Appeals from Building Department Determinations" are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

*"If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any."*

--CA Public Resources Code § 21151 (c)

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

Appellant Signature: Keith Muijen Date: 6/11/15

**Planning Staff Use Only**

Amount <u>106.80</u>	Reviewed and Accepted by <u>DENNIS CHEN</u>	Date <u>6/11/15</u>
Receipt No. <u>0201226217</u>	Deemed Complete by <u>Planning Staff</u>	Date <u>6/11/15</u>

Determination Authority Notified  
CPC & CP of EXHIBITS

Original Receipt and BTC Receipt (if original applicant)  
AGGRAVED HOMEOWNERS

EXHIBIT A  
TO MASTER APPEAL FORM

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Sun Valley, CA 91352

Keith O Munyan  
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Tina Eick  
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JD Barrale  
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BRAD SMITH  
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Victoria Geer  
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JASON VABEEK  
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Don and Pam Nesmith  
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LISA CHIARELLI  
10904 ELINDA PL  
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Frederick and Bernice Culbertson  
10975 Peoria St  
Sun Valley, Ca. 91352

CPC 2014-3250

RB 6/1/15



0.08 Miles  
400 Feet

Address: 11038 W PEORIA ST

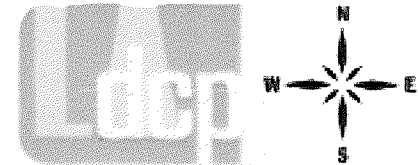
Tract: LOS ANGELES LAND AND  
WATER CO'S SUBDIVISION OF A  
PART OF MACLAY RANCHO

Zoning: A1-1XL-G

APN: 2538011013  
PIN #: 201B173 401

Block: 19  
Lot: 8  
Arb: 1

General Plan: Open Space



**EXHIBIT B**

## **BASIS FOR APPEAL TO LOS ANGELES CITY COUNCIL**

Re: CPC-2014-3258-CU-CPR-ZV-ZAA/ ENV-2014-3259-MND  
11038, 11070, 11100 W. Peoria Street

This appeal is filed by the residents and owners of properties in the neighborhood impacted by the height, multiple uses, traffic, location, and other matters listed in the appeal of the proposed 222,158 square foot film and television production studio and a multiple use warehouse facility with 322 vehicle parking spaces, 54 and 74 feet in height buildings and operational 24 hours a day/ 7 days a week at 11038, 11070, 11100 W. Peoria Street ("Project").

At the outset, the proposed Project is out of scale and incompatible with the immediately adjacent single-story single-family, equine-oriented residential community. This letter shall summarize our objections to the Project, as proposed, including the inadequacy of environmental review pursuant to ENV-2014-3259-MND ("the MND"). The Los Angeles City Council (hereinafter "City Council") needs to carefully review this Project in an independent manner and either deny the requested entitlements or require substantial revisions to minimize impacts to the adjacent single family community.

### **I. BACKGROUND**

Preliminary, City Council should know that the A-1-1XL-G (hereafter "A-1") zoning for the subject site was maintained for the sole purpose of providing a "green buffer" between the adjacent single family community and industrial uses. This buffer was a high priority for former City Councilmembers Joel Wachs and then Wendy Greuel who represented this area before the most recent redistricting. It was their decision to create and preserve in perpetuity the buffer in order to protect the existing residential community.

The need for such a "buffer" is as critical now as it has been over the past 20 years. City Council should recognize the importance of protecting this site from out of scale and incompatible development as proposed by the Project.

In addition to being critical, it is mandated by the Los Angeles City General Plan and Sun Valley Community Plan. The Project area is a portion of a reclaimed gravel pit under the California Surface Mining and Reclamation Act of 1975. As noted in the Sun Valley Community Plan,

"The City's Conservation Plan, an Element of the General Plan of the City of Los Angeles... provides guidelines for sand and gravel extractions... Reclamation of sand and gravel extraction sites for

recreation or open space uses is also proposed in the Conservation Plan” (Section 111-9)

Thus the City of Los Angeles General Plan proposes to use reclaimed gravel pits as open spaces, not 54 and 74 foot buildings with 322 parking spaces.

Additionally, the Sun Valley Community Plan Policy 3-1.4 speaks to the use of reclaimed gravel pits. One of the Programs under this policy states as follows:

“ Program: Where located near to residential areas, consideration should be given to setting aside portions of reclaimed sites for open space or recreational use” (Section III-11).

That is exactly what the City decided in this case in 1989 (under Councilman Wacks) and what the Applicant is trying to evade.

The proposed Project is located on Los Angeles County Assessor Parcel Number (APN) 2538-001-013 which is zoned A-1. This is the five acres closest to the RA-1-K property on Elinda and Peoria. The second parcel is located on a portion of the adjacent 15 acre parcel bearing APN 2538-001-014. This second parcel was also originally zoned A1-1XL-G. The owner at the time, sought and received a rezoning to (T)(Q) M2-1-G of the westerly most ten acres of the fifteen acre plot, APN 2538-001-014. The five acres of APN 2538-001-013 remained as a buffer to the RA-1-K residential property immediately adjacent to the homes on the easterly portion of the parcel. This was in conformity with the Los Angeles General Plan concerning reclaimed gravel pits and the above cited Program in the Sun Valley Community Plan. The rezoning of APN 2538-011-014, which left the easterly 5 acres as A1-1XL-G zoned open space, was in compliance with the law and created the buffer which was a condition for rezoning the property and is part of the same APN. APN 2538-011-013 is the additional 5 acre buffer. City Council cannot ignore that buffer by allowing the erection of a 54 and a 74 foot building with 322 parking spaces. For reference purposes attached hereto as Exhibit 1 is the Zimas Map of the property and attached hereto as Exhibit 2 is the Los Angeles County Assessor’s Parcel Map showing the properties are tied. The maintenance of the buffer was a condition for the rezoning. The Applicant cannot be allowed to evade the maintenance of the buffer zone, unless the other ten acres is rezoned to Agriculture.

## **II. THERE IS NOT SUBSTANTIAL EVIDENCE TO SUPPORT THE REQUIRED LEGAL FINDINGS FOR ALL PROJECT ENTITLEMENTS**

### **1. Los Angeles Municipal Code (“LAMC”) §12.24.1, Land Use Determination**

- a. The proposed use at the proposed location will not be proper in relation to adjacent uses;

The 222,185 square foot, 54 and 74 foot film and television production studio and multiple use warehouse facility will be located *just 38 feet from single-story, single-family, equestrian-oriented residential properties*. It seeks to operate at all times, 24-hours a day/ 7 days a week. The Project proposes a 28-foot road for vehicular access between the 54-foot multiple use multiple use warehouse and the immediately abutting residences. It must be noted that 28 feet is 4 feet larger than a standard private access roadway in the City of Los Angeles. In other words, the Project seeks to introduce an actual, full-size vehicular road immediately abutting this quiet, equine-oriented, residential community. These aspects of the Project are completely out of scale, out of character, and not proper in relation to the immediately abutting residential uses.

The Project site's description as "long vacant" and "languishing" are inaccurate and self-serving. The within lot appropriately serves a buffer between the industrial uses to the west and the residential/ horse keeping uses to the east. In 1989, Ordinance No. 164673 rezoned 30 acres adjacent to the Subject Site from agricultural to manufacturing.

As set forth in the Background section and as set forth herein, at that time, the City properly wanted to ensure a buffer between the residential/ horse keeping and manufacturing uses. In other words, the Project site is open space by express City policy and design.<sup>1</sup>

To say that a project of this size and intensity can serve as a "transition" between the residential uses to the east and the industrial uses to the west is disingenuous. The Project is egregiously incompatible with the single-story , single-family, equine uses to the east, and more intensive than the industrial uses to the west. In fact, the manufacturing zone to the southwest has a 20-foot height limit (by [Q] condition). This 54 and 74 foot Project in no way can be said to serve as a transition between 20-foot manufacturing use, and one-story single-family residences.<sup>2</sup>

The findings in the City's staff report focus on the Project's purported enhancement of the film and television industry in the *City of Los Angeles*, not the Project's propriety in relation to the actual adjacent use at the proposed location will not be in proper relation to the adjacent uses. Even the findings about the film studio project itself are

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<sup>1</sup> See letter from Tina Eick attached hereto as Exhibit 3 for additional points.

<sup>2</sup> See letter from William E. Eick attached hereto as Exhibit 4 for additional points.



disingenuous. The Applicant already has a film studio and multiple use warehouse in the City of Los Angeles. There are no new jobs or work. This is just rearranging the chess pieces on the same chess board.

b. The proposed use is not desirable to the public convenience or welfare;

Again, the 222,185 square foot, 54 and 74 foot film and television production studio and multiple use warehouse facility operating 24-hours a day/ 7 days a week is incompatible with both the immediately abutting single-story, single-family equestrian-oriented residential properties to the east and the limited-to-twenty-foot industrial/manufacturing uses to the west. It will introduce unprecedented numbers of employees, vendors, traffic, and noise immediately next door to a quite equine oriented neighborhood, all of which is in a "K" Supplemental Use District. The City enacted "K" Districts with the recognition that many Los Angeles communities have a long tradition of equine keeping which contribute to their distinctive character and quality-of-life. By enacting the "K" Districts, the City sought to preserve these equine uses by requiring regulations to assure that existing equestrian-oriented neighborhoods are preserved and that future developments in these areas continue to contribute to the City's rich equestrian tradition.

Although mindful of the City's broad policy to preserve the film industry, such cannot be accomplished in a manner which is inconsistent with good zoning/ planning practices, or with Ordinances previously adopted to preserve other uses. The introduction of this out of scale Project at the current location will threaten the peaceful existence of this equine neighborhood. Therefore, it is not desirable to the public convenience or welfare.

c. The use and location will not be consistent with the objectives of the various elements of the General Plan.

Pursuant to the LAMC, in making this determination of consistency, City Council shall consider whether the density, intensity, height and use of the proposed development are permitted by and compatible with the designated use, density, intensity, height set forth for adjacent and surrounding properties on the land use map of the applicable community or district plan and as those designations are further explained by any footnotes on the map and the text of the plan.

Here, the density, intensity and height of the Project, as proposed, are incompatible with both the immediately abutting single-story, single-family equestrian-oriented residential properties to the east and the 20-foot industrial/manufacturing uses to the west. The Project is a 222,185 square foot, 54 and 74 foot film and television

production studio facility and multiple use warehouse located just 38 feet from single-story, single-family equestrian-oriented residential properties. It seeks to operate at all times, 24-hours a day/ 7 days a week. It proposes a 28-foot road for vehicular access between the 54-foot multiple use multiple use warehouse and the immediately abutting residences, which is 4 feet larger than a standard private access roadway in the City of Los Angeles. It is not only inconsistent, it threatens the very existence of the equine uses which are supposed to be protected by the "K" Supplemental District which is an overlay on the residential neighborhood.

The Project is also inconsistent with Sun Valley-La Tuna Canyon Community Plan which explicitly provides for and encourages the *preservation* of existing residential neighborhoods, equine uses and retention single family and multi-family areas:

Policy 1-1.2: Protect existing single family resident neighborhoods from encroachment by higher density residential and other *incompatible* uses.

Policy 1-1.4: The City should promote neighborhood preservation in existing residential neighborhoods.

Objective 1-3: To preserve and enhance the varied and distinct residential character and integrity of existing single and multi-family neighborhoods.

Policy 1-3.1: Consider factors such as neighborhood character and identity, compatibility of land uses, impacts on livability, impacts on services and public facilities, impacts on traffic levels, and environmental impacts when changes in residential densities are proposed.

Objective 1-7: To insure compatibility between equestrian and other uses found in the RA Zone.

Objective 1-7.1: Place a high priority on the preservation of horse-keeping areas.

Objective 1-8: To promote and protect the existing rural, single-family equestrian oriented neighborhoods in RA zoned areas and "K" Supplemental Use Districts. To avoid precedent setting actions including zone variance, conditional use, or subdivision that might endanger the preservation of horse-keeping uses.

Objective 1-8.1: Protect existing single-family equestrian oriented neighborhoods and horse-keeping districts from encroachment by higher density residential and other incompatible uses.

Here, the Project proposes a 108,620 square foot, 54-foot multiple use multiple

use warehouse building just 38 feet from residential, equine oriented uses subject to the "K" District. It proposes an even higher 113,505 square, foot 74-foot building only a few hundred feet further, and a 28-foot road for vehicular access between the 54-foot multiple use multiple use warehouse and the immediately abutting residences. Certainly, there is nothing compatible about an over-height, over-massed Project next to a residential, equine oriented neighborhood. It fails to ensure compatibility between the equestrian uses and the proposed use. Therefore, the Project's proposed use and location will not be consistent with the objectives of the various elements of the General Plan.

## 2. LAMC §12.24.F. Conditional Use

a. The project will not enhance the built environment in the surrounding neighborhood nor will it perform a function or provide a service that is essential or beneficial to the community, city, or region;

As noted, the City's staff report with regard to this finding focuses on the Project's purported enhancement of the film and television industry in the *City of Los Angeles*, not that the Project is essential or beneficial to *this* community, city, or region. As such, it is legally inadequate. While mindful of the City's broad policies to preserve the film industry, such cannot be accomplished in a manner which is inconsistent with good zoning/planning practices, or with Ordinances previously adopted to preserve other uses. This Project is out of scale and incompatible with the surrounding neighborhood. It threatens the existence of the equine uses, which are supposed to be protected by the "K" Supplemental District and the Sun Valley-La Tuna Community Plan. Therefore, it will not enhance the built environment in the surrounding neighborhood and will not perform a function or provide a service that is essential or beneficial to the community, city, or region. Additionally, the Applicant already has a studio and a multiple use multiple use warehouse in the City of Los Angeles. This project will not enhance the Film Industry, it only moves it around within the City.

b. The project's location, size, height, operations and other significant features will not be compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety;

The Project proposes a 108,620 square foot, 54-foot multiple use multiple use warehouse building just 38 feet to the west of residential, equine oriented uses subject to the "K" District, and an even higher 113,505 square foot, 74 foot building a few hundred feet further. To the south west, the Project abuts manufacturing uses which are limited in height to 20 feet. The Project proposes a 28-foot road for vehicular access between the 54-foot multiple use warehouse and the immediately abutting

residences/equine uses and seeks to operate at all times, 24-hours a day/7 days a week.

As proposed, the Project threatens the existence of the equine uses, which are supposed to be protected by the "K" Supplemental District. It seeks to introduce unprecedented numbers of employees, vendors, traffic, and noise immediately next door to a quiet, single family equine oriented neighborhood. It will tower over the adjacent equine uses and residences, and the abutting manufacturing uses that are subject to a 20-foot height limit. Therefore, the Project's location, size, height, operations and features will not be compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.

c. The project does not substantially conform with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.

As stated above, the Project is inconsistent with Sun Valley-La Tuna Canyon Community Plan which explicitly provides for and encourages the *preservation* of existing residential neighborhoods, equine uses and the retention of single family and multi-family areas.

Running afoul of the Sun Valley-La Tuna Canyon Community Plan objectives 1-7.1 and 1-8, the City is on the cusp of a precedent setting action that will endanger the preservation of this horse-keeping area by introducing a use that is incompatible. Immediately to the North is the Vulcan Pit, an abandoned sand and gravel mining pit currently being filled with inert material on which development is next to occur. The granting of the within entitlements will provide precedent for further incompatible development at the Vulcan Pit site.

### 3. LAMC §16.05, Site Plan Review

a. The project is not in substantial conformance with the purposes, intent and provisions of the General Plan, applicable community plan, and any applicable specific plan;

For all the reasons stated hereinabove, the Project is inconsistent with the General Plan, the abutting "K" District, previous zoning determinations, the Sun Valley-La Tuna Canyon Community Plan and the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan.

b. The project does not consist of an arrangement of buildings and structures

(including height, bulk and setbacks), off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that are or will be compatible with existing and future development on adjacent properties and neighboring properties.

The Project consists of a 222,185 square foot film and television production studio facility with 320 vehicle parking spaces, 54 and 74 feet in height and operational 24 hours a day, 7 days a week. It proposes the 54-foot building just 38 feet away from single-story, single-family residences and equine uses, separated by an additional proposed 28-foot vehicular road. It proposes an even higher 74 foot building just a few hundred feet further. It ignores that fact that the residences/ equine uses are supposed to be protected by the "K" Supplemental District. It ignores the fact that the manufacturing uses to the southwest are restricted in height to 20-feet. It seeks reduced setbacks.

At the proposed height and scale, the project does not consist of an arrangement of buildings and structures, off-street parking facilities, loading areas, lighting, landscaping, trash collection, and other such pertinent improvements, that are or will be compatible with existing and future development on adjacent properties and neighboring properties. If this Project is approved as proposed, when residents of the single-family, equestrian oriented neighborhood look to the west, they will see nothing but a towering 54 and 74 foot film and television production studio facility and a multiple use warehouse. The Project will substantially degrade the existing visual character and quality of the surrounding residential community.

#### 4. LAMC §12.27, Variance-Signs

The Neighbors agree with staff that Zone Variance findings to permit the 48 square foot; two 40 square foot; and four 20 square foot signs cannot be made. Additionally:

- a. The strict application of the provisions of the zoning ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

As staff correctly points out, there are absolutely no practical difficulties or unnecessary hardship for the Applicant to comply with the zoning regulations as it relates to signs. The requested entitlements are excessive, to say the least. It is admitted that there will be at least a "light bleed" from the illuminated signs, which will greatly impact the adjacent residential and equine uses. There is nothing specifically unique to this particular parcel which warrants the granting a variance.

b. There are no special circumstances applicable to the subject property such as size, topography, location, or surroundings that do not apply generally to other property in the same zone and vicinity.

There are no special circumstances applicable to the subject property to warrant the requested signs. The size of the Project site, surrounding improvements and zoning are not unique to the area. The same regulations apply to all other lots in the vicinity of the Project.

c. The variance is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

Within the zoning standards, the Applicant has the ability to provide corporate identity with a sign complementary to the parcel's size. This restriction is no different than the other sites that are similarly planned and zoned, yet no other similar properties have been granted the requested variance.

d. The granting of the variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

It is admitted that there will be at least a "light bleed" from the illuminated signs, which will unduly affect the adjacent residential and equine uses. It will disturb this quite equine neighborhood, which is supposed to be protected by the "K" Supplemental District restrictions, especially during the night. Therefore, it will be materially detrimental to the public welfare or injurious to the property improvements in the same zone vicinity in which the property is located.

e. The granting of the variance will adversely affect the General Plan.

For all the reasons stated above, the Project is inconsistent with the General Plan, the abutting "K" District, previous zoning determinations and the Sun Valley-La Tuna Canyon Community Plan and the Sunland-Tujunga-Lake View Terrace-Shadow Hills-East La Tuna Canyon Community Plan. The requested signs will degrade the quite residential and equine uses and therefore will adversely affect the General Plan.

##### 5. LAMC § 12.27 Variance- Height of Multiple Use Warehouse

While the Appellants do not believe that any warehouse should be allowed on

site, they also object to any height variance for such facility.

a. The strict application of the provisions of the zoning ordinance would not result in practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations.

The Neighbors are opposed to the variance to allow an increase in the height of the multiple use warehouse from 30 feet to 54 feet. There is no hardship to the Applicant. The multiple use warehouse for the storage of materials and rental supplies are not allowed on this site. The items are not related to the "Film Studio" and must be stored elsewhere, such as the Applicant's existing warehouse in North Hollywood. The multiple use warehouse should not be in excess of 30 feet in height. The purpose of the zoning regulations is to prevent over sized structures next to residential dwellings.

b. There are no special circumstances applicable to the subject property such as size, topography, location, or surroundings that do not apply generally to other property in the same zone and vicinity.

There are no special circumstances applicable to the subject property which do not apply to the same zone and vicinity. To the contrary, warehouses are not permitted on A zoned property. This criteria for a variance leads to the conclusion that no variance should be allowed.

c. The variance is not necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of such special circumstances and practical difficulties or unnecessary hardships is denied to the property in question.

Granting this height variance would give the Applicant rights for an oversized warehouse on property zoned A, which no other entity in the same zone and vicinity possesses. This height variance would make the warehouse a stand alone eye sore and block the view corridor to the west.

d. The granting of the variance will be materially detrimental to the public welfare or injurious to the property or improvements in the same zone or vicinity in which the property is located.

Granting such a height variance is injurious to the property or improvements in the same zone in which the property is located. The immediately adjacent property consists of single story residential horse keeping properties. Having an oversized warehouse within 30 feet of said residences injures those properties by blocking views,

creating multiples uses 24 hours a day, 7 days a week which will be detrimental to the surrounding neighborhood.

e. The granting of the variance will adversely affect the General Plan.

The General Plan puts height restrictions on Agricultural zoned property. Allowing this height variance is like spot zoning and adversely effects the other surrounding A zoned properties. The General Plan is meant to provide consistency in like-zoned properties. This height variance request contradicts the General Plan.

#### 6. No Height Variance Was Sought For Film Studio

Even if this Project could meet the requirements for a Conditional Use Permit on an A zoned property, that does not mean it can exceed the 30 foot height limitations in an A zone. The Applicant never sought a height variance for the Film Studio. While film studios in some cases can be as tall as 125 feet, all or most of which are not applicable to this Project which does not allow outdoor stages or filming, there is nothing in the LAMC which allows that height by right in an A zone. The height limit in A zones is 30 feet and the Applicant never sought a variance from that 30 foot height. Therefore, as a matter of law, the "Film Studio", if approved, cannot exceed 30 feet in height. The purpose of the height limitations is to prevent out-of-size structures. The proposed 74 foot film studio would definitely fit that "out of size" description. The proposed warehouse as an additional use with the Film Studio needed a height variance. So too, the proposed Film Studio needs a height variance, which it never sought.

#### 7. Height Must Be Measured From Peoria Street Level

The appellants believe that portions of the property on which the Project is located are elevated about 6 feet above street level on Peoria. The height of all buildings must be measured level to Peoria Street otherwise the height of the structures will be even greater than the already oversized height requested by the Applicant.

### III. THE MND IS INADEQUATE AS A MATTER OF LAW

The MND Fails to Identify Potential Significant Impacts and Inadequately "Mitigates" Potential Significant Impacts Identified

As the City Council is aware, California Law supports the strong presumption in favor of requiring preparation of an Environmental Impact Report ("EIR") based on the "fair



argument” standard. Simply, whenever the record contains substantial evidence that a project may have a significant effect on the environment, there is a presumption that an EIR should be required. *Laurel Heights Improvement Assn v. Regents of University of California* (1993) 6 Cal.4th, 112,113; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.

The “fair argument” standard is a low threshold standard and reflects the strong public policy interest for resolving doubts in favor of a thorough environmental review. Where based on observation, the opinions and testimony from local residents are relevant to impacts such as aesthetics and traffic and constitute substantial evidence in support of a “fair argument” for an EIR. *Napa Citizens for Honest Government v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342,355-356; *Ocean View Estates Homeowners Ass’n, Inc. v. Montecito Water Dist.* (2004) 116 Cal.App.4th 396, 402; *Mejia v. City of Los Angeles* (2005) 130 Cal.App.4th 322.

Here a “fair argument” clearly exists that the Project will have potential significant adverse impacts not adequately addressed in the MND.

#### 1. Land Use And Planning

The MND *fails to find potential significant impact to an applicable land use plans* when the Project is clearly inconsistent with the General Plan, the abutting “K” District, previous zoning determinations and the Sun Valley-La Tuna Canyon Community Plan, as described in more detail hereinabove.

The MND’s analysis that the proposed landscaping and construction of a wall “respects” the residential community, in conference with the Sun Valley-La Tuna Canyon Community Plan is disingenuous. Any proposed landscaping will not alleviate the fact that 222,185 square foot, 54 and 74 foot buildings will be immediately adjacent to a single-story, single-family, equine oriented residential neighborhood. The landscaping and wall will not relieve the fact that when residents of this quiet neighborhood look up, they will see a towering 54 and 74 foot film and television production studio facility and warehouse over the wall and landscaping. The only way to adequately mitigate these impacts is to lower the height and density of the Project.

It must be noted that the MND conveniently leaves out the fact that the adjacent equine oriented neighborhood is protected as a “K” Supplemental District. It further conveniently ignores the history of the lot as an appropriate buffer between the residential/ equine uses and the manufacturing uses.

Again, running afoul of the Sun Valley-La Tuna Canyon Community Plan objectives 1-

7.1 and 1-8, with this Project the City is on the cusp of a precedent setting action that will endanger the preservation of this horse-keeping community by introducing a use that is so incompatible therewith. Immediately to the north is the Vulcan Pit, an abandoned sand and gravel mining pit currently being filled with inert material on which development is next to occur. The granting of the within entitlements will provide precedent for further incompatible development at that site. The City needs to place a high priority on the protection and preservation of this horse-keeping neighborhood.

## 2. Aesthetics

The MND concedes that the Project presents potential significant impacts to substantially degrade the existing visual character or quality of the Project site and its surroundings, yet offers *no mitigation measures* to alleviate these significant impacts after the construction is complete. Presumably this is because the only way to adequately mitigate existence of an over-height, over-massed 222,185 square foot, 54 and 74 foot film and television production studio facility and warehouse adjacent to single-story, single-family equestrian oriented residential properties is to significantly lower its height and density.

The “explanation” is that the placement of the 54-foot warehouse building 38 feet from the residences and the 74-foot building 350 feet from residences renders this Project not degrading to visual impacts is illusory; as is the MND’s self-serving statement that the “visual character of the site as viewed from adjacent residences would largely remain the same”. When the residents of the single-family neighborhood look up/ forward to the west, they will see a towering 54 and 74 foot film and television production studio facility and a warehouse over the proposed landscaping wall. This will undoubtedly substantially degrade the existing visual character view corridor and quality of the Project’s surroundings. The MND is deficient for its failure to analyze and properly mitigate these significant impacts on aesthetics.

## 3. Geology and Soils

The MND concedes that the Project poses potential significant impacts to (1) strong seismic ground shaking; (2) seismic-related ground failure including liquefaction; (3) substantial soil erosion or the loss of topsoil; (4) expansive soil creating substantial risks to life or property.

To alleviate these significant impacts, however, the only proposed mitigation measures are to conform to the California Building Code Standards; submit a future geotechnical report; comply with conditions stated in the Department of Building and

Safety's Geology and Soils Report Approval Letter, as it may be subsequently amended or modified; and submit a future grading plan.

Such conditions are boilerplate and inadequate as future unformulated conditions. The Project proposes 222,185 square foot, 54 and 74 foot buildings supported by pilings driven into the bedrock 85 feet below the surface. It is inconceivable that a geological report and grading plan not be required to be analyzed as part of the environmental review for this Project, rather than after the Project's approval. That is required by CEQA, and the only way to adequately provide for this review is an Environmental Impact Report.

#### 4. Hazards and Hazardous Materials

The MND concedes that pursuant to LADBS standards, the Project is located within a Methan Hazard Zone. However, it fails to identify that the landfill across the street ("Bradley Dump") is not entirely lined which allows methane gas to migrate. Therefore it is deficient in failing to adequately describe potential impacts of the methane gas.

To mitigate the methane gas emissions issues, the MND suggests that a qualified engineer should be hired to investigate. A condition to do further analysis or investigation is not a proper condition pursuant to CEQA. It deprives the public of the ability to properly assess and comment on any such analysis. Therefore, it is deficient.

#### 5. Noise

The MND concedes that the Project has potential of significant impact to noise in excess of standards established and generation of excessive ground borne vibration or ground bourne noise levels. Nevertheless, the only mitigation measures it proposes to mitigate such impacts are inadequate: a 6 foot landscape buffer; a 6 foot decorative masonry wall; wall and floor-ceiling assemblies only along the walls nearest the residences; no garage roll up doors on the side of the residences and a future landscape plan.

Such minimal mitigation measure will in no way relieve the significant impacts to noise caused by the introduction of the employees, vendors, and traffic generated by this 222,185 square foot studio and television production facility and warehouse, with its own 28 foot road, and operating 24 hours/ 7 days a week. The only way to actually mitigate the noise impacts here is to reduce the size and hours of the project.

#### 6. Transportation/ Circulation

It is inconceivable that the MND finds less than significant impact on transportation/ circulation for a 222,185 square foot film and television production studio facility and warehouse operational 24 hours a day / 7 days a week and which also introduces a 28 foot road for vehicular traffic between the 54 foot multiple use warehouse and immediately abutting residences, Further analysis into these issues needs to be conducted. Additional transportation/ circulation issues which were not addressed are as follows:

a. The applicant failed to include an alternative which would eliminate traffic on Peoria. The Applicant proposes that all traffic ingress and egress to his facility be on Peoria which is a main feeder street into and out of Shadow Hills. The applicant has 332 parking spaces and many of those people will use Peoria and Stonehurst to access this facility which will cause major traffic issues in a residential area. These issues were inadequately addressed in the MND.

The proposed project consists of Los Angeles County Assessor Parcel Number (APN) 2538-011-013 and 2538-011-014. A portion of APN 2538-011-014 consists of a 150 foot strip of land that connects the proposed project to Pendelton street which street is used almost exclusively for properties which are not residential. This 150 strip of land is zoned as a Parking Zone. The parking zone is defined by the LAMC as follows:

"Land classified as a "P" zone may also be classified in either an 'A' or 'R' Zone. The following regulations shall apply to the "P" Automobile Parking Zone:

A. Use- No building, structure or land shall be used and no building or structure shall be erected, structurally altered, enlarged, or maintained, except for the following uses, and, when a "Supplemental Use District" is created by the provisions of Article 3 of this chapter, for such uses as may be permitted therein:

1. Public or private parking areas (subject to the regulations of Section 12.21-A, 5 and 6), including the use of such parking areas for ingress to and egress from adjoining buildings."

This strip of land, as depicted on the Zimas Map set forth as Exhibit 1, which connects to the buildings proposed by the Applicant can be used for ingress and egress to the site. While a fire department emergency exit could still be available for Peoria, all of the film studio and warehouse traffic which will negatively impact the residential neighborhood (and cannot be mitigated), must be redirected to Pendleton Street, a

street which contains only industrial uses.

b. The Applicant failed to disclose the intended use of the remaining westerly 10 acres of APN 2538-011-014. Within the last 40 days, all of the stored vehicles on those 10 acres were removed and a fence was placed around the property. The parcel is being readied for development. Since the owner of that property is the same as the owner of the Project site, there is a duty to disclose that use and the traffic it will generate. The cumulative effect of these projects by the same landowner should have been, but were not, included in the MND or in the application. It should be noted that the Applicant is not the property owner and his/its rights to the property are not known.

c. The location of the gatehouse will cause traffic jams. The location of the gate house just off of Peoria will cause traffic jams and cuing of cars on Peoria. The Gate House for the project is immediately off Peoria. The purpose of the Gate House is to stop unauthorized people from entering the Project site. This will cause cars to line up on Peoria. The cars will be idling for more than 5 minutes which will subject them to the Air Quality controls since they will be a stationary source of pollution. If Peoria is to be the only point of ingress and egress, the Gate House must be set off of Peoria by 100 feet so as not to impede traffic on the public street.

#### **IV. ADDITIONAL ITEMS WHICH PRECLUDE ALL OR A PORTION OF THE PROPOSAL**

##### **1. The Proposed Use of the Multiple Use Warehouse is Illegal as a Matter of Law**

The 54 foot tall, 500 foot long multiple use warehouse, 38 feet from the residential RA-1-K horse keeping property is not allowed as a matter of law. While a conditional use permit may be allowed under certain circumstances, none actually exists in this case. Under some circumstances, uses related to a film studio are allowed but a Multiple Use Warehouse is not permitted. Los Angeles Municipal Code (LAMC) Section 12.24 U.15 provides under certain conditions for uses as follows:

“Motion picture and television studios and related incidental uses that are located on a motion picture or television studio site, in the A, R, or C Zones, when not permitted by right. These incidental uses may include, but are not limited to, film, video, audio and other media production, recording and broadcasting, sound labs, film editing, film video and audio processing, sets and props production, computer design, computer graphics, animation, offices and ancillary facilities related to those activities.”

Conspicuous by its absence is any reference to a “warehouse”. The code allows “sets and props production” but not the storing of such items.

The Applicant admits that such Multiple Use Warehouse is not permitted under the conditional use permit since he applied for a permit regarding a height variance to increase the height from 30 feet to 54 feet. Under the LAMC as interpreted by the Applicant, no such variance would be required if this structure were part of a “film and motion picture studio”. Since the Applicant (wrongfully) contends that such facility, with a conditional use permit, can reach 125 feet, the Applicant has thus conceded the issue that the Multiple Use Warehouse is not part of the film studio.

The City Council should be aware that the Project is much more than an entertainment industry facility. The Applicant’s warehouse business includes commercial uses such as events, rentals to third parties and party rentals. Use of rentals to third parties has not been identified or analyzed in the MND as a separate business and a separate use. Nor is such use allowed in the A-1 zone even with a conditional use permit. Attached hereto and collectively marked Exhibit 5 is an example of the Line 204 Event Website which details these multiple use warehouse activities, none of which by law are permissible on this Project site (for a full view, please refer to line204events.com). These uses are not permitted on this site under any set of circumstances and no variance was sought for this use. The Applicant already has a warehouse in North Hollywood from which he can run his unrelated event business. The traffic caused by this use was not addressed.

## 2. No Live Studio Audience Is Permissible

The Applicant attempted, at the last minute, to permit live studio audiences at the facility. That would create even further traffic problems not addressed in the Mitigated Negative Declaration. Since that was not addressed anywhere in the paperwork, that use was denied. At the end of the planning commission hearing, one of the commissioners volunteered that the Applicant could just tack that on at a later time even though its effects were not studied and were not part of the public hearing process. This is an outrageous attempt to circumvent the legal process. City Council should prohibit live audiences without new environmental documents and noticed public hearings. The Planning Commission was acting as an advocate for the Applicant which is not its lawful purpose.

## 3. Elinda Place Cul de Sac Should be Required

As originally proposed by the City Planning Department, the Applicant should

finish the cul de sac on Elinda Place.

**V. DENYING THIS PROJECT AT THIS LOCATION WILL NOT PREJUDICE ANYBODY**

The Applicant does not own the property apparently, he merely has an option to purchase. The owner of the property for all 20 acres in APN 2538-011-013 and 2538-011-014 is the same person/ entity. The film studio could be built by-right if it were moved 10 acres west so that it was on the properly zoned portion of that lot. This is merely an attempt by the landowner to turn the A-1 buffer zone property into a manufacturing zone without a zone change and then use his existing M zoned property for something else. He should use his M zoned property for M zoned uses and his A zoned property for A zoned uses.

**VI. THE NEIGHBORS REQUEST THE IMPOSITION OF THE FOLLOWING CONDITIONS IN THE EVENT THIS PROJECT IS NOT COMPLETELY DENIED**

1. Film/Production building height must be limited to 30 feet in height.
2. The Warehouse height limit must be limited to 30 feet in height.
3. Ingress and egress to studio property should be from Pendleton Street only. No Peoria access should be allowed except for fire trucks and emergency vehicles.
4. No multiple uses should be allowed on the Project site and no events/party rental business should be permitted.
5. Construction of a 40 ft roadway including a 35 ft curb radius cul de sac on Elinda Pl. should be required. (Per city recommendation)
6. Hours of operation should be 8 a.m. to 7 p.m., 6 days a week.
7. No pounding should be allowed for foundation work or installation of pylons.
8. The Buffer on east boundary of studio complex should be increased to 30 ft. before the wall and the neighboring homes and before any

access road.

9. No live audiences. (Per city recommendation report) shall be allowed without noticed public hearing and additional environmental documents.
10. No lights from the studio complex shall be allowed to bleed into surrounding neighborhoods of Elinda Pl. Elinda Way, Peoria St, Clybourn and Stonehurst. Predatory bird friendly lights should be installed.
11. No street permitted "insert", "camera car" or process trailer work generated from studio complex should be allowed on any adjacent streets including Peoria, Elinda Pl., Elinda Way, Clybourn, and Stonehurst.
12. No outside filming including gunfire tests, explosions or pre shoots should be allowed.
13. No on site water shall drain directly into Hansen Heights Channel. All on site water shall drain directly into city sewer system.
14. No on site dumping or disposal of gasoline, oil, paint, cleaners or toxic wastes shall be allowed.
15. No parking of trailers, trucks, porto potties, cargo container, buses, or food trucks shall be allowed on site for more than 24 hours every 48 hours. All such vehicles shall be identified and registered with the City and the applicant shall keep a log of the entrance and exit of those vehicles which log shall be emailed monthly to each address within a 500 foot radius of the project site.

## VII. CONCLUSION

For all of the foregoing reasons, the City Council should deny the Project, as proposed, or require the Applicant to make significant revisions to the Project after consulting with the neighbors. At a minimum, significant mitigation measures should be imposed to preserve the adjacent residential/ equine oriented neighborhood.



**EXHIBIT 1**



Address: 11070 W PEORIA ST

Tract: LOS ANGELES LAND AND  
WATER CO'S SUBDIVISION OF A  
PART OF MACLAY RANCHO

Zoning: A1-1XL-G

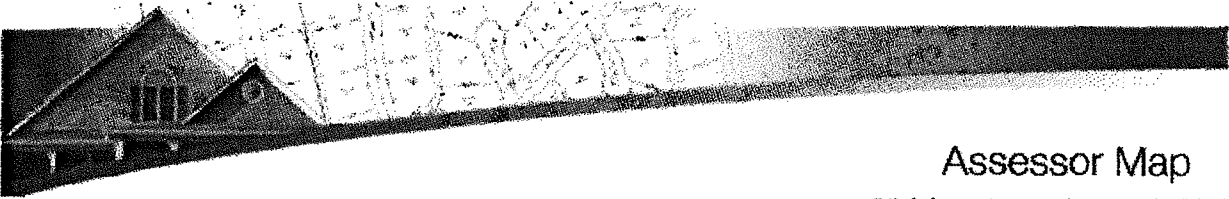
APN: 2538011014  
PIN #: 198B173 165

Block: 19  
Lot: 7  
Arb: 1

General Plan: Open Space



**EXHIBIT 2**

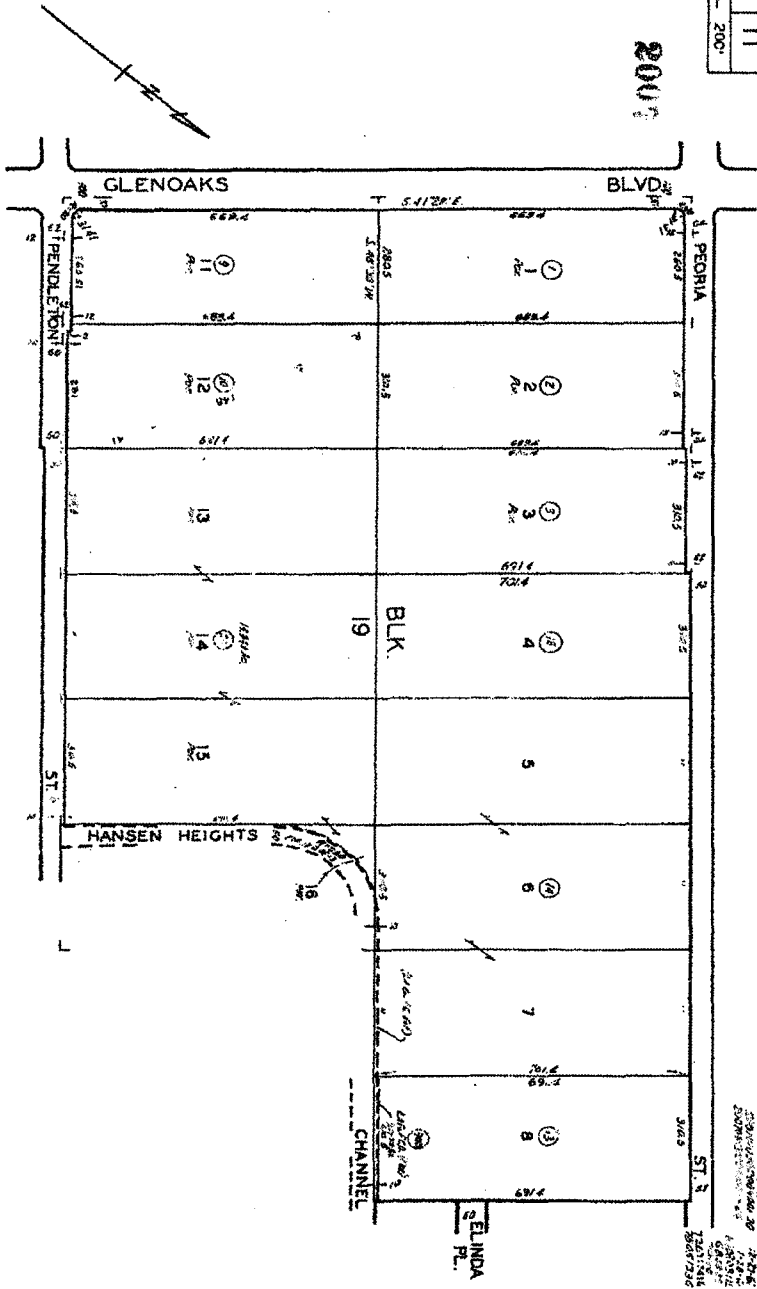


# Assessor Map

[Click here to get the map in PDF](#)

[Click here to get the map in TIF](#)

2538  
SCALE 1" = 200'



CORNER 13

FOR PREV. ASSMNT. SEE: G81-214  
2538-12

LOS ANGELES LAND AND WATER  
COS SUBDIVISION OF A PART  
OF MACLAY RANCHO  
M. B. 3-17-16

ASSISTANTS AND  
COUNTY OF LOS ANGELES, CALIF.

**EXHIBIT 3**

Justine M. Eick  
9647 Stonehurst Avenue  
Sun Valley, CA 91352  
(818) 353-6191

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February 16, 2015

Department of City Planning

Re: Case No: CPC-2014-3258-CU-SPR-ZV-ZAA  
CEQA No: ENV-2014-3259-MND  
11038, 11070 and 11100 W. Peoria Street

To Whom it May Concern:

This letter revises and supercedes my letter of February 10, 2015. As Land Use Chairman for the Shadow Hills Property Owners Association (SHPOA) during the 1980's, I was directly involved in the original decision regarding the property located at 11038, 11070, and 11100 W. Peoria Street, Shadow Hills, Case Number CPC-2014-3258-CU-SPR-ZV-ZAA.

Originally, the entire property was zoned A1 and was a sand and gravel pit mine owned by Conrock (later known as Calmat). When the mining was terminated, the City allowed Conrock (Calmat) to fill the hole with a mixture of water, silt, and sand. When the hole was filled in the 1970's, the owner applied to the City to change the entire parcel zoning from A1 to Manufacturing/Industrial. After a thorough investigation involving the City, the adjacent neighbors, and the SHPOA, the City decided that it would be incompatible to allow the entire parcel to be re-zoned as manufacturing/industrial and that a 10 acre buffer would exist between the manufacturing/industrial use and the residential use of the existing homes on Elinda Place and Peoria Street in the community of Shadow Hills thus, the City approved the zone change to manufacturing/industrial for all but the 10 acres adjacent to the homes. This decision guaranteed the continued quality of life for those residents adjacent to or near the proposed zone change. At the time of the decision, the City of Los Angeles wanted to assure the residents that good city planning demanded that Manufacturing/Industrial uses and residential uses be separated in order to minimize the negative impacts of noise, lights, traffic, and pollution that Manufacturing/Industrial uses inflict upon residential neighborhoods. Simply put, the two uses were/are incompatible.

Therefore, I am opposed to the proposed variance and CUP request for the following reasons:

1. Manufacturing/Industrial uses are not compatible adjacent to RA-I-K residential homes. It should be noted that the K overlay was adopted throughout the entire community of Shadow Hills during the 1970's. The overlay gives added protection for horses and farm animals in the RA zone, in order to guarantee a tranquil, rural setting for animal keeping. Manufacturing/Industrial uses and the accompanying negative impacts associated with a 24/7 facility, will cause irreparable harm to the rural, tranquil community of Shadow Hills.

2. The requested height variance violates the residential height limit by between 9 and 29 feet, creating an invasive land use. Adjacent home owners would no longer enjoy the privacy and tranquil safety of their own backyards.

3. The requested variance and CUP would set an unacceptable precedent for future decisions on former Calmat (now Vulcan) property, on the northeast side of Peoria Street, which will soon be asking for zoning changes, variances, or CUP's. This property abuts the westerly residential areas of Shadow Hills and would affect many more homes and a public elementary school. Again, major cities throughout the U.S. (Except Houston, Texas) have ruled that allowing Manufacturing/Industrial use adjacent to residential use is incompatible and bad city planning.

4. As stated above, the original decision reached by the city and accepted by the residents and the land owners in the 1989 rulings allowed the Manufacturing/Industrial use on most of the requested property but disallowed any change to the 10 acre A1 zone (currently under request) in order to protect and preserve the residential horse keeping neighborhood from Manufacturing/Industrial encroachment. We ask that this decision be upheld.

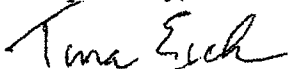
5. If the city grants this request, the nearby and adjacent homes' property values would drop. The community of Shadow Hills trusts that the City of Los Angeles will continue to protect the rural lifestyle and quality of life in which the local residents have invested their life savings, hopes, & dreams.

6. The findings needed to allow a conditional use permit do not exist in this case. Please refer to the letter from William E. Eick dated February 13, 2015.

7. After the meeting on February 10<sup>th</sup> with SVNC, it was clear that the developer intends to have multiple uses on the property including film studio, warehouse storage and apparently commercial retail for party supply rentals. These multiple uses will further aggravate the negative impacts of noise traffic and pollution and must be denied based on these incompatible uses adjacent to the rural residential horse keeping community of Shadow Hills.

Thank you for your time and consideration in this matter.

Respectfully,



Tina Eick,

Former Land Use Chairman of SHPOA and nearby homeowner

**EXHIBIT 4**



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josh@eickfreeborn.com

February 13, 2015

Sent Via Email: frank.quon@lacity.org

Mr. Frank Quon  
Hearing Officer  
Los Angeles Department of City Planning

*RE: Case No.: CPC-2014-3258-CU-SPR-ZV-ZAA*

Dear Mr. Quon,

I reside at 9647 Stonehurst Ave. Sun Valley, California. Either my wife or I have been the president or the landuse chairman of the Shadow Hill Property Owner's Association for over 35 years. We are familiar with this property and the granting of a Conditional Use Permit for a "film studio" and requested variances next to a RA-1K residential area is not allowed as a matter of fact and as a matter of law.

1. Inadequate Notice. Some of the neighbors immediately adjacent to this project report that they did not receive the appropriate city notice and thus their due process rights are being violated. I will provide the addresses for those properties once I have gathered all of them. This hearing must be continued to allow for proper notice.

2. The proposed project cannot meet the requirements for a Conditional Use Permit:

- 2.1 The Project Will Not Enhance the Built Environment in the Surrounding Neighborhood NOR Will it Perform a Function or Provide a Service that is Essential or Beneficial to the Community, City or Region. The proposed project is totally out of character for the community. This project is immediately adjacent to single story horse keeping properties. The applicant proposes construction of a 54 foot high building about 40 feet from residential/equestrian property lines. That is like having a five story building next to your house. A few hundred feet away from the 54 foot building is a 74 foot building That is like a seven story building next to a horse keeping residence.

Between the 54 foot high building and the horse keeping residences is a 28 foot road on which traffic will exit the site. That includes cars and trucks. That is like having a major thorough-fare at the back of your house. With 323 parking spaces there will be substantial traffic. This facility is set to operate 24 hours per day 7 days per week. This facility will NOT enhance the as built environment in the surrounding neighborhood.

Additionally this facility will NOT perform a function or provide a service that is essential or beneficial to the community, city or region. The "film studio" can be located in other parts of the city and not next to residences. There are a substantial number of "film studios" in the Los Angeles area and there is nothing unique about this location which is next to the residences.

The person who actually owns the 10 acres on which this project is proposed is the same person who owns the 10 acres to the immediate west. The applicant could move his project to that 10 acre parcel on which he probably would not even require a Conditional Use Permit.

One portion of the project is 54 feet tall, 500 foot long, 80,000 square foot warehouse where the applicant intends to store things. This is a warehouse use and not a film studio use. The applicant acknowledges that fact since it is seeking a variance from the 30 foot height restriction for the building but not for the "film studio". The applicant already has a warehouse space in other parts of the city. There is no need to put a 54 foot tall warehouse next to a residential horse keeping property. If there are some things needed to be stored for the "film studio", they could be stored off site in existing warehouse spaces not next to a residential horse keeping area. There is nothing essential or beneficial to having that warehouse located at the proposed location.

Not only is this not beneficial, but it is in fact detrimental and will set a terrible precedent for the area. Immediately to the North is the Vulcan Pit. This is an abandoned sand and gravel mining pit which is being filled with inert material as quickly as Vulcan can accomplish that. When filled, Vulcan will apply for permits to build other buildings on that site. The Vulcan pit also backs up to residences in Shadow Hills/Sun Valley and the Stonehurst Park. If Vulcan sees that the film studio applicant can build a 54 foot high monolith building within 40 feet of horse keeping residential properties it will want to do the same. This is a terrible precedent which

will come back to haunt the City.

There are overlapping facts such that the points in this section apply to other sections and the points in other sections apply to this section.

- 2.2 The Project's Location, Size, Height, Operations and Other Significant Features Will NOT Be Compatible with and WILL Adversely Affect or Further Degrade Adjacent Properties, the Surrounding Neighborhood or the Public Health, Welfare and Safety. This project is totally incompatible with the neighborhood and will degrade adjacent properties all as set forth above. In addition thereto, the 10 acre property immediately to the west was only allowed a zone change provided the 10 acres in question remained as an "Agricultural Zone".

In 1989 the 10 acres in question along with 30 additional acres which comprised the old Con Rock/Cal Mat gravel pit had been filled with silt and other material. The 1989 ordinance is No. 164673 a copy of which is enclosed changed part of the zoning to manufacturing. It incorporates the conditions of Ordinance 158704 as to sub-area 2 and Ordinance 157487 as to sub-area 3. A copy of these ordinances and a typed copy of those conditions is also attached.

The then owner wanted to change the zone for all of that property to manufacturing. That was rejected and the other 30 acres was allowed to be re-zoned as manufacturing with conditions and qualification. The important point is that the 10 acres now in question was left as an Agriculture Zone to act as a buffer between the residential/horse keeping zones and the Manufacturing Zone. This project attempts to erase the buffer and build even higher buildings with more space than is allowed in some of the current Manufacturing Zone.

In the Manufacturing Zone sub-area 2 to the south west of the subject property there is a two story height limit which I take to mean 30 feet and the square footage of any building cannot exceed 82,700 square feet. These height and space restrictions for the adjoining property are completely and blatantly ignored by the applicant. This proposed project is not compatible with the adjacent property on either side of the proposed project.

The approvals require 200 foot buffers between sub-area 1 and sub-areas 2 and 3. The reason no such 200 foot buffer was required between sub-area 1 and the proposed Agricultural Area, which is subject to the

application, is that the entire 10 acre subject property was the buffer.

- 2.3 The Project Substantially Does NOT Conform with the Purpose, Intent and Provisions of the General Plan, the Applicable Community Plan, and Any Applicable Specific Plan. The City of Los Angeles does not intentionally allow industrial projects next to residential equestrian properties. The only reason to allow or grant a Conditional Use Permit for a "film studio" in an agriculture zone, is if all the surrounding property is compatible with such use. In the case there is nothing compatible with this proposal and the adjacent residential horse keeping properties. It is not even compatible with the Manufacturing Zone.

3. No Variance Should be Allowed. The applicant cannot meet the requirements for a variance as to the square feet of the buildings. The industrial property to the south west is limited to 82,700 square feet. There is no reason to grant a variance to the applicant to far exceed the square footage of the other properties such that they would dwarf everything in sight.

Additionally the applicant refers to a low floor area ratio of about .5 to 1 and states that the FAR for agriculture zone is 3 to 1. The applicant conveniently ignores the fact that one of the conditions of the manufacturing property in sub-area 1 to the west only allows an FAR of 1.5 to 1. Additionally, given the heights of proposed buildings the FAR should be calculated as if every 12 feet were a separate floor for FAR calculation purposes. This would preclude any variance for additional square footage. Also, while difficult to calculate, it appears that these buildings already have multiple floors which may not have been used in the applicant's FAR calculations.

The signs are too big and violate the signage conditions of sub-area 3 of the adjacent property as set forth in the attachments.

4. Neighborhood Council Support Illusionary. Support of the FTNC and the SVNC for this project is suspect, The FTNC apparently voted in October of 2014 to approve this project. When I spoke to one elected member he thought that the maximum height of the project was 30 feet and was dismayed to learn the actual proposed height. I will be asking that the FTNC vote on this project again. I hope to have it placed on the agenda for the meeting immediately following the February meeting.

The SVNC voted to approve this project 8 to 7 in a meeting on February 10, 2015. The chair only allowed each person to speak for one minute and I believe that there were irregularities in the meeting which I will be addressing with the City Attorney.

All of the neighbors were only recently fully informed of this project when I went door to door passing out flyers for a next day meeting which was Sunday, February 8 at 4:00 pm in a neighbor's driveway. The community needs additional time to fully detail their concerns and present those concerns to you and to the appropriate people.

5. Request to Keep the Public Record Open. I request that if this application is not continued, that the public record remain open to 5:00 pm on March 17, 2015 to allow additional information to be presented. I am seeking city records which I believe are important, but which will take time to obtain.

6. Conditions of Approval. If a Conditional Use Permit is issued and the variance approved then in addition to other conditions that seem appropriate, the following conditions be imposed:

- 6.1 No building shall exceed 30 feet in height as measured from the middle of Peoria street.
- 6.2 The total square footage of the two buildings on the entire 10 acres shall not exceed 80,000 square feet each.
- 6.3 The applicant shall post no right turn signs for all vehicles exiting the property so that the adjoining Sun Valley/Shadow Hills neighborhood is not flooded with traffic. The City of Los Angeles should also post it's own signs so that it could give tickets to offenders.
- 6.4 No road used for ingress or egress shall be closer than 200 feet from the residential property to the east. An emergency ingress/egress lane 170 feet from those property lines is acceptable but it may only be used in the event of an emergency.
- 6.5 The applicant shall dedicate to the City of Los Angeles a 170 foot strip of land on the westerly most portion of the property and co-existent with the residential property lines. This property shall be used as a green belt buffer between the residences and the "film studio". Said buffer shall be maintained by the applicant and may be used as equestrian riding trails.
- 6.6 In addition to the green belt buffer, the west side of such buffer shall be separated by a brick wall at least 9 feet in height.
- 6.7 The applicant shall resurface both sides of Peoria from Glenoaks to it's easterly most exit. All speed bumps shall be maintained.

6.8 Applicant shall install cameras to monitor both the east and west bound traffic on Peoria to provide proof of speeding and proof that cars turn right out of the facility. This camera footage shall be maintained for 30 days and shall be made available to the Los Angeles Police Department or City Council District, 6 and 7 upon request of those entities.

6.9 The hours of outdoor operation shall be from 7:30 am to 7:00 pm.

6.10 No warehouse shall be allowed on site.

7. Environmental Impact Report. The applicant must prepare an environmental impact report for the project. A negative declaration is not adequate.

Very truly yours,



William E. Eick,  
Attorney at Law

WEE/cm

SHPOA:Quon letter

**Ordinance No. 158704**

1. That prior to the issuance of building permits, detailed development plans including a complete landscape plan shall be submitted to the Department of City Planning for approval.
2. The developer shall submit evidence by a person experienced in acoustical engineering specifying the CNEL contour in which the building will be located and based on such CNEL contours, the construction necessary to achieve an interior noise level not to exceed 80(Ldn) in any interior office building aircraft operation.
3. That all buildings constructed on the site shall have a total floor area not to exceed 82,700 square feet (excluding vehicular parking areas, areas under roof projections or other areas not completely enclosed by walls), nor exceed two stories in height.

**Ordinance No. 157487**

1. That the subject property shall be developed substantially in accordance with the plot plan, Exhibit PC10-5, attached to, Council File No. 82-0079, except as the City Council may subsequently approve a modification of the plan or as the subject, property may be required to meet the provisions set down by the Municipal Code and the conditions herein.
2. That all open areas not used for building driveways, parking areas, recreational facilities or walks shall be attractively landscaped in accordance with a landscape development plan prepared by a licensed landscape architect or licensed architect, Approved copies of such plans shall be submitted to the Department of Building and Safety before issuance of a building permit. All landscape areas shall be equipped with automatic sprinklers and shall be maintained in a first class condition at all times. All types of plants selected and required watering systems for such landscaping shall, to the extent possible, conserve water and shall be consistent with any water conservation ordinance enacted by the City. Further, all grading shall, to the extent possible, use "landform" grading techniques.
3. That all signs shall be of an identifying nature only, and shall not be of a flashing or animated type, shall be arranged and located so as not to be a distraction to vehicular traffic or adjacent residential areas and shall not be larger than 2 percent of the area of the side of the building which faces the primary street access.
4. That all lighting shall be directed onto the site, and no flood-lighting shall be located as to be seen directly by the adjacent residential areas. This condition shall not preclude the installation of low-level security lighting.
5. That any use of the property is devoted primarily to manufacturing, treating, warehousing and wholesale operations and any retail business is only incidental to the main use of the property.

57  
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POST

ORDINANCE NO. 164673

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CPC 1986-0448 GPC eff. 05/10/89

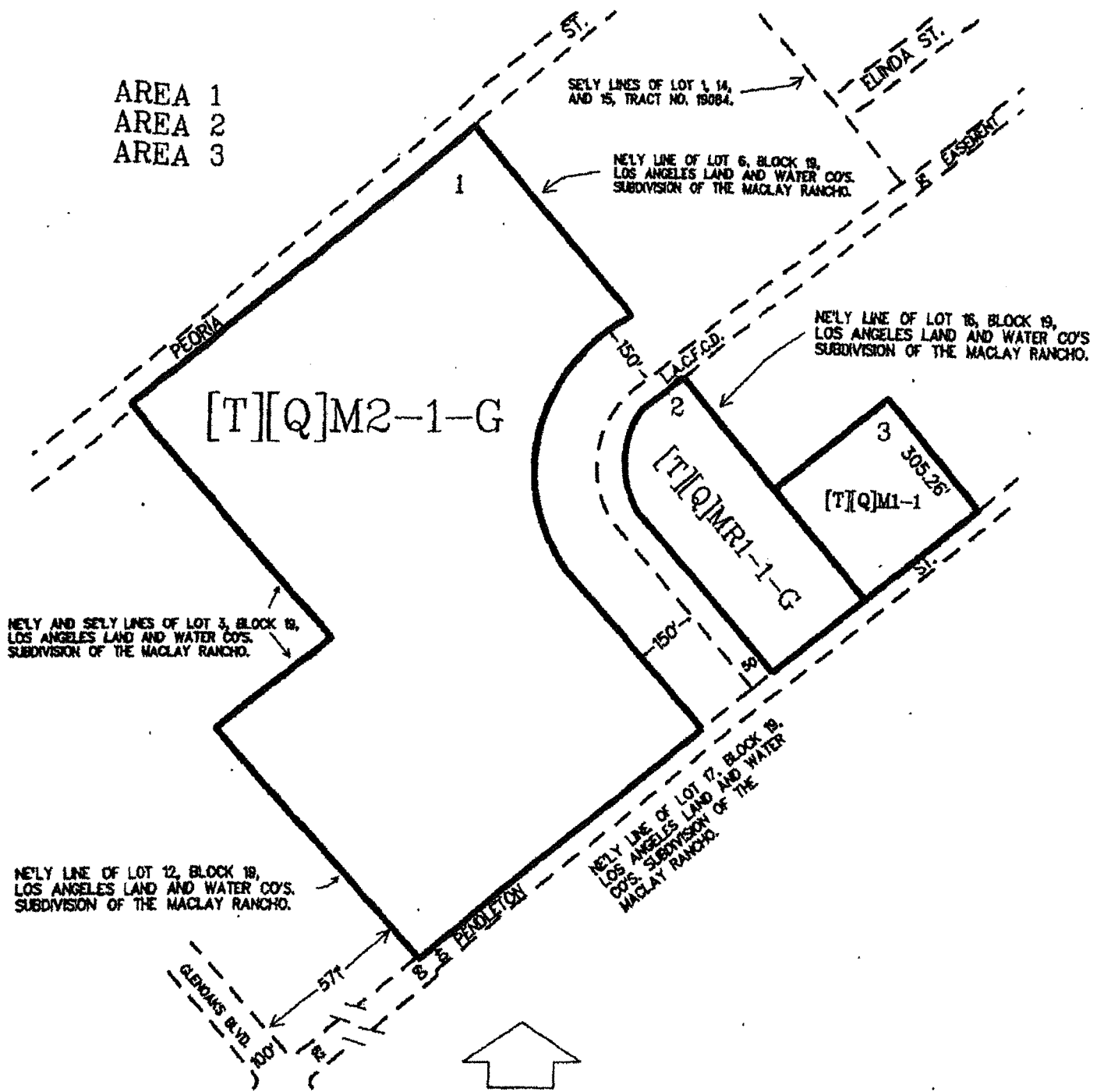
An ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map.

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zone map attached thereto and made a part of Article 2, Chapter 1 of the Los Angeles Municipal Code, so that such portion of the zoning map shall be as follows.



AREA 1  
 AREA 2  
 AREA 3



Z MAP No. 387	M.N. 7558	CPC 86-448 GPC
---------------	-----------	----------------

CMVE/JJB

AB283  
 08/88

SUN VALLEY I/R

1 Section 2. Pursuant to Section 12.32 K of the Los Angeles  
2 Municipal Code, and any amendment thereto, the following  
3 limitations are hereby imposed upon the use of that property  
4 as shown in Section 1 hereof which is subject to the  
5 Permanent [Q] Qualified classification.  
6

7 AREA 1

8 Floor area of main building may not exceed one and  
9 one-half times the buildable area of the lot.  
10

11 AREA 2

12 "Q" Conditions 1 through 3 described in Section 2 of  
13 Ordinance No. 158,704 are incorporated herein by this  
14 reference.  
15

16 AREA 3

17 "Q" Conditions 1 through 5 described in Section 2 of  
18 Ordinance No. 157,487 are incorporated herein by this  
19 reference.  
20

21  
22  
23  
24 IRSVS80.DOC  
25  
26  
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28

Sec. 3 The City Clerk shall certify to the passage of this ordinance and cause the same to be published by posting for ten days in three public places in the City of Los Angeles, to wit: one copy on the bulletin board located at the Main Street entrance to the City Hall of the City of Los Angeles; one copy on the bulletin board located at the east entrance to the Hall of Justice in said City; and one copy on the bulletin board located at the Temple Street entrance to the Hall of Records in the said City.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of MAR 21 1989

ELIAS MARTINEZ, City Clerk,

By Edward W. Addison  
Deputy.

Approved MAR 28 1989

Tom Bradley  
Mayor.

Approved as to Form and Legality

JAMES K. HAHN, City Attorney,

By \_\_\_\_\_  
Deputy.

File No. 87-0592-51

City Clerk Form 198

Consistent with Sec. 97.8 of the City Charter,  
approval of this ordinance recommended  
by the City Planning Commission

FEB 1 1989

See attached report  
Re Michael C. TORRES  
Director of Planning  
By M. J.

164673

DECLARATION OF POSTING ORDINANCE

I, MELISSA M. HERNANDEZ, state as follows:

I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 164673, entitled:

ZONE 4 HEIGHT DISTRICT CHANGE  
SUN VALLEY COMMUNITY DISTRICT OF THE  
NORTH VALLEY INDUSTRIAL/RESIDENTIAL PROTER

a copy of which is hereto attached, was finally adopted by the Council of the City of Los Angeles on March 21 19 89, and under direction of said Council and said City Clerk, pursuant to Section 31 of the Charter of the City of Los Angeles, on March 31 19 89

I posted a true copy of said ordinance at each of three public places located in the City of Los Angeles, California, as follows: one copy on the bulletin board at the Main Street entrance to City Hall of said City, one copy on the bulletin board at the east entrance to the Hall of Justice of the County of Los Angeles in said City, and one copy on the bulletin board at the Temple Street entrance to the Hall of Records of the County of Los Angeles in said City.

The copies of said ordinance posted as aforesaid were kept posted continuously and conspicuously for ten days, or more, beginning March 31 19 89 to and including May 11 19 89.

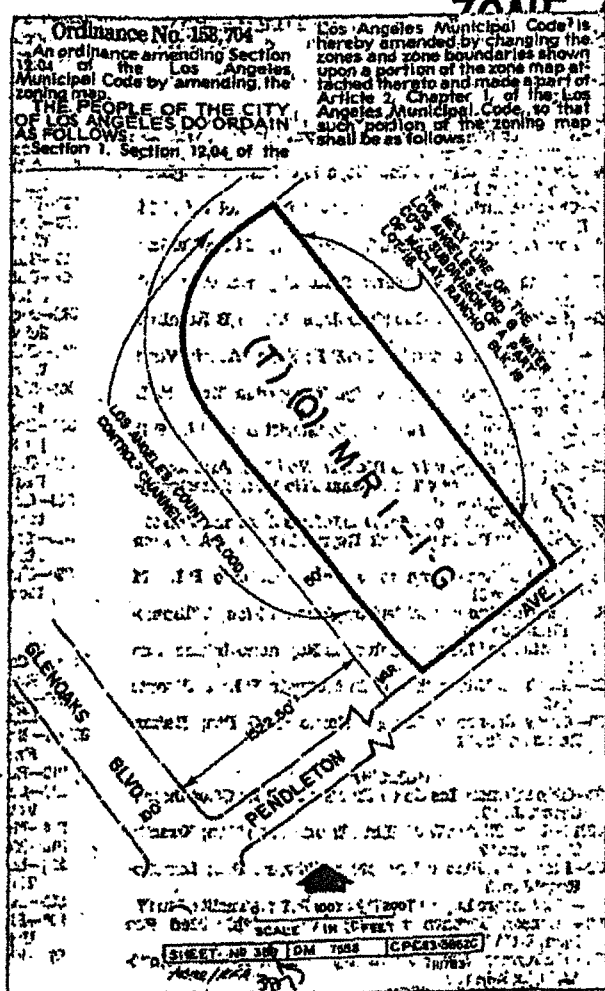
I declare under penalty of perjury that the foregoing is true and correct.

Signed this 30<sup>th</sup> day of March, 1989 at Los Angeles, California.

Melissa M. Hernandez  
DEPUTY CITY CLERK

Effective Date May 10, 1989

# ZONE CHANGE ORDINANCE SHEET



C.P.C. NO. 83-386 ZC

PUBLISHED DATE 2-16-84

EFFECTIVE DATE 3-18-84

D.M.-C.M. NO. 7558

PLATTED BY JHJ

DATE PLATTED 3-21-84

Z.M. NO. 389

PLATTED BY JHJ

DATE PLATTED 3-22-84

Sec. 2. Pursuant to Section 12.22 of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of that property shown in Section 1. hereof which is subject to the C-1 Qualified classification:

1. That prior to the issuance of building permits, detailed development plans, including a complete landscape plan, shall be submitted to the Department of City Planning for approval.

2. The developer shall submit evidence by a person experienced in acoustical engineering specifying the CNEL contour in which the building will be located and based on such CNEL contours, the construction necessary to achieve an interior noise level not to exceed 80 (L<sub>dn</sub>) in any interior office building aircraft operation.

3. That all buildings constructed on the site shall have a total floor area not to exceed 82,700 square feet (excluding vehicular parking areas, areas under roof projections or other areas not completely enclosed by walls), nor exceed two stories in height.

4. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I, the undersigned, do hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of February 1, 1984, in the presence of:

ELIAS MARTINEZ, City Clerk

Edward W. Ashdown, Deputy Mayor

Approved February 9, 1984

TOM BRADLEY, Mayor

File No. 13-7107 (DJG40933) February 1984

The following pages are not part of the published/posted Ordinance. They have been included as part of this document for internal use only, containing T and/or Q removal and Ordinance Termination letters.

LOG @ 1-21-87 (R)

CITY OF LOS ANGELES  
CALIFORNIA

DM } @ 8/24/86  
CARD }

CITY PLANNING  
COMMISSION  
DANIEL P. GARCIA  
PRESIDENT  
WILLIAM G. LUDDY  
VICE-PRESIDENT  
ROBERT J. ABERNETHY  
SAM BOTWIN  
SUZETTE NEIMAN  
RAMONA HARO  
SECRETARY



TOM BRADLEY  
MAYOR

DEPARTMENT OF  
CITY PLANNING  
Room 503 City Hall  
200 N. Spring St.  
Los Angeles, CA 90012-4856  
KENNETH C. TOPPING  
DIRECTOR  
KEI UYEDA  
DEPUTY DIRECTOR  
(213) 485-5073

Room 503, City Hall  
485-5071

Date: January 8, 1987

Wagner-Kerr Assoc.  
6740 Vesper Ave. #200  
Van Nuys, CA 91405

City Plan Case No. 83-386  
Sun Valley District  
Council District No. 7  
District Map No. 7558

ONE-YEAR EXTENSION OF TIME FOR (1) THE REMOVAL OF THE (T) TENTATIVE CLASSIFICATION AND (2) THE (Q) QUALIFICATION CHANGE OF ZONE FOR THE IMPLEMENTATION OF THE (T)(Q) MRI-1-G ZONE ESTABLISHED BY ORDINANCE NO. 158,704 EFFECTIVE MARCH 18, 1984, ON THE SUBJECT PROPERTY, LOCATED ON THE NORTHWEST SIDE OF PENDLETON AVENUE, BEGINNING APPROXIMATELY 1,572 FEET NORTHEAST OF GLENOAKS BOULEVARD.

Pursuant to provisions of Sections 12.32-A and 12.32-J of the Los Angeles Municipal Code or any amendment thereto, the Director of Planning finds that because of the depressed economic conditions and financial problems, the development of the subject site will be delayed and additional time will be required for the implementation of the (T)(Q)MRI-1-G Zone.

The ordinance establishing the (T)(Q)MRI-1-G Zone has been effective for three years of time and will terminate on March 18, 1987.

In response to a written application, a one-year extension of time is granted to March 18, 1988, within which to remove the (T) Tentative Classification and to commence substantial physical development of the property for one or more of the uses first permitted in order to secure the (Q) Qualified Zone.

Please be advised that Ordinance No. 157,612, effective May 26, 1983, permits two additional one-year time extensions for the implementation of the zone. If an additional time extension is desired, an application for time extension should be submitted prior to the expiration date.

Kenneth C. Topping  
Director of Planning

cc: Ramona Haro, Secretary  
City Planning Commission  
Room 503, City Hall

*Charles R. Speth*  
TERRY M. SPETH  
City Planner

Margaret Elwell, Supervisor  
Department of Building and Safety  
Cartographic Unit-Room M-80, City Hall  
STOP 115

BR:TMS:CJR:miv

Robert Alley  
Department of City Planning  
Drafting Unit - Room 500 A, City Hall

Valley Planning Branch  
STOP 398

CP-1087 (8/86)

# ZONE CHANGE MAP CORRECTION RECORD

C.P.C. NO. 30138

PUBLISHED DATE 3-10-83

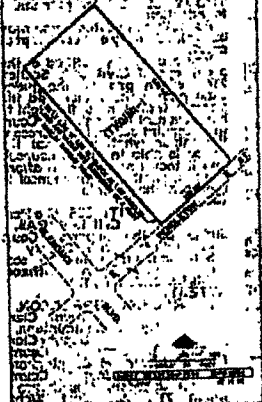
EFFECTIVE DATE 4-2-83

PLATTED JOB D. M. NO. 7558

PLATTED JOB Z. M. NO. 387

From RA-1 To (C)(O) M1-1  
(C)RS-1

see CPC 28758  
Ord. No. 153,835  
(eff. date: 6-21-80)

Ordinance No. 157487  
 1. That Ordinance amending Section 12.04 of the Los Angeles Municipal Code by amending the zoning map of the City of Los Angeles do ordain as follows:  
 2. Section 12.04 of the Los Angeles Municipal Code is hereby amended by changing the zones and zone boundaries shown upon a portion of the zoning map attached hereto and to read, in part, Article 12, Chapter 1, of the Los Angeles Municipal Code, so that such portion of the zoning map which is as follows:  


Sec. 2. Purposing Section 12.04 of the Los Angeles Municipal Code, the following limitations are hereby imposed upon the use of that property shown in Section 1 hereof which is subject to the following classification:  
 1. That the property shall be developed substantially in accordance with the plan plan, attached to and approved by the City Council, may subsequently require a modification of the plan as to the subject property and as to the provisions set forth by the Municipal Code and the conditions herein.  
 2. That all open areas not used for buildings, driveways, parking areas, recreational facilities or walks shall be attractively landscaped in accordance with landscape development plan prepared by a licensed landscape architect. Copies of such plans shall be submitted to the Department of Building before issuance of a building permit. All landscaped areas shall be equipped with automatic sprinklers and shall be maintained at all times. All types of plants selected and required watering systems for such landscaping shall, to the extent possible, conserve water and shall be consistent with any water conservation ordinance enacted by the City. Further, all grading shall, to the extent possible use "landform" grading techniques.  
 3. That all signs shall be of an identifying nature only, and shall not be of a flashing or animated type, shall be strapped and located so as not to be a distraction to vehicular traffic or adjacent residential areas, and shall not be larger than 5 percent of the area of the side of the building which faces the primary street access.  
 4. That all lighting shall be directed onto the site, and no flood-lighting shall be located as to be seen directly by the adjacent residential areas. This condition shall not preclude the installation of low-level security lighting.  
 5. That any use of the property is devoted primarily to manufacturing, wholesaling, retailing and wholesale operations, and any retail business is only incidental to the main use of the property.  
 Sec. 3. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.  
 I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, by a vote of not less than two-thirds of all of its members, at its meeting of February 18, 1983.  
 ELIAS MARTINEZ,  
 City Clerk  
 By Edward W. Ashdown, Deputy,  
 Approved February 22, 1983  
 TOM BRADLEY,  
 Mayor.  
 File No. 82-0079  
 (DJG3274) Mar 10



The following pages are not part of the published/posted Ordinance. They have been included as part of this document for internal use only, containing T and/or Q removal and Ordinance Termination letters.

CITY PLANNING  
COMMISSION

DANIEL P. GARCIA  
PRESIDENT  
WILLIAM G. LUDDY  
VICE-PRESIDENT  
ROBERT J. ABERNETHY  
SAM BOTWIN  
SUZETTE NEIMAN

CITY OF LOS ANGELES  
CALIFORNIA



TOM BRADLEY  
MAYOR

LOG ✓  
DM ✓ JES 07/29/86  
cond @ 8/21/86  
DEPARTMENT OF  
CITY PLANNING  
561 CITY HALL  
LOS ANGELES, CA 90012  
CALVIN S. HAMILTON  
DIRECTOR  
KEI UYEDA  
DEPUTY DIRECTOR

Date: June 24, 1986

Wagner-Kerr Assoc.  
6740 Vesper Ave. Ste. 200  
Van Nuys, CA 91405  
Attn: Bonnie Welner

City Plan Case No. 30138  
Sun Valley District  
Council District No. 1  
District Map No. 7558

ONE-YEAR EXTENSION OF TIME FOR (1) THE REMOVAL OF THE (T) TENTATIVE CLASSIFICATION AND (2) THE (Q) QUALIFICATION CHANGE OF ZONE FOR THE IMPLEMENTATION OF THE (T)(Q)M1-1 ZONE ESTABLISHED BY ORDINANCE NO. 157,487 EFFECTIVE APRIL 10, 1983, ON THE SUBJECT PROPERTY, LOCATED ON THE NORTHWESTERLY SIDE OF PENDLETON STREET BEGINNING APPROXIMATELY 271 FEET SOUTHWEST OF CLYBOURNE AVENUE.

Pursuant to provisions of Sections 12.32-A and 12.32-J of the Los Angeles Municipal Code or any amendment thereto, the Director of Planning finds that because of the depressed economic conditions and financial problems, the development of the subject site will be delayed and additional time will be required for the implementation of the (T)(Q)M1-1 Zones.

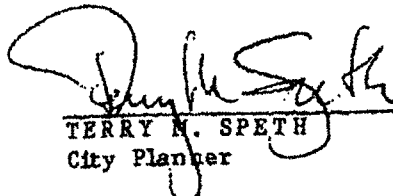
The ordinance establishing the (T)(Q)M1-1 Zones has been effective for three years of time and will terminate on April 10, 1986.

In response to a written application, a one-year extension of time is granted to April 10, 1987, within which to remove the (T) Tentative Classification and to commence substantial physical development of the property for one or more of the uses first permitted in order to secure the (Q) Qualified Zone.

Please be advised that Ordinance No. 157,612, effective May 26, 1983, permits two additional one-year time extensions for the implementation of the zone. If an additional time extension is desired, an application for time extension should be submitted prior to the expiration date.

Calvin S. Hamilton  
Director of Planning

cc: Ramona Haro, Secretary  
City Planning Commission  
Room 503, City Hall

  
TERRY N. SPETH  
City Planner

Margaret Elwell, Supervisor  
Department of Building and Safety  
Cartographic Unit-Room M-80, City Hall  
STOP 115

BR:TMS:CR:mw

Robert Alley  
Department of City Planning  
Drafting Unit - Room 500 A, City Hall

## EICK & FREEBORN, LLP

ATTORNEYS AT LAW  
2604 FOOTHILL BLVD. STE C  
LA CRESCENTA, CA 91214

Telephone (818) 248-0050  
Facsimile (818) 248-2473  
www.eickfreeborn.com

WILLIAM E. EICK, ESQ.  
bill@eickfreeborn.com

TORI J. FREEBORN, ESQ.  
tori@eickfreeborn.com

JOSHUA C. FREEBORN, ESQ.  
josh@eickfreeborn.com

February 16, 2015

Sent Via Email: frank.quon@lacity.org

Mr. Frank Quon  
Hearing Officer  
Los Angeles Department of City Planning

*RE: Case No.: CPC-2014-3258-CU-SPR-ZV-ZAA*  
11038, 11070 and 11100 W. Peoria Street

Dear Mr. Quon,

This letter supplements my letter to you of February 13, 2015 as follows:

1. Inadequate Notice. The names and addresses of the persons who said they had not received notice are as follows:

- 1.1 11014 Peoria - Vanbeek
- 1.2 10962 Peoria - Arnold
- 1.3 10975 Peoria - Culbertson
- 1.4 10972 Peoria - Wotherspoon
- 1.5 10986 Elinda - Place Schad
- 1.6 10972 Elinda - Place Acton
- 1.7 10923 Elinda - Place Eich (not related to me)

Additionally, notice should be given to all residences within 2,000 feet as they will be directly impacted by the traffic and by the terrible precedent this will set for buffers for the other gravel pits once they are filled and land use regarding designation is sought.

2. The section with respect to traffic should have included that no cars, trucks or vehicles should be allowed to turn left from Peoria into the proposed site in addition to the prohibition of vehicles exiting the property and turning to the right.

Unless the traffic is prohibited, the vehicles will clog Peoria and Stonehurst on their way to or from Sunland Blvd which is already heavily impacted by cars going to and from the Stonehurst Ave school.

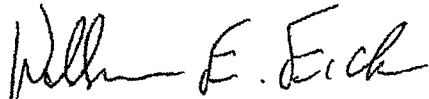
Mr. Frank Quon  
Re: Case No.: CPC-2014-3258-CU-SPR-ZV-ZAA  
February 16, 2015  
Page 2 of 2

3. On page 7, section 6.5 the word "westerly" should be "easterly".

4. This 80,000 square foot warehouse apparently will be used to house items which will be rented to third parties offsite and unrelated to this alleged "film studio". This cannot be part of the conditional use permit.

I appreciate your attention to this matter. The applicant is not entitled to this project as a matter of right and it cannot meet the requirements to qualify for a conditional use permit or a variance.

Very truly yours,



William E. Eick,  
Attorney at Law

WEE/cm

SHPOA:Quon letter.2

**EXHIBIT 5**



### SPECIALITY FILM & EVENT RENTALS SMOTHERED IN GENUINE SOUTHERN HOSPITALITY

With a 40,000 sq. ft. warehouse, housing Hollywood's cream of the crop party rentals, 204 can outfit events of all sizes and spectrums, including: production-based wrap parties, launch parties, corporate events and concerts, extravagant celebrations, like weddings, bar mitzvahs and charity galas. Call any of our event coordinators with your concepts today!

### SERVICES WE OFFER

Event & Design Consultation, on-site Stand-By Event Manager, CAD & 3D Renderings, Event Munciple Permitting, Custom Lighting and Design Staging, Truss, AV, Prop House Decor/Set Design, Custom Graphics and Signage, Custom Furniture Custom Linens and Drapery, Custom Wood and Metal Fixtures Delivery, Set Up and Teardown, 24/7 Installation and On-Call Service, Fencing and Crowd Control, Custom Flooring and Scaffolding, Generator/Power Distribution, VIP Portable Toilets, Scullery Equipment and Service ...and even more!



# 204 EVENTS



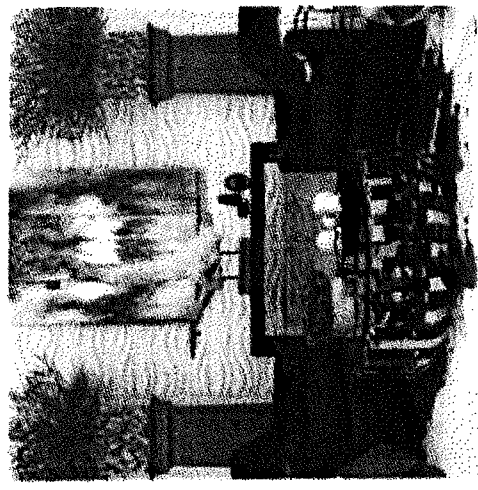
## FEATURED DESIGNER, FEBRUARY 2015: ALIANA RUBINS

Aliana Rubins may be petite in stature, but her ideas are grand! Originally from Azerbaijan, Baku, she started her career in the US as a makeup artist in the fashion and beauty industry. Helping [...] [Read More](#)



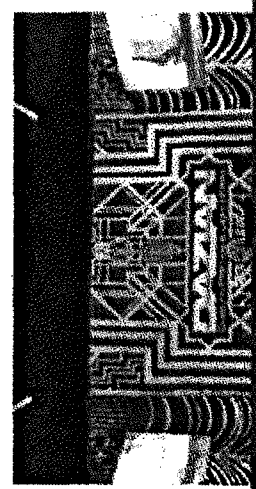
## FEATURED DESIGNER, DECEMBER 2014: WAYNE GURNICK

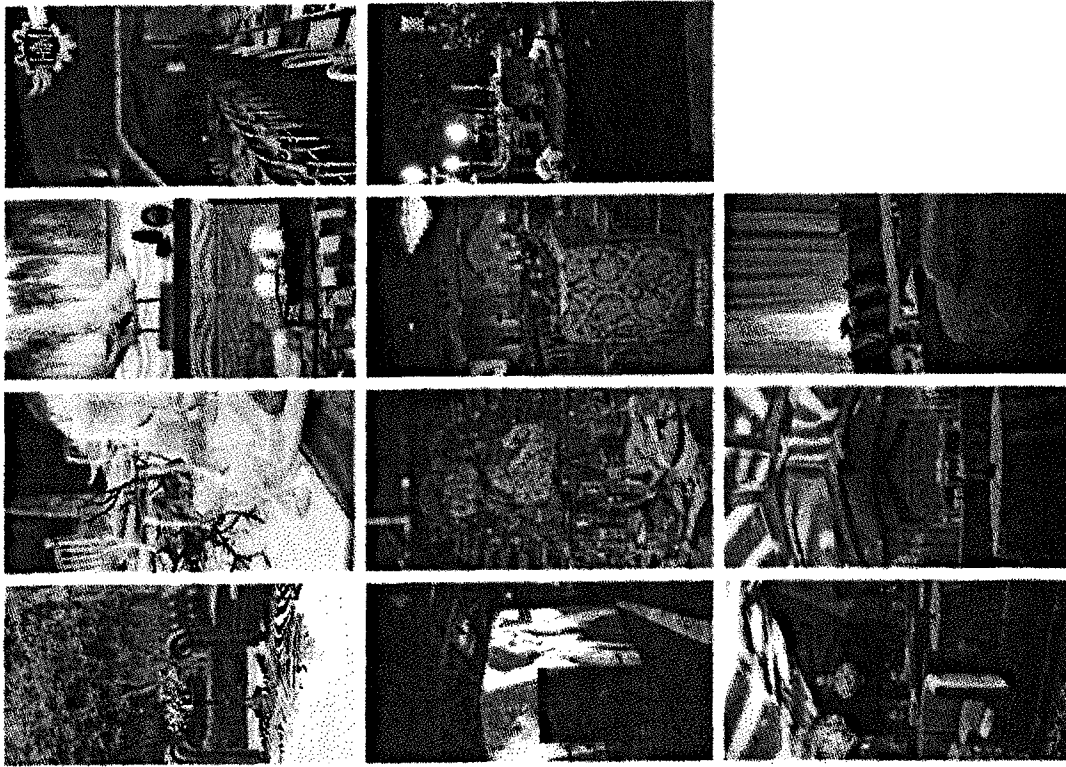
204 Events' December Featured Designer is Wayne Gurnick. Last week I watched him erect a 20+ foot tree constructed from a myriad of exciting items he found in our event and prop showroom. He's [...] [Read More](#)



## FEATURED DESIGNERS, NOVEMBER 2014: RUSSELL HARRIS AND EDDIE ZARATSIAN

Russell Harris and Eddie Zaratsian are both best friends and design collaborators, but they're also genuine down-to-Earth, funny guys. I sat down with them while they set up their Winter [...] [Read More](#)









4 BURNER STOVE  
BLACK  
COMMERCIAL LPG



6 BURNER GAS  
COOKTOP



6 BURNER GAS  
COMMERCIAL STOVE



4 BURNER HOT PLATE



COMMERCIAL COUNTER  
TOP BURNER



156 INCH TOP  
BAR TABLE



6 BURNER GAS  
COMMERCIAL UNIT



6 BURNER GAS  
COMMERCIAL LPG



6 BURNER GAS



6 BURNER GAS



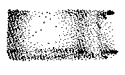
156 INCH TOP  
BAR TABLE



6 BURNER GAS



6 BURNER GAS  
REFRIGERATOR



SINGLE DOOR  
REFRIGERATOR



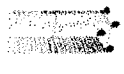
156 INCH TOP  
BAR TABLE



OPEN SHELVING  
COMMERCIAL



6 BURNER GAS



6 BURNER GAS



6 BURNER GAS



6 BURNER GAS



6 BURNER GAS



6 BURNER GAS



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6 BURNER GAS



6 BURNER GAS

