

June 26, 2011

Ed Reyes, Chair
Jose Huizar, Vice Chair
Mitchell Englander, Member
Planning and Land Use Management Committee
City of Los Angeles
200 North Spring Street, RM 395
Los Angeles: Sharon Gin, Legislative Assistant

RE: Chabad of North Hollywood – ZA 2007-4635(CU)(ZV)(ZAA)(ZAI)
13079 West Chandler Boulevard

Council File Nos. 091388 and 12-0561

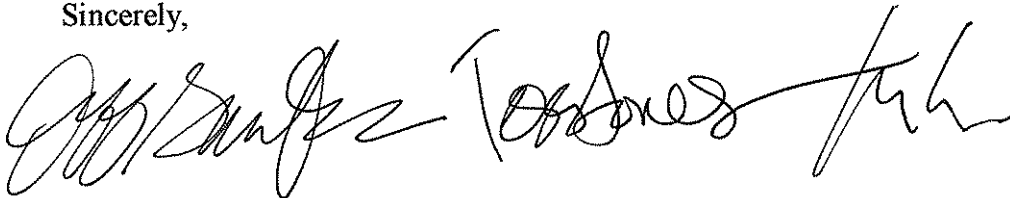
Dear Mr. Reyes,

Attached for your review and consideration please find a list of new evidence in this matter - pursuant to LAMC 12.27 K- that must first be considered by the zoning administrator as part of an augmented record before the City Council considers any land use entitlements on this project.

The purported findings and proposed conditions submitted to PLUM by Chabad's legal representatives on June 20 and 21, 2012 are not those of the zoning administrators and fail to properly address the issues related in this matter.

We ask that PLUM follow the law and recommend that the City Council first identify the new evidence in this case and then direct the zoning administrator to consider this new evidence on remand as per 12.27 K thus expanding the administrative record to incorporate the new evidence laid out in the following pages.

Sincerely,



Jeff Gantman, Tess Jones, Mitch Ramin

West Chandler Boulevard Neighborhood Association
12400 Ventura Boulevard # 202 Studio City CA 91604 • (818)538-4401 •
westchandlerassoc@gmail.com

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New Evidence
Council File 09-1388 and 12-0561
Chabad of North Hollywood - 13079 Chandler Blvd.

The following information is new evidence that was not before the zoning administrator at the time of her original determination in 2008. In light of this new evidence, as per LAMC 12.27K and the Writ of Mandate dated April 4, 2012, PLUM must return this matter back to City Council and recommend that the matter go back to the Zoning Administrator for a full and thorough review prior to any further action is taken on this matter..

New Evidence Item # 1

Project Plans - Difference between the project the ZA granted versus the plans the City Council approved and the plans that were ultimately signed off on.

Chabad's unlawfully granted a 12,000 sq. ft building with a minimum of 20% of said square Footage located within a basement level. Of which 1,000 square feet must be used for storage purposes, a 3,370 sq. ft. combined synagogue/multipurpose room, a variance for 5 parking spaces in lieu of the 97 required parking spaces. In accordance with the provisions of the Municipal Code, the facility shall not exceed a height of 33 feet if the uppermost roof has a slope greater or equal to 25%. If the roof has a slope below 25%, the height shall not exceed 28 feet. **(This plan was negotiated in secret by jack Weiss and Chabad. It was never reviewed by the Zoning Administrator prior to approval and constitutes new evidence)**

Versus what the ZA granted on November 25, 2008

Zoning Administrator issued her determination that Chabad's building project not exceed 10,300 sq. ft, a minimum of 40% of said square footage shall be located within a basement level. 2,400 sq. ft. combined multi-purpose room & synagogue, a variance for 5 parking spaces in lieu of the 68 required parking spaces. In accordance with the provisions of the Municipal Code, the facility shall not exceed a height of 33 feet if the uppermost roof has a slope greater or equal to 25%. If the roof has a slope below 25%, the height shall not exceed 28 feet.

The final approved plans (Jan 26, 2011) for this project differ considerably and where not before the ZA during her original determination this includes:

Basement floor at 5,954 square feet and first floor square footage at 6,003 for a total of 11,957 square feet building. A 3096 combined synagogue/multipurpose room.

The square footage of 3096 indicated on the approved Jan 26, 2011 plans differs from the square footage of 3,370 for combined synagogue/multipurpose room approved by City Council on 6/18/09 and remains on Mr. Resnick's conditions submitted to PLUM on June 21, 2011.

This is significant because the change to the square footage of this space is what triggers the parking variance and again in the conditions filed by Mr. Resnick to PLUM on June 21, 2012, the figures sighted for the parking variance, remain based on 3,370 sq ft for combined synagogue/multipurpose room and state "to permit 5 parking space in lieu of 96 required". They do not reflect the changes made to the plans for the building as it is currently being built with a 3096 sq ft combined synagogue/multipurpose area.

Mr. Reznik's conditions also erroneously indicate in Condition 8 that "a minimum of 20% of said square footage shall be located with the basement level.", when in fact now nearly 50% of the building is in the basement.

New Evidence Item # 2

Off-Site Parking Arrangement

On February 27, 2008, Chabad submitted a copy of a parking arrangement they had with LA Valley College that the ZA deemed as too general, in part because it did not represent a firm commitment and was not "a lease" for off-site parking.

On July 12, 2010, Chabad again submitted to the ZA virtually the same Civic Center Permit (See EXHIBIT A) which says that the use of the college facilities may be granted only when the property is not needed for college purposes and if any spaces are available at the time desired. This parking arrangement is non-evergreen; it is not a formal lease or a contract, can be revoked at any time and is valid only for a *maximum of 14 events per year*. The agreement does not guarantee Chabad any parking spaces on any given date. Furthermore, Chabad had this arrangement from 5/11/10 to 3/17/12 and not once did they use it, nor have they renewed this agreement.

These facts, coupled with the provision in Condition 15 which states, "that events such as a circumcision ceremony, where timing prevent the securing of any off-site parking shall be exempt from the requirement" virtually guarantees non compliance. Any event that Chabad might stage will lead to increased traffic and parking challenges throughout the streets of the surrounding neighborhood. Condition 15 also requires off-site parking for a minimum of 90 cars. Valley College will allow, if parking spots are available, *up to most 90* parking spaces.

In addition, per the parking arrangement, even if Chabad arranges well in advance for parking, Chabad must call 48 hours prior to pick up the parking passes. However, even within this time frame, should the college suddenly need those spaces, per the regulations, Chabad will not have access to parking spaces.

It's worth noting that Condition 18 requires that before sign-off of any building permits a detailed signed lease or agreement for off-site parking was to be provided. This condition also requires the Sherman Oaks Neighborhood Council to review the off-site parking plan and make comments. It is unclear if SONC has a copy of any parking arrangement or if they have reviewed it as compared to the conditions.

Regarding Condition 16 which states the requirement to have available parking for all other activities not tied to an invitation event that will bring over 40 vehicles, must be reconsidered and reworked given the new evidence above.

Any and all offsite parking is now unworkable given the fact that there are no reserved spaces specifically for Chabad, and not for the amount of days required per the current conditions.

New Evidence Item # 3

PLANNED ACTIVITIES

Condition #7 states - "The grant herein is for a religious facility with incidental activities customary to its operation including services, instruction and celebrations. No conditional use or other request has been made or approved for a school or a preschool use or day care center but the facility may conduct classes and educational instruction activities associated with "Mommy and Me" classes, children's instructions and adult study sessions."

This condition remains the same in the ZA's 11/25/08 Determination, the City Council's conditions of 6/19/09 and the documents PLUM received on 6/21/12 from Benjamin Reznik.

However, the ambiguous nature of this condition does not fully articulate the scale, scope and frequency of any of the activities Chabad intends to conduct at this location.

The following activities were revealed after City Council unlawfully granted the entitlements to Chabad and are now advertised as activities to be held at Chabad new facility: (See attached EXHIBIT B)

- a. Crisis Counseling
- b. Monthly Lectures (The ZA limited the number of guest speakers or lectures to 3 annually)
- c. Food Drives
- d. Emergency Food and Shelter
- e. Street Festivals

In addition, this facility was conditioned and approved as a neighborhood strictly orthodox synagogue for 59 families with no intention to grow. It is now being advertised as a Multi-Purpose Center serving the greater east valley Jewish community. (See Attached Exhibit B).

New Evidence Item # 4

MTA Parcel Being Used for Outdoor Playground and Daily Recreation

Per Condition 12– “All activities shall be conducted indoors except for any religious holiday which is required to be observed outdoors. On such occasion, any outdoor activity shall be permitted on the adjoining MTA-owned property identified in ZA 2007-4636(ZV) only as permitted by a valid lease.”

As of August, 2011, Chabad’s three-year lease has changed to a month-to-month lease that can be revoked at any time.

Furthermore, the MTA parcel is not to be used for recreation or a children’s play area including a playground and/or basketball court. (See attached letter from the MTA dated February 25, 2011 – EXHIBIT C)

New Evidence Item # 5

Revocable Permit – Requested Activities on the City Owned parcel

There is no condition nor was there any public discussion of a children’s playground or basketball court to be placed on either the MTA parcel or the City Owned portion of land adjacent to Chabad’s property.

Yet Chabad has included in its application a request to use the City owned property for a **children’s playground and basketball court**. (See EXHIBITS C & D)

New Evidence Item # 6

Roof Top Terrace

Since 2010, Chabad has been advertising on its website sponsorship of a rooftop terrace – total cost \$180,000. (See attached EXHIBIT E)

There is no authorization nor is it conditioned that Chabad have access to the roof as a terrace to stage functions or anything else. Access to the roof is for maintenance only.

Per Condition 12 - “All activities shall be conducted indoors except for any religious holiday which is required to be observed outdoors. On such occasion, any outdoor activity shall be permitted on the adjoining MTA-owned property identified in ZA 2007-4636(ZV) only as permitted by a valid lease.”

New Evidence Item # 7

Total Occupancy

Condition 11 (adopted on June 19, 2009) states, "The total combined assembly space area dedicated to use as a synagogue and a multi-purpose room combined shall not exceed 3,370 square feet, with specific allocation of square footage for each use to be determined by the applicant. The assembly area shall have a maximum occupancy of 200 persons."

The following line from the above condition "The assembly area shall have a maximum occupancy of 200 persons" was not part of the ZA's original determination. The figure "200" referred to in the current set of conditions stems from an exchange between South Valley Area Planning Commissioner Matt Epstein and Rabbi Aaron Abend where Rabbi Abend agrees to capping the total occupancy for the **entire building** to 200, not just limiting the number of congregants to 200 in the total combined assembly space area. (EXHIBIT F - excerpt from the SVAPC 2 12 09 hearing) In that same exchange, Rabbi Abend said he doesn't believe he needs a facility for 400 people except for three days a year. Yet, the building plans approved unlawfully by the City Council in June, 2009 only limit the occupancy for the combined synagogue/multi-purpose room. Permitting at least another 200 people to gather in other areas of the facility.

New Evidence Item # 8

Inconsistency with Regard to Planned Events

Condition #15 which refers to parking for all events refers to weddings in addition to bar mitzvahs, yet in the ZA's determination of 11/25/08, Chabad's attorney, and states that Chabad is unlikely to have any weddings on site..."

New Evidence Item # 9

Violation of Hours of Operation

The maximum hours of operation have been conditioned to 7am to 11pm.

Yet Chabad advertises a start time of 6:30am for some weekday activities (See EXHIBIT G) Chabad has also conducted activities that have gone on well past midnight. (See EXHIBIT H)

New Evidence Item # 10

Violation of Condition 27

Condition 27 required that before any demolition, excavation, or construction activities were to occur, the community was to be given 60 days advance written notice of a construction schedule and a contact person. This did not happen, rather a two line letter from Rabbi Abend dated May 21, 2010 was sent to residents. (EXHIBIT I).

This condition was not fulfilled until August 21, 2010 and only after repeated requests by neighbors to Councilman Cortez' office demanding compliance.

New Evidence # 11

Violation: Construction activities without the proper permits and safety precautions

1. Chabad continued construction activities after Court of Appel ruling voids their entitlements on Aug 16, 2011 (see EXHIBIT J)
2. Chabad continued construction after City vacated their entitlements on May 29th (See EXHIBIT K)
3. On Wednesday September 28th, Chabad of North Hollywood had a crane parked outside their property at 13079 Chandler Boulevard and then had the crane parked on Ethel Avenue. (See EXHIBIT L)

There were no required flagman, no required flashing lane closure signs.

The Bureau of Street Maintenance Investigation and Enforcement was contacted and they verified that Chabad had no permit for a crane on Wed, Sept 28th.

The crane was at this location from 7:30am to 2:00pm..

New Evidence Item # 12

Violation – non compliance with parking conditions

On Monday August 9, 2010 Councilman Koretz' staff was notified that on Sunday, August 8, 2010, Chabad held a function that drew dozens of cars to the area and did not follow its protocol and provide for parking at Valley College for this event. Cars were lined up and down Chandler Blvd. and Ethel Ave. Extremely loud noise was blaring from a sound system that radiated throughout the neighborhood.

New Evidence Item # 13

Violation – non compliance with parking conditions

On Tuesday February 28, 2012 a function at Chabad drew upwards of 100 Cars parked along Chandler Boulevard between Coldwater Canyon Ave. and Fulton Ave. Cars also extend along the North and South portions of Ethel Ave. (EXHIBIT M)

New Evidence Item # 14

Violation – Non compliance with permit process during construction

On Friday August 6, 2010 Councilman Koretz' staff was made aware of the following violation - During the week of July 26 , 2010, Chabad placed two temporary trailers on the MTA portion of the project site. However, according to Building and Safety and the Planning Department, as of August 6, 2010 the Staff Plan Checker, had not yet signed off on all clearances to issue the permit required to place the trailers on site. (EXHIBIT N - Property Activity reported dated August 6, 2010, indicating that the permits required for this action has not yet been approved)

New Evidence Item # 15

Proposed Conditions submitted to PLUM on June 21, 2012 by Benjamin Reznik.

The modified proposed conditions submitted to PLUM reflecting among other things, construction of a 12,000 square foot facility with a maximum occupancy of 200 people in the assembly constitutes new evidence and needs to be reviewed by the Zoning Administrator.

New Evidence Item # 16

Non Compliance with Condition #6

Has Chabad reimbursed the City of Los Angeles for legal fees and costs associated with the litigation in this matter?

New Evidence Item # 17

MND/CEQA

In light of the new facts and evidence in this case, the 2007 MND that was adopted by the ZA in 2008 must be supplemented and re-evaluated. Also, the Planning Dept. environmental workup must be supplemented with the new evidence from the last three years and returned to the ZA. Per the California Environmental Quality Act the environmental effects of development projects such as this one must be considered and evaluated in a manner which allows the public to participate in the influence and future development of their community. It is a "full disclosure law". The City Council proceedings on (PLUM "Appeals" Hearing on June 26, 2012 and full City Council on June 27, 2012) are not the proper forums to inform and receive input from both the decision makers and the public. These proceedings rush to approve an almost five year old MND in order to then rush the approval of a larger Chabad project than the ZA granted without taking into account new evidence and without sending it back to the to the ZA.

(09-1388)

NEW EVIDENCE, (Council File 09-1388 and 12-0561), Continued

The new facts and evidence of this case that have emerged since the ZA made her determination could not have been reasonably presented to the ZA and this new evidence would likely have impacted her decision.

Per the Writ, the judge states: "All new evidence not presented to the ZA be considered by the ZA on remand per 12.27K."

Benjamin Reznik's documents containing his "findings" and "proposed conditions" dated June 20, 2012 and June 21, 2012 respectively (submitted into the record in advance of the June 26, 2012 PLUM "appeals" hearing and the June 27, 2012 City Council meeting) are, in their entirety, considered new evidence in this case and must be considered by the ZA before action can be taken by the City Council.

The "findings" and "evidence" to show how the ZA may have erred or abused her discretion are severely lacking in facts and fail to bridge the analytical gap, or route from evidence to action. Especially since the facts connected to this development have changed significantly since the ZA made her determination in 2008.

Examples:

Item B on page 4 of his June 20, 2012 document, "The ZA Erred in Directly Comparing the Proposed Facility to Other Chabad Facilities in the San Fernando Valley."

Really? Mr. Reznik purports in his example that "findings" should be based on a comparison of total building square footage vs. total building square footage without taking into consideration lot size (footprint to lot), the zoning of said lot and the surrounding neighborhood, and the square footage of the combined sanctuary/assembly space as a percentage of the gross square footage of the building. That's faulty logic. (See Exhibit O)

Another example of faulty "findings" by Mr. Reznik is Item A on page 4 of his June 20, 2012 document, "The ZA Erred in Directly Comparing the Proposed Facility to Nearby Single Family Residences."

If a non-conforming structure is proposed in a single family residential neighborhood, the and size scale of the project must be considered with due regard for the surrounding district, especially with regard to the size of the lot, setbacks, etc. Making logical comparisons to structures surrounding the site of the proposed development is a logical and necessary comparison. When Mr. Reznik references the Staff Report, he leaves out that it was found that home to the west of the proposed structure would most likely be most impacted due to the height and design of the building.

(09-1388)

NEW EVIDENCE, (Council File 09-1388 and 12-0561), Continued

Where does Mr. Reznik show findings as to how or why the ZA erred or abused her discretion in finding that anything over 6,000 sq. feet above ground constitutes a self-imposed hardship? Or the many other instances that what Chabad wants stems from a self-imposed hardship? If Chabad wants a non-residential use, then they can procure a zone change. So long as they seek a variance it has to meet the criteria for a variance. Self-imposed hardship = no variance.

Mr. Reznik's "findings" and "proposed motions" are rife with leaps from evidence to conclusions. The ZA uses the 5 rules in granting a variance, let her consider this new evidence and determine if there should be a different outcome.

Within Mr. Reznik's documents he implies that Chabad intends to grow which is a direct contradiction to the initial premise upon which the entitlements were granted. Chabad also talks of growth in testimony and news articles (again new evidence) and on their website (see EXHIBIT P). Reznik's and the rest of the new evidence which augments the ZA's record goes to the conditions and variances granted, as well as to the MND (CEQA) and the need for a re-evaluation of all of it in that it may result in a different determination by the ZA.

There is a disconnect here and reality does not match Reznik's ideas and concepts. His "facts" that he cites are themselves "new evidence" which must be considered by the ZA. In light of these new facts, the record is incomplete. Chabad and Chabad's lawyers must tell the ZA their wish list, not the City Council. Their building plans and the rest of the new evidence will be the subject of the ZA's re-evaluation regarding the scope of the CUP and the Variances granted. For example, Mr. Reznik is asking for a square footage number for the sanctuary/assembly combined space that is different than the ZA's determination and different than the Chabad's current building plans. Again, a PLUM hearing is not the venue to venture into this quagmire of old and new facts of evidence. There is no protocol for PLUM to re-hear a three year old appeal by the City Council. Or a three year old appeal by the APC.

Mr. Reznik is not the Zoning Administrator nor a decision maker and cannot consider new evidence. He may ignore the new evidence, but time did not stop over three years ago and much has changed regarding this project and it must go back to the ZA for a re-do. All new evidence not presented to the ZA must be considered by the ZA on remand per 12.27K.

There is no Section 245 relative to the current circumstance and nor can this matter be voted on by the City Council. There is no pending ZA action for the City Council to vote on. The City Council can only question whether there is new evidence which could not reasonably have been considered by the ZA at the time of her initial decision. There are things that Chabad wants that contradict the Mr. Reznik's proposed new Conditions. This is NOT the place to fact find.

(09-1388)

NEW EVIDENCE, (Council File 09-1388 and 12-0561), Continued

This expedient method of the City Council to wave a magic wand and restore entitlements will not work here. The City Council is once again (as they did in June of 2009) considering a proposal that is different from that which was considered by the ZA.

Conditions must be enforceable to be meaningful. For example, Mr. Reznik proposes limiting the number of people in the assembly/sanctuary area instead of capping the occupancy of the entire building is would be inherently unenforceable and worse, could impose RLUIPA on a situation that where RLUIPA is not applicable.

This appeal PLUM is conducting has already been heard by the APC. The 245 motion over three years old -- it's over and done with.

EXHIBIT A

LOS ANGELES COMMUNITY COLLEGE DISTRICT

CIVIC CENTER PERMIT Yr 09-10

LOS ANGELES VALLEY COLLEGE
ADMINISTRATIVE SERVICES/MASTER CALENDAR
5800 Fulton Avenue
Valley Glen, California 91401
(818) 947-2421 Phone
(818) 778-5530 Fax

TO PERMITEE: Chabad of North Hollywood
Attn: Rabbi Nachman Abend
13079 Chandler Blvd.
Sherman Oaks, CA 91401

DATE: 5/14/10
PERMIT: # 499
Fac. Req. # 1980
COST \$ 5 Per car per event.

Subject to the provision that the President reserves the right, in the event that the use of the facilities granted herein interferes with their use for school purposes, to assign different facilities or to revoke this permit in its entirety, your request to use college facilities has been granted as follows:

ORGANIZATION: Chabad of North Hollywood

TYPE OF MEETING: Event Parking

FACILITY: Parking Lot G

DATE & TIME: Events TBA between 5/11/10 – 3/17/12. Maybe extended once updated insurance certificate is received.

COST \$5 per car/per event – Events to be determined. Up to ninety cars.

*Chabad of North Hollywood to contact LAVC Master Calendar Office at 818-947-2421 48 hours prior to an event for parking passes.

SPECIAL CONDITIONS: 1) Insurance Liability and Payment to be submitted 24hrs before the event
2) LAVC is not responsible for any loss or damage to any vehicles (or contents) on these dates

OFFICE OF ADMINISTRATIVE SERVICES


Ray Gonzalez

RULES, REGULATIONS AND RESTRICTIONS GOVERNING THE USE OF COLLEGE FACILITIES

BOARD RULE: The use of college facilities and grounds may be granted, to citizens and to organizations formed for recreational, educational, political, economical, artistic, or moral activities of the Los Angeles Community College District. These citizens and organizations may engage in supervised recreational activities, or may meet and discuss any subject and questions which appertain to the educational, political, economic, cultural, artistic and moral interest of the citizens of the communities in which they reside.

SEE REVERSE SIDE FOR DISTRICT REGULATIONS
PERMITEE

REGULATIONS

1. OPEN TO THE PUBLIC. All meetings under the Civic Center Act shall be open to the general public.
2. PLEDGE OF ALLEGIANCE. There shall be a pledge of allegiance to the Flag of the United States in all assemblies and public meetings in each college of the District.
3. OPENING MEETINGS. Immediately following the opening of the meeting, a statement should be read informing those in attendance that the Board of Trustees is not sponsoring the meeting and is neither approving nor disapproving what is to be said at the meeting and also informing them as to the nature of the organization holding the meeting and the purposes for which the meeting is held.
4. PROFANITY, ETC. The use of profanity, possession or use of intoxicating liquors, drugs, or narcotics, quarreling or fighting, betting, or other forms of gambling, conducting a raffle or lottery are prohibited.
5. MANAGEMENT AND CONTROL OF FACILITIES. The management, direction, and control of use of college facilities is vested in the Board of Trustees. The Permittees or guests in attendance will not supply their own security guards. The college reserves the rights to place security guards at the meeting or to call in the police when necessary.
6. JURISDICTION OF DISTRICT EMPLOYEE. Complete control of facilities is under the jurisdiction of the Los Angeles Community College District's employee assigned responsibility for use of the facility.
7. SUPERVISION OF RECREATION. College authorities may supervise activities of those using college grounds, gymnasium, and other athletic and recreational facilities for civic center purposes. Athletic equipment may be used only when the college personnel gives special permission.
8. NO VIOLATION OF LAW. No activity should be conducted which constitutes a violation of any federal, state, or local law.
9. NO MONOPOLY. No use shall be granted in such manner as to constitute a monopoly for benefit of any person or organization.
10. POLITICAL CAMPAIGNS. College premises shall not be used as political campaign headquarters.
11. EQUIPMENT BELONGING TO ASSOCIATED STUDENTS. Arrangements and payments for use of any student body equipment shall be made with the Associated Student Body and the college.
12. FOOD PERMITS. Permission for use of the cafeteria and other facilities for the serving of food may be issued in connection with Civic Center Permits and/or Leases only with the consent of the college.
13. CANCELLATION OF PERMIT. The Board of Trustees of the Los Angeles Community College District reserves the right to cancel any Civic Center Permit for cause. The president of the college has the right to cancel a permit whenever a need for the facilities for educational purposes arises after issuance of a permit.
14. INTERFERENCE WITH COLLEGE. Permission to use college facilities may be granted only when the property is not needed for college purposes. No use shall be inconsistent with the use of building or grounds for college purposes, or interfere with the regular conduct of college work.
15. SCHEDULING. Use of the facilities will be scheduled only when they are available at the time desired for use.
16. ONE YEAR LIMIT. In the case of Civic Center Permits or Leases, no privilege of using college facilities shall be granted for a period exceeding one year.
17. ERECTION OF STRUCTURES, ETC. No structures may be erected or assembled on college premises nor may any electrical, mechanical, or other equipment be brought thereon unless authorized.
18. SIGNS. Signs may be posted on the college premises only with the permission of the college president or his designee and in places and manners designated by him. They will not be posted more than one hour prior to the meeting and shall be removed immediately after the meeting by the Permittee. Sponsors may not expect their meeting to be advertised through college media.
19. CANCELLATION BY PERMITTEE. Facilities shall be held available for the Permittee until one-half hour after the time designated in the permit for that meeting to begin. Notification of cancellation of meetings, for which there is a service charge, must be received at least 36 hours prior to the time scheduled for use, if service costs, fees, or deposits are to be refunded. All cancellations, whether a charge was levied or not, shall be reported to the permit-issuing office.
20. SAFETY REGULATIONS. The user at all times during the use and occupancy of the premises shall thoroughly comply with all ordinances, laws, and regulations affecting the use and occupancy thereof, including all state and local fire, health, and safety laws, ordinances, and regulations.
21. NO SMOKING. User agrees to enforce "no smoking" signs within any buildings; also in any other place if such place is posted against smoking.
22. SPECTATORS. All spectators must be seated in designated areas while watching the activities.
23. FIRE HAZARDS. Lighted candles and any devices having any form of open flame are prohibited; any material or device which constitutes a fire hazard is expressly prohibited.
24. GYM FLOOR. No person wearing street shoes of any type shall be permitted to walk on the gym floor when participating in basketball, volleyball, badminton, and similar types of activities.
25. NO EXTENSION OF CLOSING TIME. Teams using the college athletic facilities must finish the activities, including showers, within the time designated in the permit.
26. CLOSING TIME. College premises shall not be used later than 11 p.m. except upon special permission of the college.
27. WEAPONS. The possession and carrying of firearms and weapons of any kind on college premises shall be prohibited, except for peace officers and policemen.
28. DAMAGES. Permittee and/or Lessee shall be responsible and shall pay for any repairs or replacement of any character whatsoever which are occasioned or made necessary by reason of the negligence or misuse of said premises. Damage occasioned by acts of God is excepted.
29. DENIAL BECAUSE OF VIOLATION OF DISTRICT REGULATIONS. The college and/or District, at its discretion, shall have the right to cancel and terminate a Civic Center permit immediately and without notice upon its discovery of a violation of any term, condition, or provision of the Permit on the part of the Permittee. Should any such violation occur, the college, at its discretion, shall have the right to deny any future requests by the Permittee for the use of any the college property or facilities.

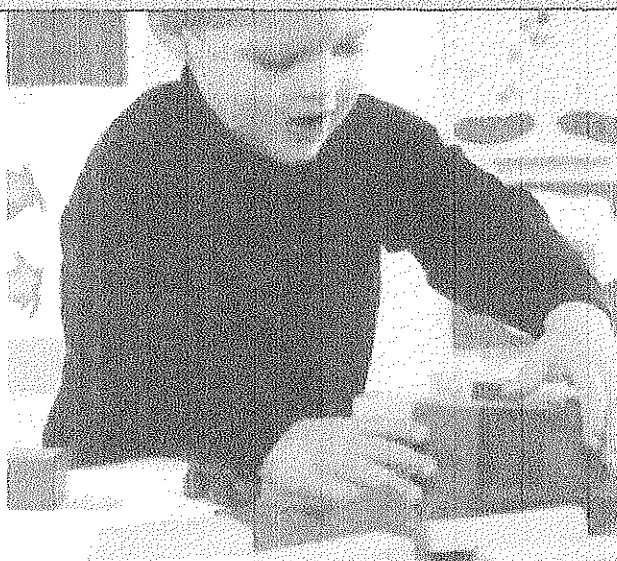
EXHIBIT B



Donate to Chabad
please click here >>



ng events.



A TIME TO BUILD

The signs have been there for all to see. Overflowing crowds at synagogue services, holiday events and family simchas, lack of proper classrooms for the Hebrew School and youth programs, limited facilities for adult seminars, workshops and lectures, no offices to serve as a suitable base of operations for Chabad activities throughout the region. After thirty years of maximizing every inch of indoor and outdoor space of its outgrown facility, Chabad of North Hollywood can no longer ignore the pressing need for a new, spacious, multi-purpose center.

*Chabad of North Hollywood is
a place where the Jewish community can
thrive.*

The environmental and funding issues have been addressed and laid to rest. District President's Executive Board started down upon this long-awaited project. Plans have been drawn up for the construction of a magnificent two-story edifice with a bright and cheery interior, not a wanly appealing, less-than-stellar exterior.

In addition to filling the aforementioned needs, the new Chabad of North Hollywood will provide not only social services and conveniences to benefit the greater community, including a state-of-the-art senior center, youth activity center, playground, Torah library, and Bet Midrash.

It is time to take this important step forward. It is time for those who recognize and value the great work of this organization to join in this historic effort to set it on a new course. It is time for Chabad of North Hollywood to finally have a fitting room in which the vision can be articulated, the energy can be generated, the searching can be enlightened and the needs can be helped. A home where a community can grow spiritually and physically, joyously and harmoniously.

It is time to kick the campaign into high gear. It is time to get the foundation, raise the beams, and lay the bricks. It is time to build.

It's time to build the future.

- # Photo ies

EXHIBIT C



Metropolitan Transportation Authority

One Gateway Plaza
Los Angeles, CA 90012-2952

213.922.2000 Tel
metro.net

Metro

February 25, 2011

Mr. Jeff Gantman
5455 Wortsen Avenue
Sherman Oaks, CA 91401

Dear Mr. Gantman:

We have reviewed your email dated February 7, 2011 advising us that Chabad of North Hollywood is violating the terms the Conditional Use Permit (CUP) granted to them by the City of Los Angeles.

We have sent Chabad of North Hollywood a letter reminding them that the CUP provides that that all activities on the leased Premises shall be conducted indoors except for any religious holiday which is required to be observed outdoors. We have also advised Chabad of North Hollywood that failure to comply with the terms of the CUP would jeopardize their lease with MTA.

Thank you for bringing this matter to our attention. If you have any questions, please call me at (213) 922 2435.

Sincerely,



Thurman Hodges
Manager, Property Management

EXHIBIT D

REQUEST FOR REVOCABLE PERMIT

Application Reference No. 2008000185

APPLICATION STATUS:

Waiting for Customer Response

Date submitted 05/06/2008

Date Application Processed

Site Address or Location: 13079 CHANDLER BLVD

Legal Description: TR 1000, LOT 117

Engineering District Valley

Permit will be issued to: X Applicant Owner Lessee

Applicant's Name: AARON ABEND

Restaurant Name (if applicable):

Applicant's Address: 12625 HATTERAS ST

Applicant Email: MORDY@PACBELL.NET

Applicant's Phone: 818-968-2223

Lessee's Name: AARON ABEND

Lessee's Address: 12625 HATTERAS ST

Lessee's Phone: 818-968-2223

Owner's Name:

Owner's Address:

Owner's Phone:

City Bus. Lic. No.

Description of Encroachment: ~~DRIVEWAY OVER CITY PROPERTY~~ (SEE BELOW)

Reason for Encroachment:

Permit Purpose: Applicant came in on 1/5/10 reopened original application. Paid \$1284.00 2/10 Applicant paid additional \$2514.50-for a total of \$3798.50 (for a "Tier 3" R-permit): application shows \$3210.00 for the fee for Tier 3 when originally applied in 2008.

Payment method

Permit Fee \$3,000.00

Fee Waived No

Fee Discount \$0.00

Net Fee \$3,000.00

Total Fee (includes 7% surcharge) \$3,210.00

Total of Payments Received Online (Credit Card) \$0.00

Permit Number Permit Number will be automatically assigned when permit is issued.

Note to appear on Final Permit

(if any): PROPOSED ENCROACHMENTS:

① HARDSCAPE AREA

- A. ACCESS TO MTA PROPERTY (LEASED FROM MTA)
- B. PLAY AREA FOR CHILDREN (I.E. BASKETBALL)
- C. POSSIBLE PARKING

② SOFTSCAPE AREA

- A. LANDSCAPE - GARDEN

ATTACHMENT NO. 1

JOSEPH H. CAHN ENGINEERING
CIVIL ENGINEERING
LAND SURVEYING
PLANNING

904 ROSE AVE.
 VENICE, CA 90291-2833
 TEL. 310-395-5690

TOPOGRAPHIC SURVEY

13079 CHANDLER BOULEVARD, N. HOLLYWOOD, CA
 A PORTION OF LOT 117 AND SOUTHERN PACIFIC RAILROAD COMPANY
 RANCHO EL MONTE SAN FERNANDO TRACT, NO. 31-75 OF LOS ANGELES COUNTY RECORDS

REVISIONS		NO.	DESCRIPTION/DATE
DESIGNED	DATE	BY	
CHECKED	DATE	BY	
DATE	FILE NO.	FILE NO.	

BASE OF READING:
 BEARING OF 100° 00' 00" E FOR THE CENTERLINE OF STEEL AVENUE AS SHOWN ON THE
 TRACT AND AS SHOWN IN THE MAP, PLANNED TO BE USED
 AND/OR COUNTY RECORDS, OR AS BASE OF BEARING FOR THIS SURVEY

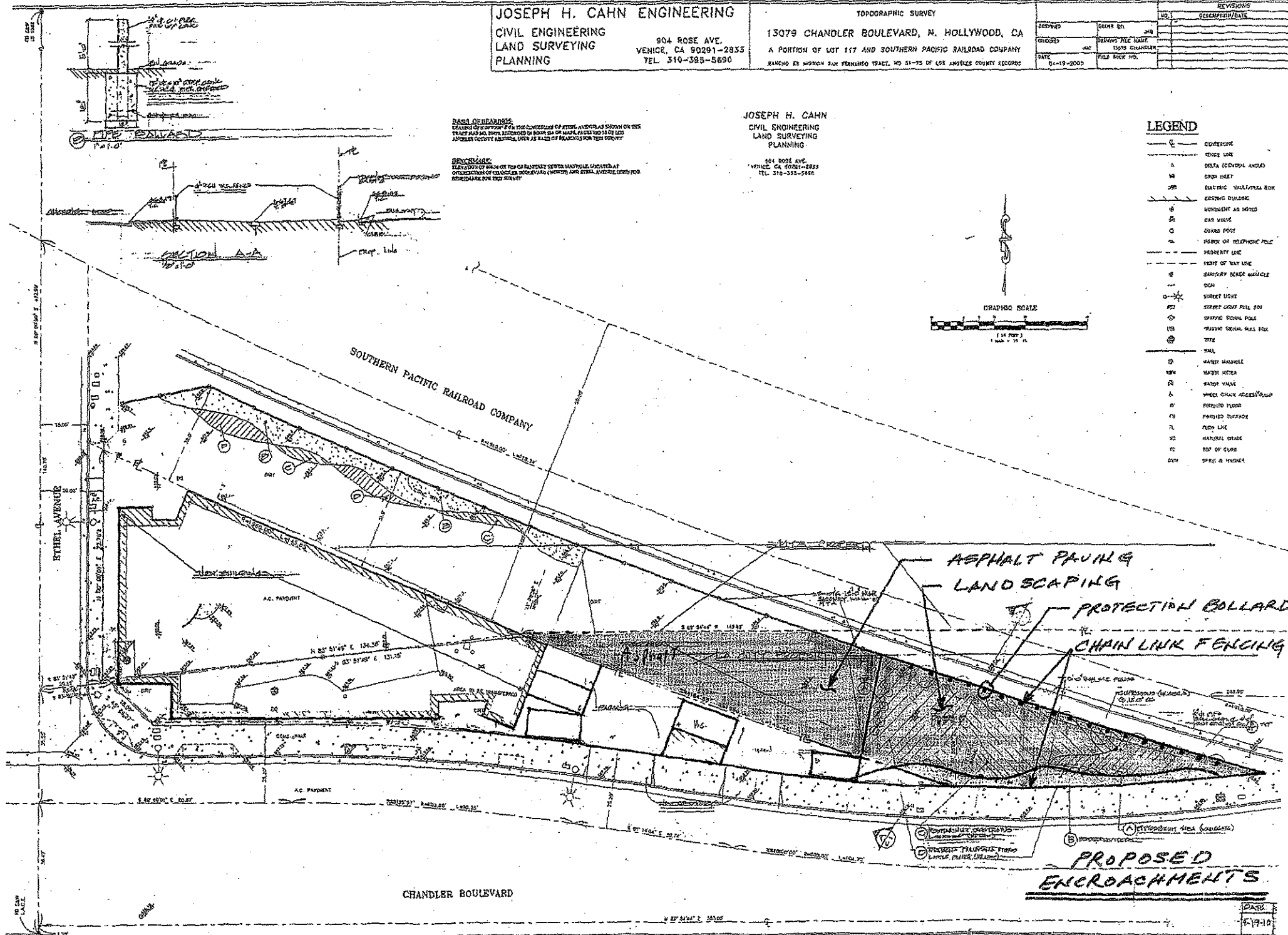
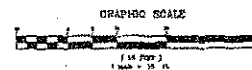
REMARKS:
 ELEVATION OF GRADE ON TOP OF RAILROAD SEWER MANHOLE LOCATED AT
 INTERSECTION OF CHANDLER BOULEVARD (NORTH) AND STEEL AVENUE (EAST) FOR
 RECORD AND FOR THIS SURVEY

JOSEPH H. CAHN
CIVIL ENGINEERING
LAND SURVEYING
PLANNING

904 ROSE AVE.
 VENICE, CA 90291-2833
 TEL. 310-395-5690

LEGEND

- E — CENTERLINE
- R — RAILROAD LINE
- Δ — DELTA (CIRCULAR ANGLE)
- W — CORNER MARK
- E — ELECTRIC VOLTAGE POLE
- E — EXISTING DRAINAGE
- E — MONUMENT AS NOTED
- E — GAS VALVE
- E — CORNER POST
- E — POINT OF TELEPHONE POLE
- E — PROPERTY LINE
- E — RIGHT OF WAY LINE
- E — SANITARY SEWER MANHOLE
- E — DRAIN
- E — STREET LIGHT
- E — STREET LIGHT PULL BOX
- E — TRAFFIC SIGNAL POLE
- E — TRAFFIC SIGNAL SIGNAL BOX
- E — TREE
- E — WALL
- E — WATER MANHOLE
- E — WATER METER
- E — WATER VALVE
- E — WHEEL CHAIR ACCESS
- E — PAVED FLOOR
- E — PAVED SURFACE
- E — FLOW LINE
- E — NATURAL GRADE
- E — TOP OF CURB
- E — SPRING & WADDER



JOSEPH H. CAHN ENGINEERING
 CIVIL ENGINEERING
 LAND SURVEYING
 PLANNING

904 ROSE AVE.
 VENICE, CA 90291-2833
 TEL. 310-395-5890

TOPOGRAPHIC SURVEY

13079 CHANDLER BOULEVARD, N. HOLLYWOOD, CA
 A PORTION OF LOT 117 AND SOUTHERN PACIFIC RAILROAD COMPANY
 RANCH EX WISDOM SAN PETERMAN TRACT, AS 31-75 OF LOS ANGELES COUNTY RECORDS

REVISIONS		NO.	DESCRIPTION/DATE	BY
DESIGNED	CHANCE BN	JMS		
CHECKED	CHANCE BN	JMS		
DATE	01-19-2003			

BLANKS OF BEARINGS:
 BEARING OF A BEARING IS ON THE CONTINUED OF BEARING AT RIGHT ANGLE TO THE
 TRACK MAP NO. 2001, APPROVED BY BOARD OF SUPERVISORS OF LOS ANGELES COUNTY
 RECORDS, USED AS BASIS OF SURVEY FOR THIS SURVEY

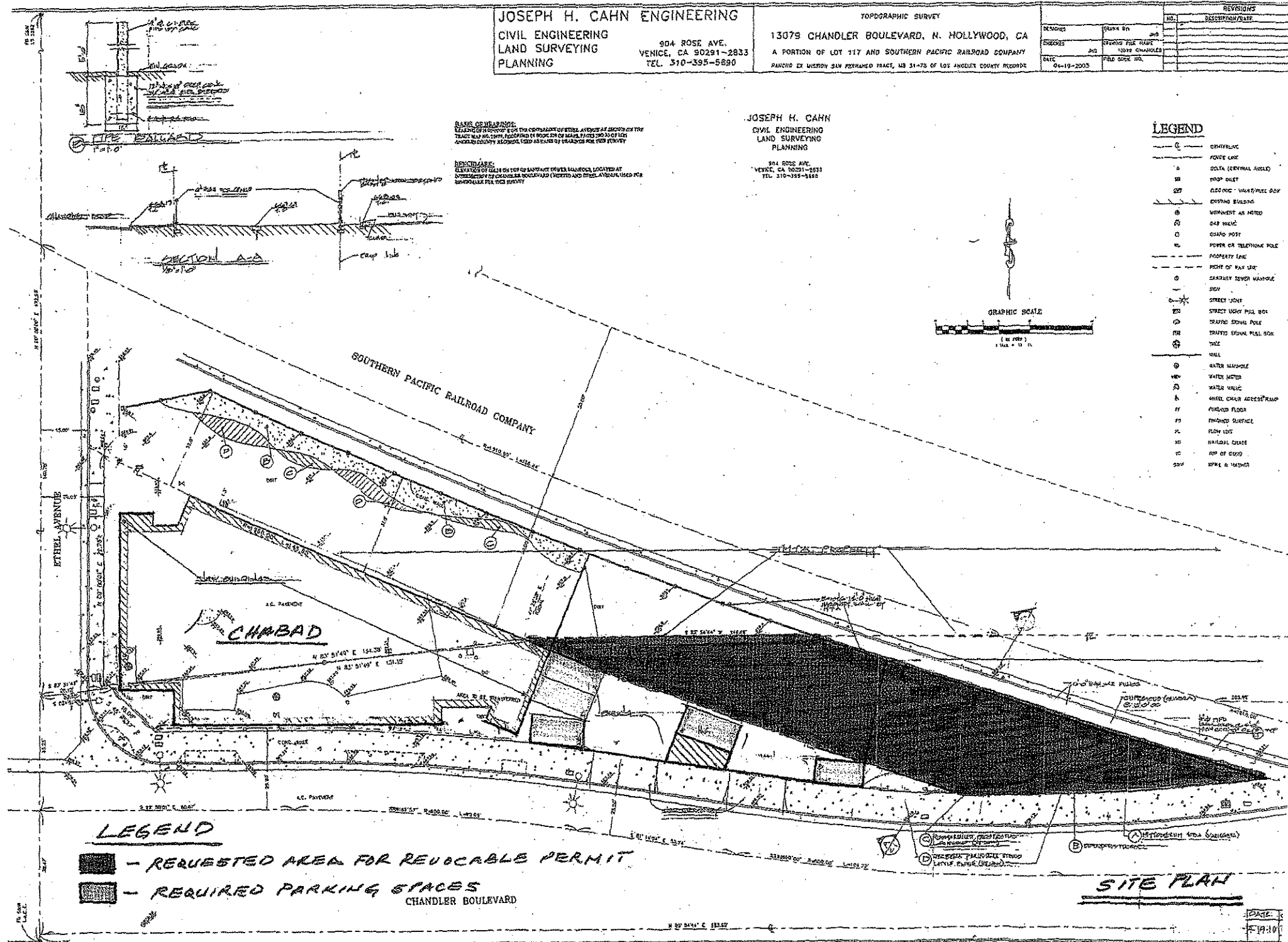
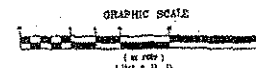
BEARING OF BEARING:
 BEARING OF BEARING IS ON THE CONTINUED OF BEARING AT RIGHT ANGLE TO THE
 TRACK MAP NO. 2001, APPROVED BY BOARD OF SUPERVISORS OF LOS ANGELES COUNTY
 RECORDS, USED AS BASIS OF SURVEY FOR THIS SURVEY

JOSEPH H. CAHN
 CIVIL ENGINEERING
 LAND SURVEYING
 PLANNING

904 ROSE AVE.
 VENICE, CA 90291-2833
 TEL. 310-395-5890

LEGEND

—	CONTINUED
—	FORCE LINE
—	DATA (PERMANENT AREA)
—	PROP. DIRT
—	ALSO SEE: VACANT/PLAC. BAY
—	EXISTING BUILDING
—	MONUMENT AS NOTED
—	OLD WELLS
—	CONCRETE POST
—	POWER OR TELEPHONE POLE
—	PROPERTY LINE
—	POLE OF FAN USE
—	STATIONARY SEWER MANHOLE
—	SEWER
—	STREET LIGHT
—	STREET LIGHT PULL BOX
—	TRAFFIC SIGNAL POLE
—	TRAFFIC SIGNAL PULL BOX
—	WELL
—	WATER MANHOLE
—	WATER METER
—	WATER WELLS
—	WATER CHALK ACCESS/PAVE
—	PAVED FLOOR
—	PAVED SURFACE
—	FLYING LOT
—	RAILROAD CROSSING
—	TOP OF CURB
—	SPRINKLER HEAD



LEGEND

- REQUESTED AREA FOR REVOCABLE PERMIT
- REQUIRED PARKING SPACES

CHANDLER BOULEVARD

SITE PLAN

DATE
 5-19-03

Department of Public Works

Bureau of Engineering
Bureau of Street Services
Joint Report No. 1

May 19, 2010
CD No. 5

13079 CHANDLER BOULEVARD - REQUEST FOR REVOCABLE PERMISSION TO ENCROACH INTO THE PUBLIC RIGHT-OF-WAY TO ALLOW THE PLACEMENT OF ASPHALT PAVING, LANDSCAPING, CHAIN LINK FENCING AND PROTECTION BOLLARDS

RECOMMENDATIONS

1. Authorize the City Engineer to issue a Revocable Permit to Chabad of the Valley, Inc. (Chabad), to enclose a portion of public property with chain link fencing to place asphalt paving for a play area for children and/or non-required additional parking, install landscaping and protection bollards, encroaching approximately 35 feet into the public right-of-way adjacent to 13079 Chandler Boulevard in Van Nuys. Granting of the revocable permit shall be subject to the Conditions listed.
2. Transmit a copy of this report to Chabad of the Valley, Inc., 13079 Chandler Boulevard, Van Nuys, CA 91401, Attention: Aaron Abend.
3. Transmit a copy of this report to the following Bureaus and District Office:
 - a. Bureau of Engineering (BOE), Valley District Office, Revocable Permit Counter 251, 6262 Van Nuys Boulevard, Mail Stop 496.
 - b. Bureau of Street Services (BSS), 1149 S. Broadway, Suite 400, Mail Stop 550.
 - c. Council District No. 5, Attention: Jeffery Ebenstein, 15760 Ventura Boulevard, Suite 1020, Mail Stop 208.

CONDITIONS

1. The lessee shall execute the attached Waiver of Damages Agreement and submit the notarized copy to the BOE, Valley District Office, Revocable Permit Counter 251 6262 Van Nuys Boulevard for review prior to recording with the County Recorder (Transmittal No. 1).
2. The lessee shall provide liability and property damage insurance satisfactory to the City Attorney. The City Risk Manager recommends coverage in the amount of at least \$1,000,000. Evidence of insurance must be presented annually to the Board of Public Works (Transmittal No. 2).

3. The design and construction within the public right-of-way shall comply with appropriate permit procedures including any necessary special inspection. Any improvements such as drainage, driveway cuts/approaches, erosion control and other necessary requirements shall be satisfactory to the City Engineer and be part of the required permit(s). An "A" permit may be obtained from the BOE, Valley District Office, 6262 Van Nuys Boulevard, 2nd floor.
4. Any proposed sidewalk or driveway, or proposed improvements to an existing sidewalk or driveway shall comply with the requirements of the Americans with Disabilities Act.
5. All improvements on private property shall be constructed under a Department of Building and Safety Permit.
6. Construction must be accepted by the Bureau of Contract Administration (BCA) prior to the issuance of the revocable permit. The Conditions herein must be satisfied and the Permit issued within 180 days of notification of the approval of this report.

TRANSMITTALS

1. Waiver of Damages Agreement forms and instruction sheet.
2. Liability Insurance forms and instruction sheet.
3. Application for Revocable Permit and sketches showing the proposed encroachments.
4. Motion, dated June 19, 2009, Findings and Conditions for Council File 09-1388, Chabad of North Hollywood - 13079 Chandler Boulevard.

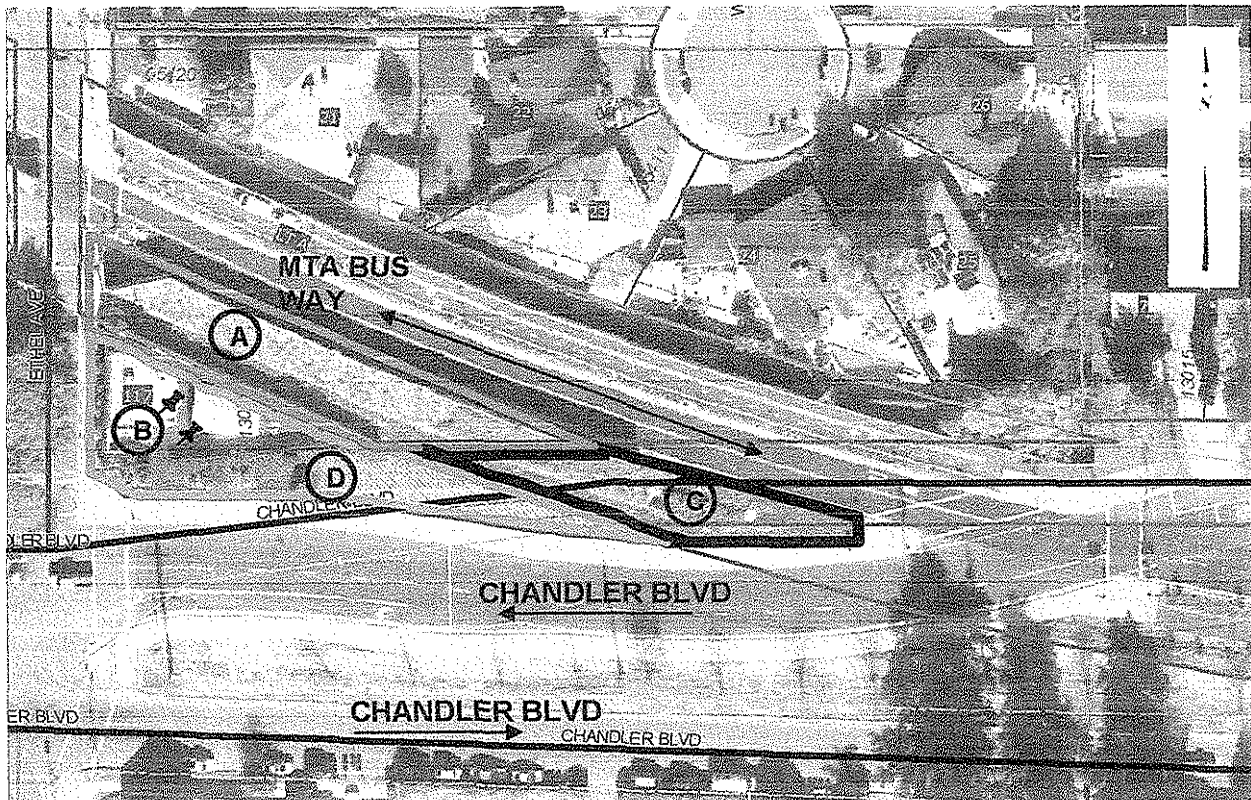
DISCUSSION

Background

Chandler Boulevard is a divided major highway, running in an east-west direction, with a 50-foot wide landscaped median. The Chabad property is located at 13079 Chandler Boulevard and abuts Ethel Avenue on the west and the Metropolitan Transportation Authority (MTA) property on the north-east side. Along the front of this property, Chandler Boulevard is a one-way street (westbound) with a variable right-of-way width ranging from 126 to 142 feet, as shown in the picture below.

Department of Public Works
Bureau of Engineering
Bureau of Street Services
Joint Report No. 1

May 19, 2010
Page 3



Aerial view of 13079 Chandler Boulevard at the intersection with Ethel Avenue.

LEGEND

 PRIVATE PROPERTY  MTA PROPERTY  PUBLIC RIGHT-OF-WAY

 AREA VACATED IN 2007

 CHABAD LEASED AREA
FROM MTA

 REQUESTED AREA FOR REVOCABLE PERMIT

 THE CHABAD

 PROPERTY OF THE CHABAD

On May 6, 2008, representatives of the Chabad applied for a revocable permit to enclose a portion of the public right-of-way that runs along Chandler Boulevard and is

adjacent to the subject property (Transmittal No. 3). The requested area would be enclosed with chain link fencing. About half of the area would be paved with asphalt and serve as possible additional non-required parking or a play area for children, the other half would be landscaped with medium height shrubs. Concrete filled steel bollards would be placed along the north-east side of this area to serve as a barrier from the MTA bus way that runs along side the property.

The MTA owns the underlying fee title for this portion of the public right-of-way. Since the Chabad has a lease agreement for use of the adjacent MTA property, the Chabad is therefore the Lessee for this revocable permit.

On November 25, 2008, the Zoning Administrator approved a conditional use to permit a religious facility in the R1 zone, a variance to permit reduced parking spaces, and a Zoning Administrators Adjustment to permit reduced front and side setbacks in conjunction with the new Chabad facility.

On June 3, 2009, the South Valley Area Planning Commission issued a determination overturning the Zoning Administrator's approval.

On June 16, 2009, the Los Angeles City Council, pursuant to Section 245 of the Los Angeles City Charter, voted to assert jurisdiction over the South Valley Area Planning Commission's denial. This Council action approved a conditional use to permit the construction, use and maintenance of a religious facility in an R1 zone with reduced parking requirements of 5 parking spaces in lieu of 97 spaces, and reduced setbacks along Chandler Boulevard, Ethel Avenue, and the adjoining MTA property (Transmittal No. 4).

On January 5, 2010, representatives of the Chabad reopened the original revocable permit application.

BOE staff believes that the proposed encroachments may be of a controversial nature and support the requirement of a public meeting and Board of Public Works approval prior to the issuance of the revocable permit.

In general, revocable permits are issued to property owners or lessees wishing to improve, encroach and use that portion of the unused public right-of-way fronting the property. If the revocable permit encroachments are approved, they may be revoked at any time at the request of the City. If the permit is revoked, the permit holder shall remove all encroachments and restore the public right-of-way to the satisfaction of the City Engineer, at no cost to the City.

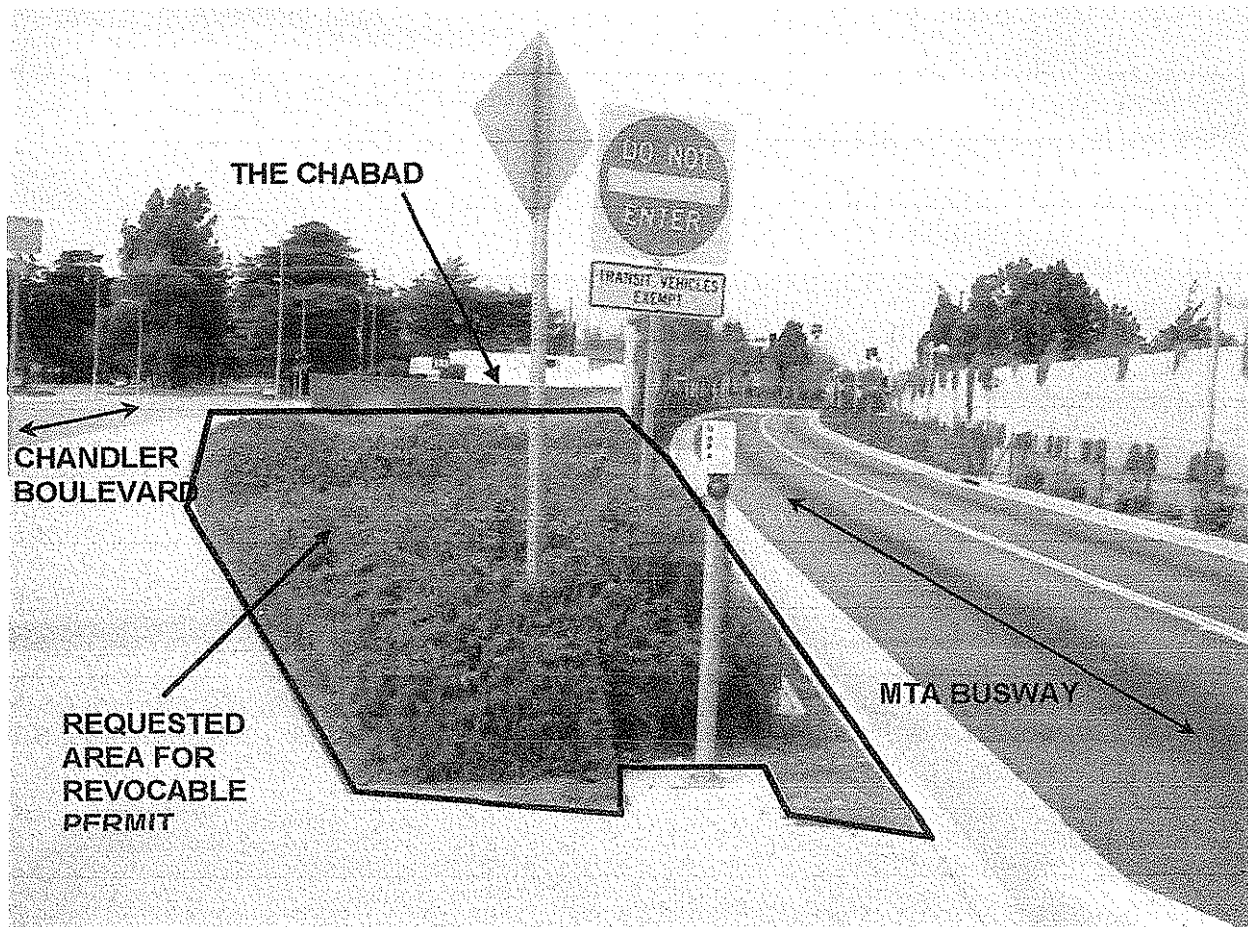
In order to obtain a revocable permit, the applicant must:

- 1) Sign and notarize a Waiver of Damages Agreement;

May 19, 2010
Page 5

- 2) Provide liability and property damage insurance satisfactory to the City Attorney, for as long as the revocable permit is in effect;
- 3) Secure the necessary construction permits; and
- 4) Pay all of the required fees.

The applicant has paid the appropriate revocable permit fees and a field investigation was conducted. The area requested for the revocable permit currently has low hedge rosemary landscaping and an irrigation system that is maintained by the City of Los Angeles.



Public Right-of-Way (looking west between Chandler Boulevard and the MTA Busway)

Joint Report No. 1

Page 6

The BOE Valley District Office was informed by Council District No. 5 field deputy, Jeff Ebenstein, of Councilman Paul Koretz's support for this revocable permit request.

Construction of the new Chabad facility originally required 97 parking spaces and was reduced to 5 parking spaces, as noted above. The applicant provided, as part of the application, a sketch showing proof that the minimum parking requirements could be satisfied without the granting of this revocable permit (Transmittal No. 3). Therefore, subject to meeting the conditions of this report, we recommend granting the City Engineer authority to issue a revocable permit.

(JRF MEK)

Report prepared by:

Valley District

Jose R. Fuentes, P.E.
District Engineer
Phone No. (818) 374-4600

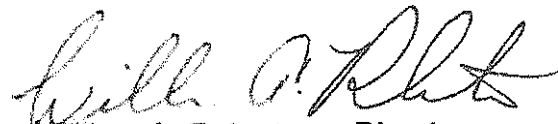
JRF/CR/04-2010-0079.VAL.klc

Questions regarding this report
may be referred to:
Civil Engineer Associate II: Christine Reusch
Phone No. (818) 374-4600
E-mail: Christine.Reusch@lacity.org

Respectfully submitted,



Gary Lee Moore, P.E.
City Engineer



William A. Robertson, Director
Bureau of Street Services

EXHIBIT E

- Shabbat Candle Lighting Times
- Find a Center Worldwide
- Sign Up for our Newsletter



 *Donate to*
CHABAD *Chabad*
please click here >>

Upcoming Events

There are no upcoming events.

Dedication Opportunities

☒ Main Sanctuary \$600,000	☒ Chabad House \$500,000	☒ Center for Jewish Life \$360,000
☐ Social Hall \$300,000	☐ Hebrew School \$250,000	☐ Youth Center \$250,000
☐ Mikvah \$180,000	☒ Adult Education Institute \$180,000	☐ Rooftop Terrace \$180,000
☐ Commercial Kitchen \$180,000	☐ Eastern Wall \$150,000	☒ Judaic Library \$120,000
☐ Front Lobby \$100,000	☒ Aron Kodesh \$100,000	☐ Bimah \$75,000
☒ Children's Outdoor Playground \$75,000	☐ Adult Education Classrooms (x2) \$50,000	☐ Children's Service & Play Area \$50,000
☐ Hebrew School Classrooms (x2) \$50,000	☐ Tashlich Garden \$50,000	☒ Ner Tamid \$50,000
☐ Bookcases \$36,000	☒ Youth Office \$36,000	☐ Living Torah Display \$36,000
☐ Administrative Office \$25,000	☒ Chazan's Amud \$25,000	☒ Entrance Mezuzah \$25,000

EXHIBIT F

1 fire department allows you to occupancy at 200, that's the
2 maximum you'll -- you'll accept. If they say 400, you'll say
3 200.

4 **RABBI A. ABEND:** Again, I don't -- right. Correct.
5 Presently --

6 **COMMISSIONER EPSTEIN:** Okay.

7 **RABBI A. ABEND:** -- I don't believe we need to have 400
8 people -- a facility for 400 people. That's correct.

9 **COMMISSIONER EPSTEIN:** But you won't -- you will not
10 exceed 200?

11 **RABBI A. ABEND:** Again, I -- I would say on a regular
12 Sabbath, on the High Holidays, yes, I would probably exceed --
13 three days a year.

14 **COMMISSIONER EPSTEIN:** Guys -- guys, as far as -- you grab
15 the mic because he loves to talk on the mic.

16 **MR. RAMIN:** Well, here -- here, let me -- let me just say
17 this and -- and I want to be --

18 **COMMISSIONER EPSTEIN:** Well, hold on. Hold on. No.
19 We're not at rebuttal time. We're answering our questions.

20 **MR. GANTMAN:** We've had a lot of time to talk --

21 **MR. RAMIN:** All right.

22 **COMMISSIONER EPSTEIN:** Because he was -- he was trying to
23 use the long way around about getting to my -- my -- my answer.
24 But he's got right now -- and, again, it's -- it's -- I've --
25 I've -- I've driven by there many times, and there's many



1 this new facility, whether it's 10,000 or 13,000 or -- or
2 6,000 -- whatever the number is that we're going to come up
3 with tonight --

4 **RABBI A. ABEND:** Right.

5 **COMMISSIONER EPSTEIN:** -- you're not going to accept 200.

6 **RABBI A. ABEND:** Again, I don't believe the growth in this
7 sense is based upon the building. The growth is based upon
8 people moving in --

9 **COMMISSIONER EPSTEIN:** So --

10 **RABBI A. ABEND:** -- not from the outside. There's a big
11 difference with that.

12 **COMMISSIONER EPSTEIN:** Okay. You guys, I personally do
13 not want to be here all night long and into tomorrow so we're
14 going to have to get some very straight, cutting facts.
15 Otherwise, we're going to have sort these facts out.

16 You're saying right now that you've got about 200
17 people that come there now to worship.

18 **RABBI A. ABEND:** Men, women, and children.

19 **COMMISSIONER EPSTEIN:** Okay. And when you grow it --
20 so -- so would you be willing to say that you would cap that at
21 what you're at right now -- 200 -- you're just looking for more
22 comfortable facilities?

23 **RABBI A. ABEND:** Definitely.

24 **COMMISSIONER EPSTEIN:** Okay. So you're saying that 200 --
25 you're not -- you're not willing to -- you -- you -- if the



1 **COMMISSIONER EPSTEIN:** What you're -- what you're
2 supporting right now --

3 **RABBI A. ABEND:** Right.

4 **COMMISSIONER EPSTEIN:** -- you want to have it legally, you
5 know, supported --

6 **RABBI A. ABEND:** Right.

7 **COMMISSIONER EPSTEIN:** -- so you're not going to grow as
8 far as more congregants.

9 **RABBI A. ABEND:** Right. Again, men, women, and children
10 now, I think we're having about 200 on a Sabbath.

11 One point I do want to bring out --

12 **COMMISSIONER EPSTEIN:** So -- so --

13 **RABBI A. ABEND:** And that is -- if I just may -- the
14 building's 1,500 square feet.

15 **COMMISSIONER EPSTEIN:** I know.

16 **RABBI A. ABEND:** Our usage now is 4,500 square feet.
17 We're using the entire outdoors for classes, for -- for
18 refreshments, for kids' groups.

19 **COMMISSIONER COCHRAN:** But -- but when -- when totally
20 full, what capacity do you need of people --

21 **COMMISSIONER EPSTEIN:** Two hundred.

22 **RABBI A. ABEND:** I'm saying 200.

23 **COMMISSIONER EPSTEIN:** That's where you're at right now?

24 **RABBI A. ABEND:** Yes.

25 **COMMISSIONER EPSTEIN:** But -- and so, when you grow to



1 words, the community has -- I don't know -- 12 traditional
2 orthodox synagogues within a mile or so. Okay? Not every
3 orthodox traditional Jew is coming to Chabad.

4 You know, you got the peronim (phonetic), and you got
5 this, and you got that. There's different spices. People like
6 different things.

7 So everybody that moves into -- into North Hollywood,
8 to Sherman Oaks, Valley Village area, they're not coming to
9 Chabad.

10 **COMMISSIONER EPSTEIN:** But -- but that's not my question.
11 My question is your -- your -- your occupancy right now -- you
12 have 1,500 square foot building. Your occupancy is
13 approximately 45 people.

14 **RABBI A. ABEND:** Right.

15 **UNIDENTIFIED MALE:** That's (inaudible). They have a
16 hundred and --

17 **COMMISSIONER EPSTEIN:** I -- I -- I know that.

18 When I -- when I asked Lourdes

19 **RABBI A. ABEND:** Right.

20 **COMMISSIONER EPSTEIN:** -- to try to sort it out and give a
21 number, she couldn't. You have to have a -- some kind of an
22 idea. You're -- you're -- you're going to have a hundred,
23 you're going to have 150, you're going to -- the -- the --
24 the --

25 **RABBI A. ABEND:** I hear you.



EXHIBIT G

NORTH HOLLYWOOD

[Lehosheet Yad](#) [Holidays](#) [Saara Ratner-Stauber Synagogue](#) [Torah Studies](#) [Adult Education](#) [Youth](#)

[ChabadNorthHollywood.org](#) » [Saara Ratner-Stauber Synagogue](#) » [Schedule](#)

Saara Ratner - Stauber SYNAGOGUE

Where Judaism is

[Home](#) [About](#) [Schedule](#) [If Going](#) [Sponsor Kiddush](#)

Schedule

Shabbat

Friday Afternoon and Evening Services: 10 min. before Sundown

Shacharit Morning Services followed by Kiddush: 10:00 AM

Mincha, Maariv - Afternoon & Evening Services: 20 min. before Sundown

Sundays & Bank Holidays

Shacharit - Morning Services: 8:00 AM

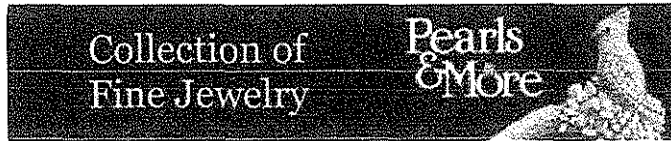
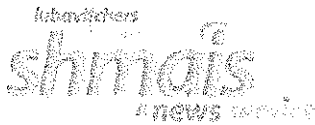
Mincha, Maariv - Afternoon & Evening Services: 10 min. before Sundown

Weekdays

Shacharit - Morning Services: 6:30 AM

Mincha, Maariv - Afternoon & Evening Services: 10 min. before Sundown

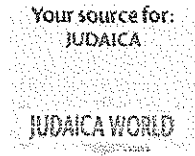
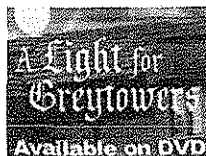
EXHIBIT H



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Please join us
in the writing of
a Sefer Torah
in memory of



Gimmel Tamuz in North Hollywood, CA

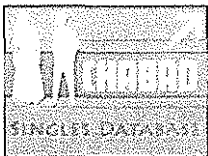
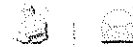
12:39:AM Friday, Jun 25, 2004

Over 150 people participated in the Farbrengen Tuesday night in @ Rabbi Abend's Chabad of North Hollywood, CA.

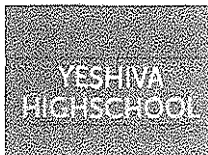
The Farbrengen was led By HaShliach HaReishi of The Valley HaRav Yehoshua B. Gordon. Rabbi Gordon recounted many stories about the Rebbe as well as personal stories of the growth of Chabad in the Valley.

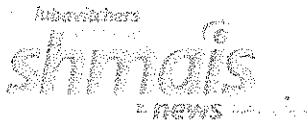
HaRav HaShliach Mordechai Einbinder stressed the importance of Hiskashrus. Everyone was inspired.

A delicious Seuda was served to all in attendance and the Farbrengen finally wound down at 1:30 in the morning.

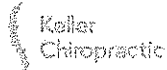


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19 Kislev in North Hollywood, CA

SNS CALIFORNIA BUREAU

12:09:AM Monday, Dec 06, 2004



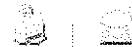
Over 150 people attended the Yud Tes Kislev Farbrengen that was held @ Chabad of North Hollywood, CA.

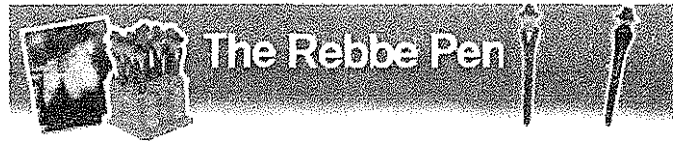
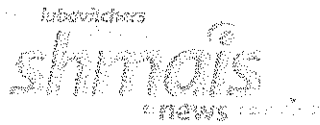
The Farbrengen was led by Rabbi Reuvein Wolf of Hancock Park, CA. In attendance were Director of Chabad of the Valley, Rabbi Joshua B. Gordon, and many other local, and area

Shluchim along with Anash, and guests.

A delicious Seuda was served, and the Farbrengen, that started at 8:00pm went till 2:00 in the morning!

Special thanks to Shliach of North Hollywood, Rabbi Aaron Abend for arranging the beautiful evening.



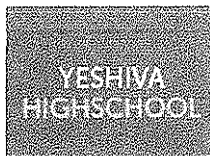


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Chiropractic

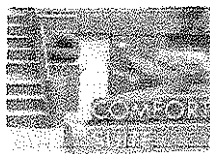


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Yud Tes Kislev in North Hollywood, California

SNS CALIFORNIA BUREAU

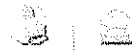
11:20:PM Thursday, Dec 22, 2005



This past Monday night, Yud Tes Kislev, Chabad of North Hollywood hosted a large farbrengen for the community and neighboring Shluchim.

There was over 100 in attendance and the farbrengen lasted well into the wee hours of the morning.

Speakers included Rabbi Aaron Abend, senior Shliach in North Hollywood and Reb' Mendel Marozov, a special guest. The gathering was definitely inspiring and uplifting to all those who attended.



THE VISION

CHABAD OF NORTH HOLLYWOOD SERVING THE GREATER EAST VALLEY JEWISH COMMUNITY

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EXHIBIT I



בס"ד

CHABAD OF NORTH HOLLYWOOD
Saara Ratner-Stauber Synagogue

13079 Chandler Boulevard • Van Nuys, California 91401

Phone: (818) 989-9539 / (818) 758-1818 • Fax: (818) 758-3840

Rabbi Aaron Abend
Spiritual Leader

May 21, 2010

Dear Neighbor:

G-D willing we will begin our building project at 13079 Chandler Blvd in July 2010. We expect this project will run through December 2011.

If you have any questions or concerns please feel free to call Mr. Alan Greene at 818-989-9539.

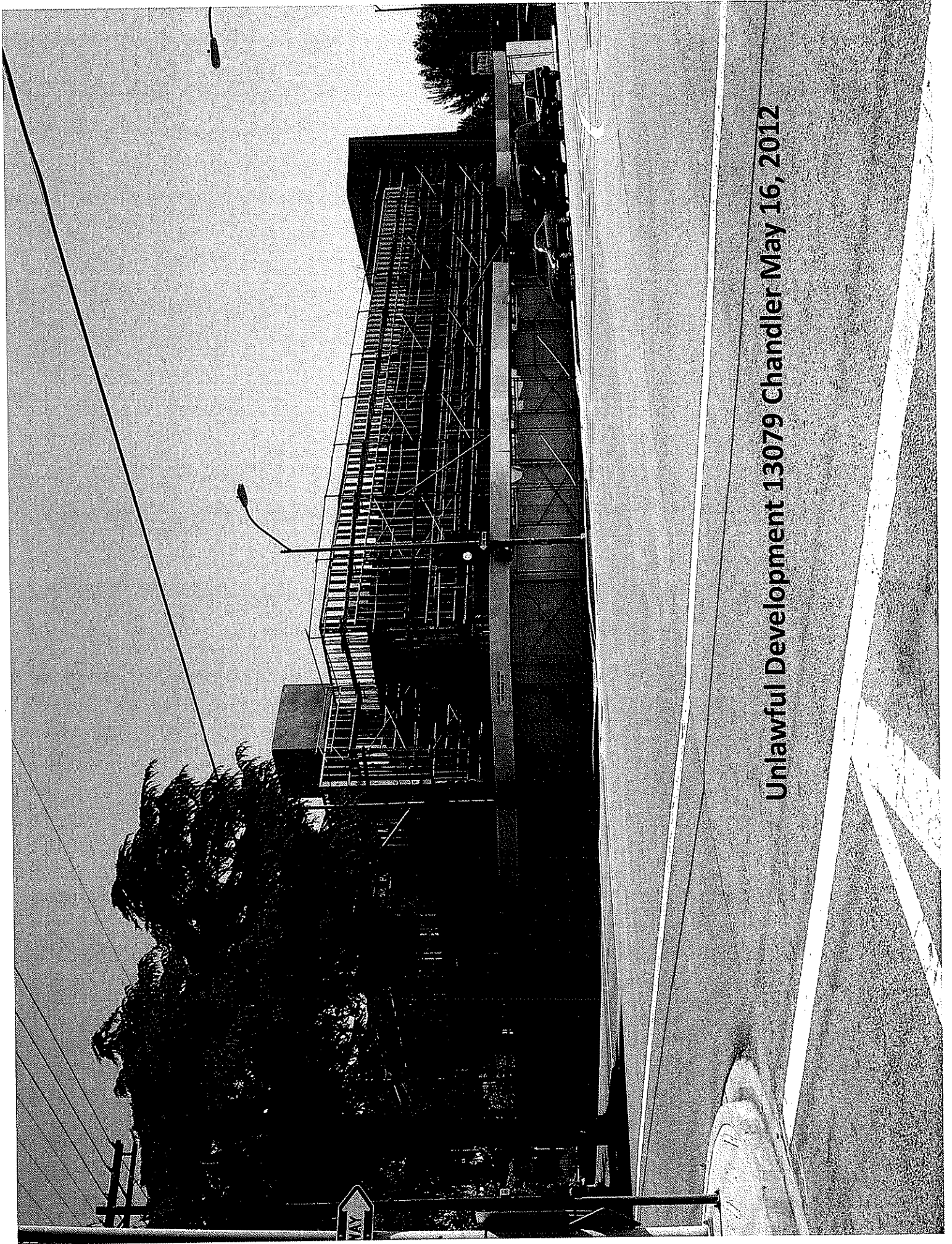
Sincerely

Chabad North Hollywood

EXHIBIT J



13079 Chandler January 28, 2008



Unlawful Development 13079 Chandler May 16, 2012

EXHIBIT K

Chabad's entitlements were vacated on May 29, 2012, yet work continues on this project. Below are photos showing workers on site June 11 and 12, 2012.

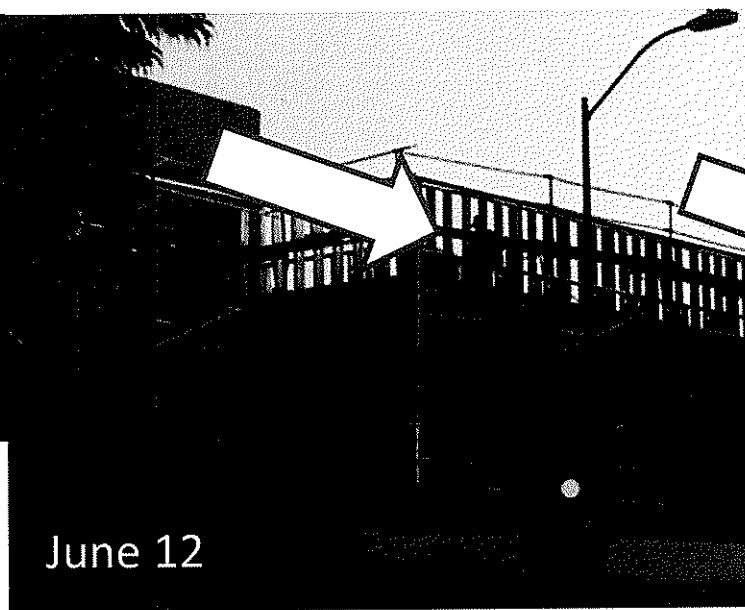
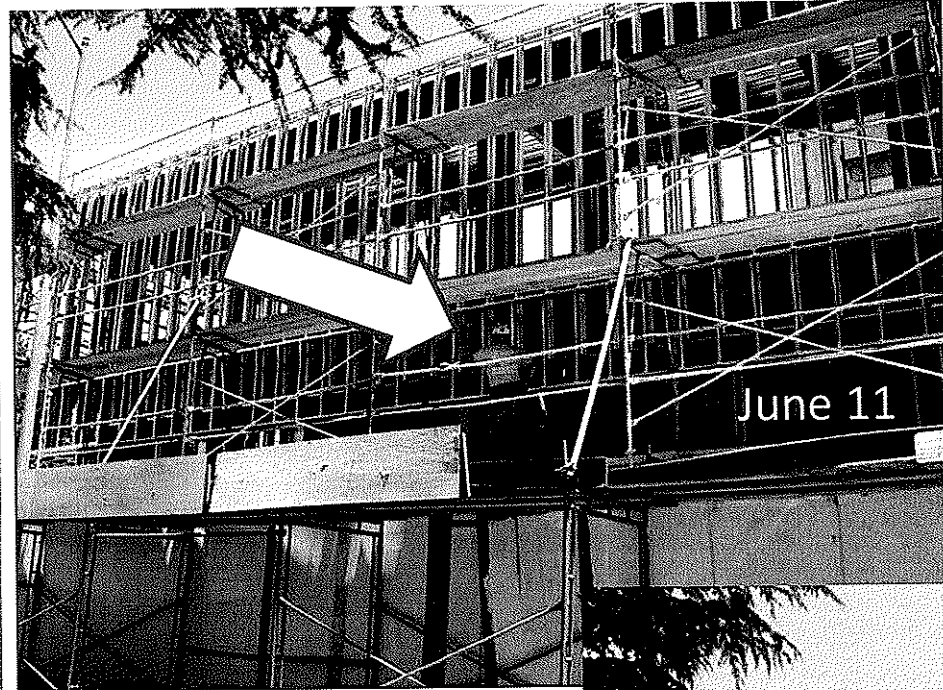
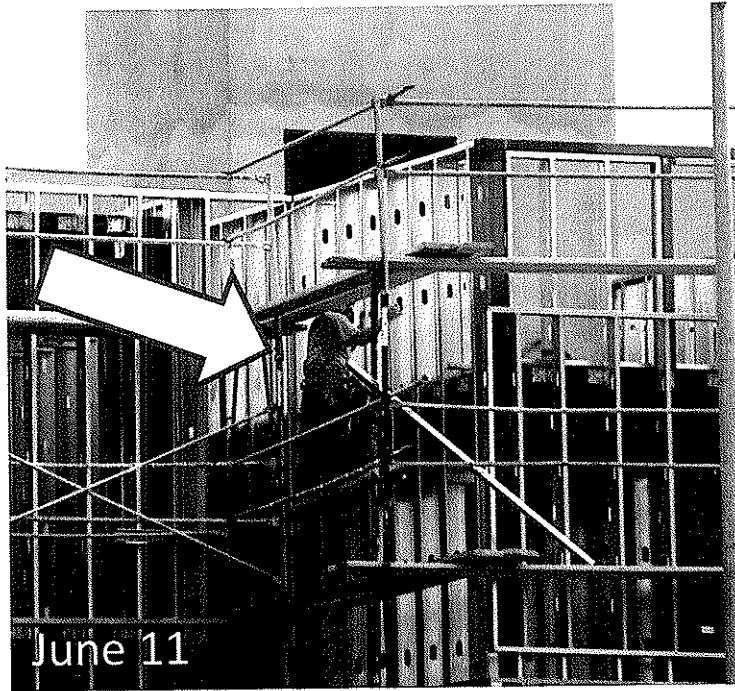
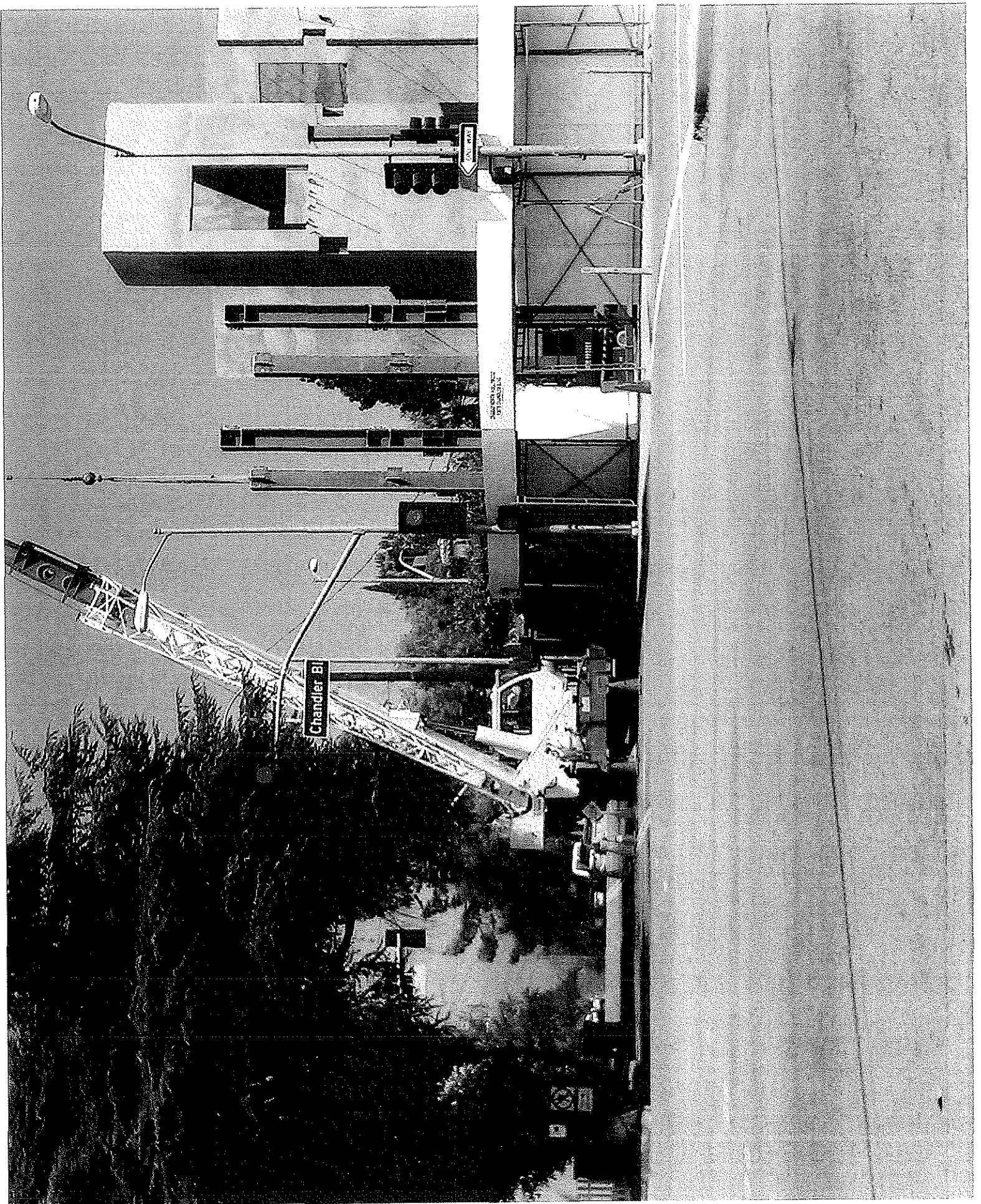


EXHIBIT L



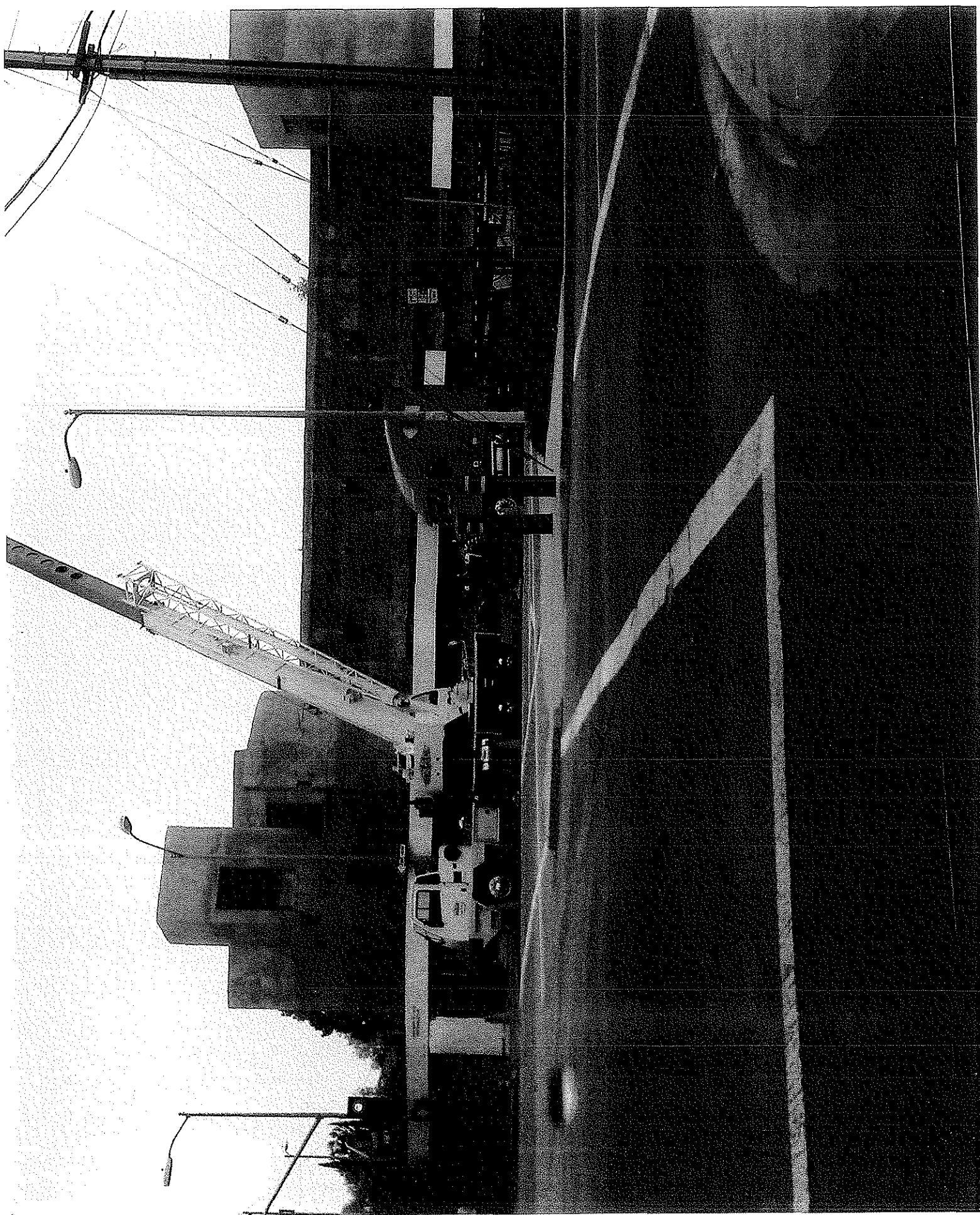
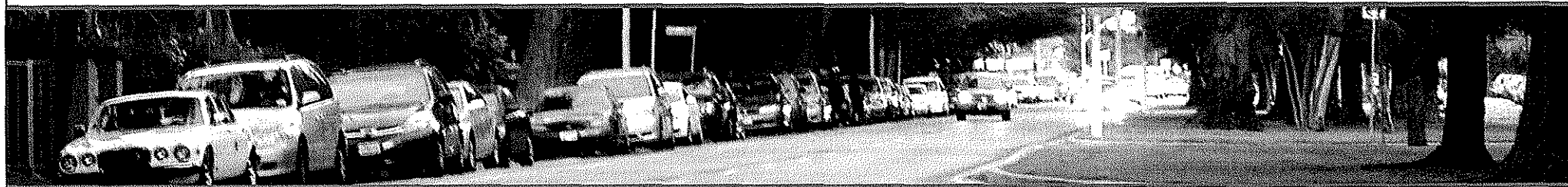


EXHIBIT M



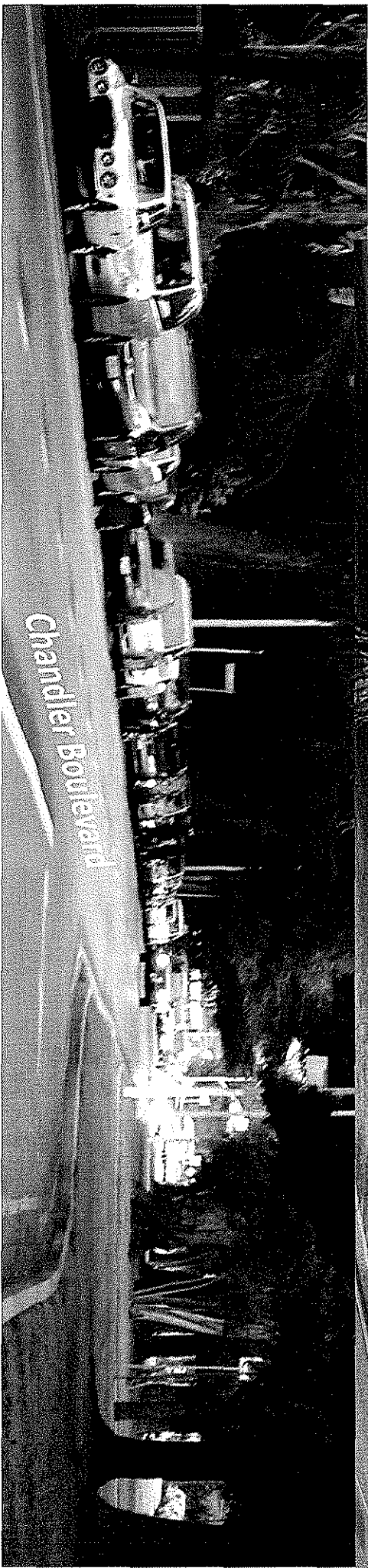
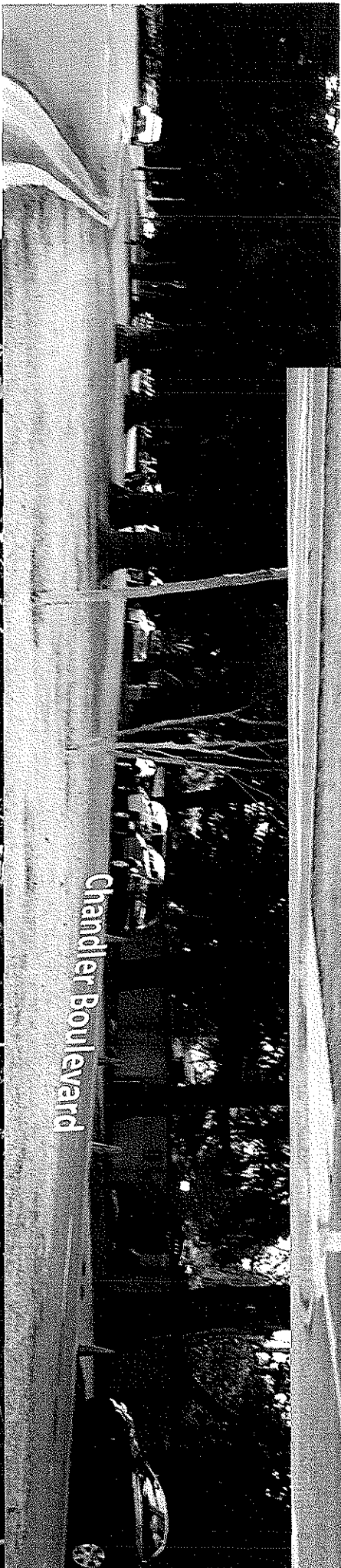
On Tuesday February 28, 2012 (5:50pm) a function at Chabad of North Hollywood drew upwards of 100 Cars seen here along Chandler Boulevard between Coldwater Canyon Ave. and Fulton Ave. Cars also extend along the North and South portions of Ethel Ave.

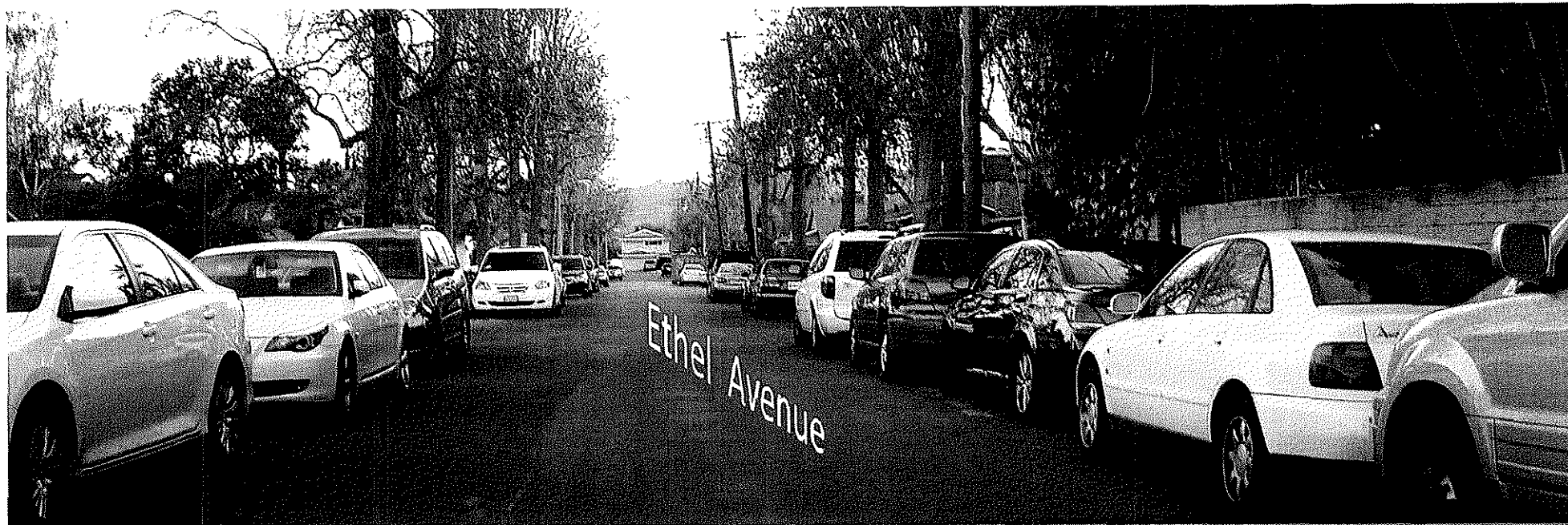


Chabad's conditions governing parking has an exemption from using the required Valley College parking arrangement - unplanned events, where timing prevents the securing of any off site parking , shall be exempt from their off site parking requirements. Also, the valley college arrangement is only valid for 14 events and despite having this arrangement, parking space is not guaranteed at all!



On Tuesday February 28, 2012 a function at Chabad of North Hollywood drew upwards of 100 Cars seen here along Chandler Boulevard between Coldwater Canyon Ave. and Fulton Ave.
Cars also extend along the North and South portions of Ethel Ave.





On Tuesday February 28, 2012 a function at Chabad of North Hollywood drew upwards of 100 Cars seen here along Chandler Boulevard between Coldwater Canyon Ave. and Fulton Ave. Cars also extend along the North and South portions of Ethel Ave.



EXHIBIT N



Property Activity Report

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5410 N ETHEL AVE 91401
APPLICATION / PERMIT NUMBER: 10010-20000-00619
PLAN CHECK / JOB NUMBER: B10VN03332

Permit Application or Issued Permit Information

GROUP:	Building		
TYPE:	Bldg-New		
SUB-TYPE:	Commercial		
PRIMARY USE:	(26) Temporary Structure		
WORK DESCRIPTION:	TEMP. STATE APPR. COACH FOR ASSEMBLY USE PER CONDITION NO. 10 UNDER ZA 2007-4636(ZV) --USED "ONLY" DURING CONSTRUCTION PHASE FOR RELIGIOUS FACILITY APPROVED UNDER ZA2007-4635-CU-ZV-ZAA-ZAI LOCATED AT 13079 WEST CHANDLER BLVD.		
PERMIT ISSUED:	No	PERMIT ISSUE DATE:	N/A
ISSUING OFFICE:	N/A		
CURRENT STATUS:	Verifications in Progress	CURRENT STATUS DATE:	08/06/2010

Permit Application Status History

Submitted	04/09/2010	PCIS IMPORT
PC Assigned	04/16/2010	DEAN LEE
Reviewed by Supervisor	04/23/2010	BINH PHAN
Verifications in Progress	05/27/2010	DEAN LEE

Permit Application Clearance Information

Eng Process Fee Ord 176,300	Cleared	04/28/2010	LEE GUILBEAUX
Highway dedication	Cleared	04/28/2010	LEE GUILBEAUX
Hydrant and Access approval	Cleared	04/28/2010	JOSEPH JACKSON
Roof/Waste drainage to street	Cleared	04/28/2010	LEE GUILBEAUX
Sewer availability	Not Cleared	04/28/2010	LEE GUILBEAUX
Title 19 building approval	Cleared	04/28/2010	JOSEPH JACKSON
ZA Case	Cleared	04/28/2010	MAY SIRINOPWONGSAGO
Miscellaneous	Cleared	05/03/2010	LOURDES GREEN
ZA Case	Cleared	05/03/2010	LOURDES GREEN
DAS Clearance	Cleared	05/12/2010	DEAN LEE
ZA Case	Cleared	05/17/2010	ALFREDO PEREZ
Metro Rail approval	Cleared	06/10/2010	ASPET DAVIDIAN

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Licensed Professional/Contractor Information

No data available

Inspection Activity Information

Inspector Information

No data available

Pending Inspection Request(s)

No data available

Inspection Request History

No data available

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EXHIBIT O

increase in the size of the building. This was done in the context of an agreement brokered between Chabad and Councilman Weiss, with no public input, supported by no findings, and without any analysis bridging the gap from what the ZA had approved. This is a clear denial of Petitioners' due process rights.⁹

⁹ There can be no doubt that the Assembly/Synagogue space allowed by the ZA (2,400 square feet) is more than adequate to service Chabad's 200-person limitation that the City Council imposed and to which Chabad agreed. Fire Department regulations permit 1 person for every 7 square feet in an assembly area with no fixed seats. CT: Page 71 Zoning Administrator's findings of fact). A 1,400 square foot synagogue space (nearly double the 800 square feet of synagogue space Chabad now uses) thus would accommodate Chabad's 200 people. The additional 1,000 square feet (under the ZA's 2,400 square foot combined conditional use grant) would legally and safely accommodate another 66 people under the ratio of 1 person for every 15 square feet that is used by the Fire Department to measure the limits of multi-purpose room occupancy. Therefore, the 2,400 square foot combined assembly/synagogue space proposed by the Zoning Administrator easily accommodates up to 266 people, 16 more than Chabad stated it needs to service its congregants, and 66 more than Chabad accepted under its secret 'agreement' with Councilman Weiss.

Based on this 2,400 square feet of Assembly/Synagogue space, a total building size of 4,700-5,500 square feet would be consistent with the Sherman Oaks and Encino Chabads and entirely sufficient for this Chabad's needs. The ratio of Sherman Oaks Chabad Assembly/Synagogue area (3,045 square feet) to the building size (5,212 square feet) is 58.42%. For Encino Chabad, the ratio of the Assembly/Synagogue area (1,925 square feet) to the entire building (6,700 square feet) is 28.73%. The average ratio for these two Chabads is 43.57%. Applying that figure to the 2,400 square feet of Assembly/Synagogue approved by the ZA suggests that the overall Chabad building size should be 5,508 square feet (not the 10,300 square feet approved by the ZA). A comparison of building size to lot size likewise suggests a much smaller building than approved by the ZA. The Sherman Oaks Chabad has a 5,212 square foot building 'footprint' on a 10,500 square foot lot, giving a building surface footprint (cont'd)

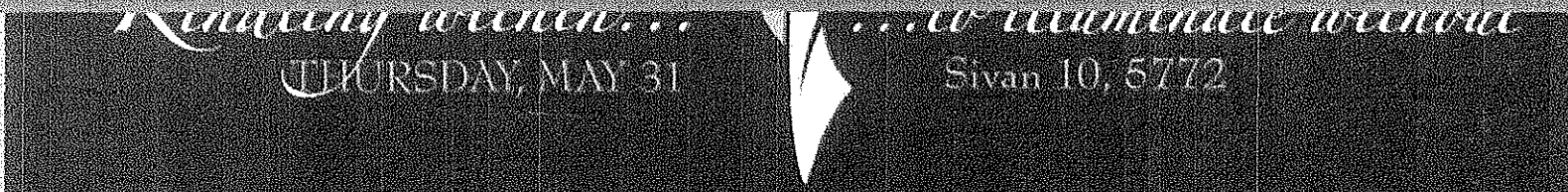
As in the case of *Orinda Assn vs. Board of Supervisors* (1986) 182 Cal. App. 3d 1145, in this case the orientation and scale of the project in relation to the surrounding residential area is a primary consideration. In *Orinda*, the Board of Supervisors thought the project was so attractive that it was permissible to grant a variance that *de facto* ignored the height limitations set out in the zoning code. This resulted in a complete lack of compatibility with the surrounding properties. The Court of Appeal held the attractiveness of the project did not support the analytical bridge *Topanga* requires to justify the ultimate decision to grant the variance (which, in the *Orinda* case involved whether the subject property differed substantially from the character and scale of the buildings constructed on adjacent properties).

In *Orinda*, the governing authority believed the proposed building was attractive. In this case, the City Council believed that the secret

relative to the total lot size of 49.63%. The *Encino* Chabad's 6,700 square foot structure is located on a 19,855 square foot lot, making the surface building footprint 33.74% of the total lot area. The average of these two ratios is 41.68%. Applying that ratio to Chabad's lot size of 9,600 square feet suggests a total building size of 4,764 square feet. Thus, when considering two neighboring Chabad facilities, the building at issue in this case should be in the range of 4,764-5,508 square feet. This would give Chabad more than *triple* the space it currently enjoys. There is no evidence whatsoever to support the ZA's decision to allow a structure that is more than double a size consistent with the Sherman Oaks and Encino Chabads, much less the City Council's decision to allow an even larger building.

EXHIBIT P

CHABAD OF NORTH HOLLYWOOD



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About Us

For three decades, Chabad of North Hollywood has been a vital fixture of Jewish life in the East Valley. A warm and welcoming synagogue is only where it begins, extending from there to a full range of outreach, educational and social service programs serving the greater community. Whether it's a Hebrew School, camp or youth groups for kids; classes, lectures and JLI courses for adults; weekly Oneg Shabbat and one-on-one visitation programs for seniors; holiday street festivals, family outings, Passover Seders and themed celebrations for folks of all ages; **Chabad of North Hollywood brings the joys and depths of "Yiddishkeit" to life in colorful and dynamic fashion.** It also discreetly offers food and shelter provisions for the needy, counseling for the troubled, and comfort to the infirmed and the bereaved.

Even as it looks toward greater growth in the future, Chabad of North Hollywood remains focused on its essential function of "kindling within to illuminate without!" It is in this spirit of caring and sharing that you are invited to join Chabad of North Hollywood and friends for a unique evening of fine dining, laughter, celebration and inspiration in the elegant setting of the Noor Banquet Hall in Old Town Pasadena.

Phone: 818-989-9539 | **Address:** 13079 Chandler Blvd, Sherman Oaks, CA 91401

Email: rabbi@chabadnh.com | **Web:** www.chabadnh.com

Chabad of North Hollywood • 13079 Chandler Blvd • Sherman Oaks, CA 91401 • 818-989-9539

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