



PLANNING COMMISSION STAFF REPORT

APPLICATION: PMT2014-00787 (Appeal) **AGENDA ITEM:** PH-1
PREPARED BY: Craig Jimenez **MEETING DATE:** September 10, 2014
Planning Division Manager

SUBJECT: Development Review Committee Decision PMT2014-00787 (appeal)

REQUEST: Appeal the decision of the Development Review Committee revoking a previous approval permitting a nonconforming photography studio to conduct live action filming in the RH (Residential High Density) Zone.

APPELANT: Dino and Hope Clarizio
1412 Orlando Drive
Arcadia, CA 91006

ENVIRONMENTAL DETERMINATION: Categorical Exemption (Class 1)

BACKGROUND: City building permit records indicate that the building at 309 Genoa Street was built in 1965. According to the permit, the building is 5,000 SF and was originally used to warehouse aircraft parts.

At that time, the property was in the CM (Limited Commercial Manufacturing) Zone. The development standards for this zoning district were “intended to control the intensity of use, the external effects upon surrounding areas and generally limit the uses to those that can be operated in a clean and quiet manner.”

The zoning on the property was changed to a mixed density residential zone (PD-D) in 1979 and then in 1994 to RH (Residential High Density). The 1979 rezoning made this property nonconforming, both the structure and the use.

Over the years, the building has contained very low intensity uses. Although it had been occupied almost consistently, for many years there was no income generating operation occurring on the property which did not require a business license. Until the current license was issued, there was no commercial operation that required a business license going back to at least 2000. The current business license was originally issued in 2011 for a photography studio.

SUBJECT PROPERTY: The property is located on the north side of Genoa Street, west of Magnolia Avenue. The lot is 9,046 square feet in area and improved with a nonconforming industrial building and a 9-space parking lot in front. The property is zoned RH (Residential High Density).

Surrounding land uses are multifamily residential to the west and south (across Genoa Street), and to the east is a small light manufacturing building (also nonconforming), all of which are in the RH Zone. To the north is the Gold Line right-of-way.

DISCUSSION/ANALYSIS: Nonconforming properties tend to pose challenges for property owners, neighbors and the City. Monrovia's Zoning Ordinance contains provisions for both nonconforming structures and nonconforming uses. Generally, both uses and structures that are nonconforming are allowed to remain until they are terminated and/or vacated for a period of time or the property is redeveloped. New construction must meet the current regulations of the Zoning Ordinance.

Understanding that nonconforming situations can be problematic when properties transfer ownership or change from one use to another, section 17.48.020 of the Monrovia Municipal Code specifies that "a nonconforming use may be continued so long as it is in compliance with all laws other than use regulations in this Title 17..." Further subsection (D) of this section states:

"If no structural alterations are made, a nonconforming use of a structure may be changed to another nonconforming use, provided that the Development Review Committee finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Development Review Committee may impose conditions to ensure that the degree of nonconformity is not thereafter increased, along with such other conditions as are necessary to mitigate any adverse impacts of the changed use upon neighboring properties."

Specifically, the City has relied on the Development Review Committee (DRC) to review the operation statement of a proposed business when it will be replacing an existing nonconforming use to determine its appropriateness and if necessary, apply conditions to mitigate potential impacts.

309 Genoa Street

A business license was issued in November 2011 to Genoa Studios to operate a photography studio (Attachment 1). On April 28, 2014, the applicant/appellant filed an application to allow the approved studio use to also include live action filming, as this was considered a change in use, it was referred to DRC. Prior to the meeting, courtesy notices were mailed to 91 property owners in the vicinity of the property providing notification of the request. The request was reviewed and approved with specific conditions by the Development Review Committee on May 14, 2014. (Attachment 2)

Using §17.48.020(D), DRC determined that the change in use from a still photography studio to live action filming would be appropriate subject to the conditions of approval on Data Sheet 1. The conditions of approval were designed to address potential adverse impacts related to noise, outdoor storage, hours of operation and parking.

Unfortunately, over the following month, the Police Department, Neighborhood and Business Services Division and the Planning Division all received complaints regarding the use of the property which was beyond the scope of what was allowed based on the conditions of approval. When complaints are received by the City, the first step is to notify the property owner of the situation through an "educational letter", which was sent on June 12, 2014 (Attachment 3).

Over the next couple of weeks, the City continued to receive complaints from the neighborhood involving decreased street parking resulting from numerous cars and trucks associated with the use, increased noise as a result of live entertainment at the site,

increased outdoor storage, and business operations during prohibited late-night hours (Attachment 4). Pursuant to condition 3 of the General Requirements section of Data Sheet 1, the “approval may be called for review, including modification or revocation, at any time by City Staff, the Development Review Committee, or the City Council, if a violation of the approved conditions or the Monrovia Municipal Code (MMC) is alleged...”

A meeting was scheduled before the DRC to review the previous decision made on July 9, 2014 authorizing the change in use from a photography studio to a live action filming location. Courtesy notices were again mailed to property owners in the area providing notice of the meeting. At the meeting, the owner of the subject property was in attendance as well as several of the residents of the neighborhood. The property owner stated that the manager of the business was given the conditions and instructed that the business was required to operate within the parameter of the conditions. Despite notification of the meeting, the manager of the business did not attend the meeting.

The neighbors discussed the various violations of the conditions and presented a petition from the neighborhood requesting that the City revoke the previous approval for live action filming at the site (Attachment 5).

In order to provide the business manager with an additional opportunity to respond, the Committee continued the review hearing until their next meeting on July 23, 2014.

At the July 23rd meeting, and after discussing the issues with the manager of the business, the Committee voted unanimously to revoke its previous approval authorizing the use of the property for live action filming (Attachment 6). Therefore, the business license would limit the use to a photography studio.

The property owner timely filed an appeal of the DRC decision on August 4, 2014 (Attachment 7). Decisions of the DRC are heard by the Planning Commission. A public hearing was scheduled for the next available agenda, September 10, 2014.

Nonconforming properties are problematic and City Staff strives to provide options for property owners to allow viable use of existing developed properties within the requirements of the Monrovia Municipal Code. The section of the City’s Nonconforming Ordinance provides DRC some flexibility to review proposed new uses on nonconforming properties and allows reasonable conditions to be placed to ensure that a new use will be compatible with surrounding uses.

In this case, the Development Review Committee established reasonable conditions that would mitigate the potential adverse impacts that the changed use would create. The owner of the business consented to and accepted each of the conditions of approval issued by the DRC. Unfortunately,, the business owner/manager failed to adhere to the approved and accepted conditions of approval, which resulted in the adverse impacts and disturbance of the peace in the neighborhood that the conditions were designed to prevent – decreased street parking for residents of the area, increased and unreasonable noise emanating from the subject property, and outdoor storage. This was the basis for the Committee revoking their previous conditional approval of the use.

It should be noted that, pursuant to MMC §2.52.060(B), although the appellant is required to provide the grounds for the appeal within the appeal request, no statement, evidence or other information has been provided by the appellant/business owner to contradict the evidence

presented at the DRC review hearing or to explain why the DRC authorization for the changed use should not be revoked.

RECOMMENDATION: Staff recommends that, based upon the evidence presented to the Planning Commission as attached to this Staff Report and as otherwise presented at the appeal hearing, the Planning Commission uphold the decision of the Development Review Committee rescinding their previous approval to allow a business to allow live action filming (PMT2014-00787). If the Planning Commission concurs with this recommendation then, following the public hearing, the adoption of the following resolution is appropriate:

The Planning Commission of the City of Monrovia hereby finds, determines and resolves as follows:

1. Pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines, the Planning Commission in the exercise of its independent judgment finds that PMT2014-00787 is categorically exempt from CEQA under Class 1.
2. The Planning Commission finds that the custodian of records for all other materials that constitute the record of proceeding upon which this decision is based is the Planning Division Manager. Those documents are available for public review in the Planning Division located at 415 South Ivy Avenue, Monrovia, California, 91016.
3. The Planning Commission denies the appeal of the Development Review Committee's revoking the business license approved under PMT2014-00787, thereby upholding the decision of the Development Review Committee.

MOTION:

Close the public hearing and adopt the Resolution denying the appeal and upholding the decision of the Development Review Committee as presented in the Staff Report.



BUSINESS LICENSE APPLICATION

Department of Community Development
 415 South Ivy Avenue
 Monrovia, CA 91016-2888
 Telephone: (626) 932-5586 Fax: (626) 932-5569

The Monrovia Municipal Code requires that all businesses pay a business tax. All businesses are required to comply with all City codes and must be approved by the Department of Community Development. It is the responsibility of the applicant to maintain an active business license by renewing each year.

Type of Application: <input type="checkbox"/> Change of Ownership <input checked="" type="checkbox"/> New application <input type="checkbox"/> Change of Address		(office use) License No <u>BUS2011-00628</u> Expiration Date <u>11/30/12</u>
Type of Business License: <input type="checkbox"/> Commercial/Industrial <input type="checkbox"/> Contractor <input type="checkbox"/> Home Occupation <input type="checkbox"/> Non-Profit Organization <input type="checkbox"/> Auto for Hire <input type="checkbox"/> Property Rental		

Business Information	Business Name	<u>Genoa Studios</u>	
	Business Address	<u>309 Genoa</u>	City, State, Zip <u>Monrovia CA 91016</u>
	Mailing Address	<u>1412 Orlando Dr.</u>	City, State, Zip
	Business Phone	<u>(626) 277-9673</u>	Email <u>Canj4me@aol.com</u>
	Federal ID No.	<u>131647440</u>	State Sales Tax No.
	Type of Ownership		
Contractor's State License No.		Class	SIC Code

Owners Information	Owner's Name	<u>Hope Clarizo</u>	
	Owner's Address	<u>1412 Orlando Drive Arcadia CA 91006</u>	
	Phone	<u>(626) 277-9673</u>	SSN <u>131647440</u>
	Second Owner's Name	<u>CHRISTOPHER CLARIZO</u>	
	Address	<u>Same</u>	City, State, Zip
	Phone		
Emergency Phone			

Business Description	Business operation statement. Include products/services offered or produced as well as any parts of the business that are incidental to the primary use.		
	<u>Photography Studio</u>		
	Number of Employees	<u>3</u>	
	Hours of Operation	Mon - Fri <u>Varies part-time</u>	Sat. <u>Sun.</u>
	Current Use of Building		
Vacant more than 180 days? <input type="checkbox"/> Yes <input type="checkbox"/> No		Building modifications required? <input type="checkbox"/> Yes <input type="checkbox"/> No	
		New building signage? <input type="checkbox"/> Yes <input type="checkbox"/> No	

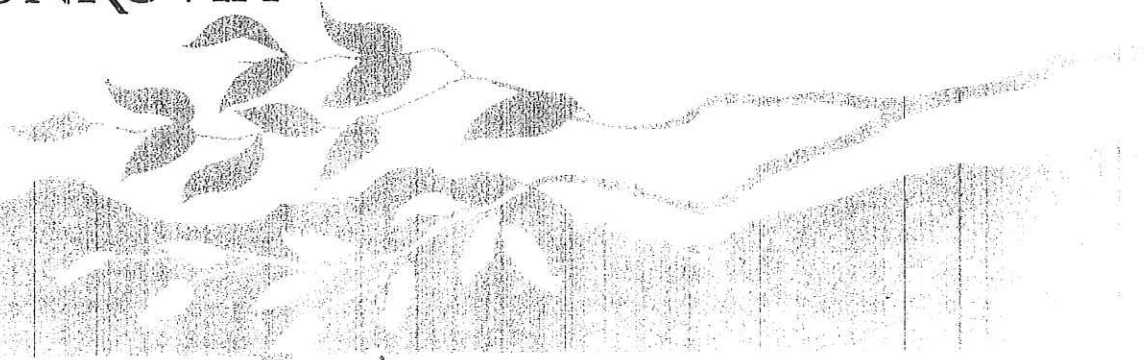
Affidavit	I hereby certify under penalty of perjury that the information provided herein is to the best of my knowledge and belief, a true and complete statement. I understand that this application is not a license and that no business activity may commence until a business license is issued.	
	Signature	<u>[Signature]</u> Date <u>11/21/11</u>

November 30, 2011

To Whom It May Concern:

The business hours of Genoa Studios, operating out of 309 Genoa Street, Monrovia 91016, will not be prior to 6 am or after 10 pm. Presently there is one employee, Christopher Clarizio. Clients will come to this location; the fact that the property has a parking lot will prevent such clientele from having an impact on street parking, nor will there be such a level of clientele that it will have an impact on street traffic. This property was purchased with the understanding that it is a commercial property and the intention was to have a small business operate of it that will not impact the surrounding neighbors.

Hope Clarizio



May 15, 2014

Ms. Hope Clarizio
1412 Orlando Dr
Arcadia, CA 91006

Site Address: 309 Genoa Street
Application: PMT2014-00549

Request: Determination of Use to allow filming at a photography studio

The above request was presented to the Development Review Committee (DRC) at their regular meeting on May 14, 2014.

The following action was taken:

The request was approved with the attached Data Sheet 1 Conditions

Please note condition # 5 under GENERAL REQUIREMENTS: The Applicant shall, within 30 days after approval by the Development Review Committee, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Number 1. This approval shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.

All approvals are subject to compliance with the Monrovia Municipal Code requirements.

NOTE: Decisions of the Development Review Committee are final unless a written appeal to the Planning Commission is filed with the Planning Division within ten (10) days from said decision.

Monrovia Planning Division



DATA SHEET 1

DRC Conditions

PMT2014-00549

309 Genoa Street

Pursuant to Section §17.48.020(D), the Development Review Committee is authorized to approve changes from one nonconforming use to another nonconforming use if the Committee determines that the use will not increase the nonconforming situation. In permitting the change, the DRC may impose conditions necessary to mitigate any adverse impacts that of the changed use upon neighboring properties.

The operations on the site must remain in substantial conformance at all times with the request. The Development Review Committee finds that the potential impacts from a change in use from a photography studio to a live action filming studio can be mitigated with appropriate conditions. The request is approved subject to the following conditions:

BUSINESS OPERATION

1. All activities shall be conducted entirely within an enclosed building. In addition to any other restrictions on noise specified in the Monrovia Municipal Code, the noise level standards specified in MMC Section 9.44.040 shall be applicable to the operations and patrons on the premises, and the Applicant shall ensure that its operations and patrons do not exceed those noise levels.
2. Outdoor storage of supplies, products, materials, and equipment is prohibited.
3. The Development Review Committee shall review the use six months from the date the approval. The review shall focus on compliance with the conditions of approval related to any noise and parking impacts to the surrounding properties.
4. Hours of operation for live action filming shall be limited to 8:00 AM to 8:00 PM. Before any change is made in these hours of operation, approval by the Development Review Committee (DRC) shall be obtained by Applicant.
5. There shall be no parking related to the approved business on Genoa Street. Applicant shall be responsible for notifying its clients of this restriction. In the event a violation of this condition is verified as valid by the Police Department, Code Enforcement, or other City department, the review may be conducted by the Development Review Committee (DRC) and the DRC is empowered to modify this approval, based upon a finding that those problems exist, by requiring additional conditions or restrictions as determined necessary by the DRC.
6. One sign, no larger than 12" x 12", shall be placed on the front fence that provides contact information in the event problems on the site occur.
7. Any change in operation that intensifies the permitted filming, hours, parking, etc., shall require the application for and approval of a Filming Permit issued through the City of Monrovia/Film LA.
8. Any proposed pyrotechnic or special effects shall require a permit from the fire department prior to filming.

9. There shall be no uses or activities permitted of an adult-oriented nature as defined in Title 17 of the Monrovia Municipal Code.
10. The use of pornographic material in the form of videos, slides, magazines, or pictures shall be prohibited within the business establishment.

GENERAL REQUIREMENTS

1. Any violation of these conditions of approval or the Monrovia Municipal Code may be subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of this permit at the discretion of the City Attorney and City Prosecutor.
2. The term "Applicant" as used herein shall include the applicant, the property owner and all successors in interest to this approval.
3. This approval may be called for review, including modification or revocation, at any time by City Staff, the Development Review Committee, or the City Council, if a violation of the approved conditions or the Monrovia Municipal Code (MMC) is alleged, or if it is alleged that the establishment, or its patrons, are creating a public nuisance, and such violation or public nuisance is verified as valid by the Police Department, Code Enforcement, or other City department. In addition to any other remedy available to the City, security measures may be required such as adding an employee to monitor the area where problems are occurring.
4. Indemnification. As a condition of approval, Applicant agrees to defend, indemnify, protect and hold harmless City, its officers, officials, employees, agents and volunteers from and against any and all claims, actions, or proceeding against the City, its officers, officials, employees, agents and/or volunteers to attack, set aside, void or annul, an approval of the City, Planning Commission or City Council concerning this permit and the project. Such indemnification shall include damages, judgments, settlements, penalties, fines, defensive costs or expenses, including, but not limited to, interest, attorneys' fees and expert witness fees, or liability of any kind related to or arising from such claim, action, or proceeding. The City shall promptly notify the Applicant of any claim, action, or proceeding. Nothing contained herein shall prohibit City from participating in a defense of any claim, action or proceeding. The City shall have the option of coordinating the defense, including, but not limited to, choosing counsel for the defense at Applicant's expense.
5. The Applicant shall, within 30 days after approval by the Development Review Committee, submit to the Community Development Department his/her written consent to all of the conditions of approval contained in Data Sheet Number 1. This approval shall be void and of no force or effect unless such written consent is submitted to the City within the 30 day period.
6. All of the above conditions shall be complied with prior to commencement of the operation, unless an earlier compliance period is specified as part of a condition.

AFFIDAVIT OF CONSENT TO CONDITIONS

In the matter of the Determination of Use for the property located at 309 Genoa Street, pursuant to Title 16 and/or Title 17 of the Municipal Code of the City of Monrovia, California, I hereby affirm:

I hereby certify consent to all of the conditions of approval contained in Data Sheet 1.

Hope Clarizo
Signature

Hope Clarizo / Dina Clarizo
Print Name

05/18/2014
Date

Planning Division
City of Monrovia

June 12, 2014

Ms. Hope Clarizio
1412 Orlando Rd.
Arcadia, CA 91006

SUBJECT PROPERTY: Genoa Studios – 309 Genoa Street, Monrovia, CA

Dear Ms. Clarizio:

The purpose of this letter is to inform you of a complaint received concerning recent filming activity at your business. The complaint was concerning an excessive number of vehicles (allegedly belonging to crew members) that were parked on the street on Genoa.

As you are aware, the Development Review Committee recently approved changes to your business operations from a photography studio to a live action filming studio with certain conditions. Please see the condition regarding parking below:

Business Operation

Condition #5 -- There shall be no parking related to the approved business on Genoa Street. Applicant shall be responsible for notifying its clients of this restriction. In the event a violation of this condition is verified as valid by the Police Department, Code Enforcement or other City department, the review may be conducted by the Development Review Committee (DRC) and the DRC is empowered to modify this approval, based upon a finding that those problems exist, by requiring additional conditions or restrictions as determined necessary by the DRC.

It is requested that you ensure that all of your business activities adhere to the conditions per the enclosed document (PMT2014-00549). Also, please be reminded that if there are any further verified violations of your conditions that you are subject to the Administrative Fine Ordinance, other available remedies and/or revocation or modification of your permit.

Your voluntary cooperation is appreciated. If you have any questions, feel free to call me at (626) 932-5586.

Sincerely,

Sheila Spicer-Batice
Neighborhood & Business Services Supervisor

Building 309 Genoa Street Studio/Movie Zone Issues

-June 11, 2014 (Wednesday) starting at 9am, the building at 309 Genoa street was beginning to bring their crew in.

-I witness four employees parking their car on the street and walking into the building. One of the car was an old grey Nissan or Toyota. The owner of that car had put paint paper on top of her car with spray paints on it in the color of orange and green. She later proceeded to spray the above the back of the trunk and then it ran into the street and didn't clean it up.

-The car green jeep (Meezkyt) and the grey Ford SUV (1FGZ028) belongs to the building. These cars are usually parked inside the facility parking lot and they move it out to accommodate the movie trucks. As you can see this takes up parking for our residents.

-Genoa streets are usually not this full during weekdays late mornings to afternoon.

-I placed a call into Stg Newton at 626-256-8020 to ask her what we (resident of Genoa) should do in a case like this. She advice that I start to document and take pictures and send it to the Code enforcement department where they can be able to handle the situation.

-At this event they had on June 11, 2014 it did not end until past 8pm. It was into 930pm that they started cleaning up.

-One of the neighbors in 315 Genoa Street heard the catering company started closing up close to 9pm. The workers of the catering company was shouting back and forth between the street.



Building 309 Genoa Street Studio/Movie Zone Issues

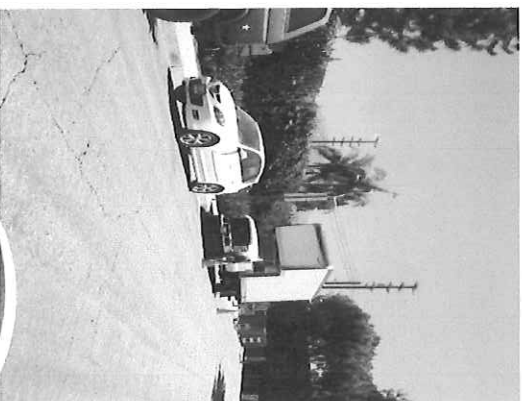
- June 17, 2014 (Tuesday) starting at 9am, the building at 309 Genoa street was beginning to bring their crew in.

-As you can see all the parked cars on the street were mainly of the crew/employees from 309. I witness at least 9 crew members parked and going into the building.

-Two young Asian men also parked the movie truck putting the orange cone to indicate the area. As you can see the amount of cars parked on the street are from the 309 building.

-As the day progress, there are more cars arriving and more trucks added to the lot and onto the street not to mention more crew members are parking on residential street.

-On this day it was more packed then before since one side of the street is street cleaning day so no parking from 10am-2pm.



Building 309 Genoa Street Studio/Movie Zone Issues

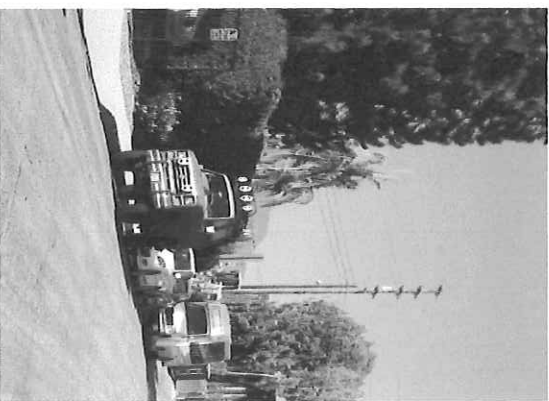
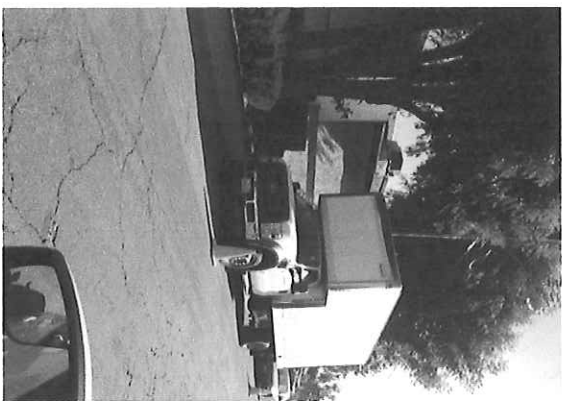
-June 17, 2014 (Tuesday). At 4:45pm both side of Genoa street are now packed with cars. Most are from the building 309.

-I witness and over heard some cars driving up the street and making a U turn and looking around for a place to park, asking as to why there's no parking and these people are residents of Genoa Street.

-As you can see, this time the movie truck was moved half a block down from the 309 building.

-I stopped and asked a guy named "George" as he states his name (5'6 Asian guy in his early 30's) if the truck was for the studio and he replied yes. On the truck was a website indicated "moviereel.com." I told him that he needed to move the truck into the building facility and the parking area that belongs to them since they broke the Zone restriction. In 10 minutes later they move the truck.

-While they moved the truck into the facility during that process I was on the phone with Monrovia PD dispatcher Rhonda to explain the situation. The man, George, came out to asked me if I had other problems and I told him that the crew and staff cannot park in the residential area and this building had a restriction on the Zone permit. George proceeded to asked me if I had better things to do with my time and who was I to be concern with the parking issues and basically he indicated that I didn't care if they brought money to the city. I told him I was more concern with the residents and owners of homes on this street coming home and not being able to park. All the conversation was recorded by Rhonda who over heard the whole conversation. The case #14-009-399



Building 309 Genoa Street Studio/Movie Zone Issues

-June 17, 2014 (Tuesday) Now the concern is past the hours of the Zone permit restriction from 8am to 8pm. After 8pm, I noticed the activities still going on next door at 309 Genoa. You can here the event from the neighbors and my bedroom window. You can see the time date on the phone which indicated after hours.

- At 830pm I placed a call into Monrovia PD to indicate about the business building next door. I reference case number #14-009-399 from dispatcher Rhonda. This time I spoke to Erin. She dispatch out a black and white car but they were put on hold for more important matter. I called again at 9pm and Erin indicated to me that she will send a car out when they are available. At 10pm I called Erin to note on the case that the production company and the building next door was still operating at this late hours and making noises for the residents especially the building right next door. Erin said she sent a black and white car out about 40 mins ago.

-At exactly 10:45 pm was when they moved all the trucks off their lot and the crew and staff left the building. This was in part thanks to the Monrovia PD for coming out or else this company would have kept going into the late hours of the night.



Diane Delmatoff

From: Dawson, Joan
Sent: Monday, July 07, 2014 2:35 PM
To: Diane Delmatoff
Subject: RE: 309 Genoa

Importance: High

From: Dawson, Joan
Sent: Thursday, June 19, 2014 12:17 PM
To: 'ddelmatoff@ci.monrovia.ca.us'
Subject: Zoning change for 309 Genoa

Good afternoon Diane,

I know that you have already been in touch with some of my neighbors. I too live at 319 Genoa and was surprised to hear of the notice that went out. I would have been there had I known. I too have had to call the MPD on the business next door on more than one occasion due to excessive noise after hours. Because I have a fairly long daily commute to my place of employment, I am up every day at 4:00 am so my sleep is very important to me so that I can function during the day. Also my weekends are important to me and to have excessive noise and people activity right next door doesn't help. They have actually had a full rock band there on a weekend that literally shook the walls of our homes.

I understand that another meeting will be held to revisit this approval for the zone change and I will make every effort to leave work early and make it there July 9th because I think that it is important to let you all know how we feel about what is going on. I also have a question, they have a "parking lot" within their fenced area, is this only supposed to be used as a parking area for those who work there? The reason I ask is that it is slowly turning into a storage area. So far there is a full sized bus, some sort of water craft (Seadoo?), a car that remains covered, an old blue van that has a huge dumpster pushed up against the tail end, table and chairs, a piles of plastic sheeting and now the props that they use inside their "studio." It really looks terrible and is depressing for those of us who take pride in our homes and yards.

Thank you for your help in this matter. I wanted to let you know my feelings just in case I am not able to leave work on July 9th.

Joan Dawson RN, MSN, CNOR
Cedars-Sinai Medical Center
Operating Room Manager

From: Diane Delmatoff [<mailto:ddelmatoff@ci.monrovia.ca.us>]
Sent: Thursday, July 03, 2014 02:09 PM
To: Dawson, Joan
Subject: RE: 309 Genoa

Hi Joan, I apologize, but my computer had a melt-down yesterday and I have lost some emails. Did you send a statement for next week's meeting? I don't seem to have one from you.

Diane

Diane Delmatoff

From: bobby gray ·
Sent: Wednesday, June 18, 2014 5:29 PM
To: Sheila Spicer Batice
Cc: Diane Delmatoff
Subject: Fw: 309 Genoa Street - Filming
Attachments: 309genoafilm0611714p1.jpg; 309genoafilm061714p2.jpg

On Wednesday, June 18, 2014 12:03 PM, bobby gray · wrote:

The attached documents are the front and back pages of a filming schedule which I found as trash on the sidewalk. You may find these helpful as you pursue your investigation and administration.

During the morning, it appeared steps were taken to redirect parked cars to accommodate street cleaning - kudos for that. However, during the afternoon, a van with a trailer was double-parked for an extended period. This street has already been experiencing increased traffic from the construction on the Gold Line at nearby cross street Magnolia, including gravel trucks and the bus that ferries pedestrians around the construction. It does not need vehicles parked in the middle of the street to boot.

From the Monrovia website, I understand that neighbor signatures are to be sought and notices are to be posted before filming. Neither of these actions has been taken. I am also concerned whether requisite fire inspection has been done to ensure electrical outlets can support spotlights, etc.

While the benefits of increased business activity are certainly appreciated by our community, they should be accomplished within the boundaries of good corporate citizenship and consideration of neighbors.

Thank you.

On Wednesday, June 18, 2014 9:11 AM, Sheila Spicer Batice <sspicer@ci.monrovia.ca.us> wrote:

There was no filming permit issued for this activity. This company has received permission to operate a film studio at this location with certain conditions, including parking and time restrictions. The parking of vehicles on the street and filming past 8:00 p.m. are not allowed. I have passed the information along to the Planning Division regarding violations of their conditions to operate filming activity at this location. Once reviewed, there will be follow up to the business owner with the next course of action which may include Administrative Citation and/or the approval for their operations called for immediate review by the Development Review Committee at their next meeting.

Regards,

Sheila Spicer-Batice
Neighborhood & Business Services Supervisor
City of Monrovia
626-932-5586

From: bobby gray |
Sent: Wednesday, June 18, 2014 7:59 AM
To: Diane Delmatoff
Subject: Fw: 309 Genoa Street - Filming

Please advise if filming permits have been obtained for this address. There was such activity there all day yesterday 6/17 (at least 7 am till 10 pm), and I am wondering whether or not it was being conducted in accordance with the pertinent information shown on the Monrovia website.

Thank you.

On Wednesday, May 7, 2014 6:52 PM, bobby gray 1

wrote:

Re 309 Genoa : Thank you for letting me know about the upcoming potential amendment of the approved use of this address. If they are indeed filming there, as long as they comply with all city regulations as outlined on the website, there should be no problem. The areas of highest concern would be fire control, traffic/parking, noise particularly in the early morning and late evening, and trash.

On Wednesday, May 7, 2014 4:20 PM, Diane Delmatoff <ddelmatoff@ci.monrovia.ca.us> wrote:

Good afternoon, I wanted to inform you that the business at 309 Genoa has come to the City to try and amend their approved use. I know that you have had some concerns in the past and you are welcome to attend the meeting, or send any comments in writing beforehand.

Diane

Diane Delmatoff
Community Development Department
(626) 932-5565
(626) 932-5569 Fax

Diane Delmatoff

From: Sheila Spicer Batice
Sent: Wednesday, June 18, 2014 5:31 PM
To: Diane Delmatoff
Subject: FW: Building 309 Genoa Street Movie/Studio Zone issues

FYI for file

Sheila Spicer-Batice
Neighborhood & Business Services Supervisor
City of Monrovia
626-932-5586

From: Cyndi Bolander [mailto:
Sent: Wednesday, June 18, 2014 5:09 PM
To: 'Doan, Irene'; Ken True; Sheila Spicer Batice
Cc:
Subject: RE: Building 309 Genoa Street Movie/Studio Zone issues

To whom it may concern,

I am a resident at 319 Genoa Street in Monrovia. Last night on 6/17/14 I arrived home at 10:02 pm. To find the west end of Genoa filled with parked cars and pedestrians with the production company located the 309 Genoa Studio location. One car was doubled parked with the hazard lights flashing, apparently due to a flat tire. There was a diesel truck (which is very loud) with a generator hitched to it attempting exit the driveway of the studio. Due to the size of the truck and the parking on both the north and south sides of the street being filled with parked cars they had to back in and out of the driveway in order to pull out of the driveway. At 10:02 pm I called Monrovia PD to report his disturbance. Dispatch state that they were aware of the situation and that an officer was on his way. The office arrived a few minutes later. We spoke for a for a few minutes and stated that he would document what he saw. I asked if he could do anything about the car blocking the driveway at 312 Genoa, which was park there while the office was there. There was no action taken, the office did not talk with any of the production people for the studio.

There have been mornings as early as early as 7:00am that production crews arrive and leave as late as 10:00 pm.

Cyndi Bolander
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From: Doan, Irene [mailto:
Sent: Tuesday, June 17, 2014 11:33 PM
To: ktrue@ci.monrovia.ca.us; sspicer@ci.monrovia.ca.us
Cc:
Subject: Building 309 Genoa Street Movie/Studio Zone issues

To: Sheila Spicer & Ken True

Per our conversation today on the business location at 309 Genoa Street Zone's restriction. Attached is a power point of all the pictures and documentations I have made in regards to their operation of business

(Movie and Studio) that have broken the Zone restriction code. I will summarize what was said from Diane Delmatoff and I will also be discussing this issue with her as well.

On May 9th, 2014 I spoke to Diane Delmatoff in regards to the re-classify of the business building at 309 Genoa Street. She indicated that they are in the process of asking the city for the zone of having it turn into a studio and it will likely be approve. With that comes with restrictions such as the operation business hours are from 8am-8pm, No parking on the street which is primarily residential area, all of their trucks and employees and anything related to the business must be parked and in within their facility, they cannot exceed noise level that the resident cannot accept. You can see in the power point that they have broken most of the Zone restrictions.

I have been addressing this issue to Sergeant Newton of MPD 626-256-8020 who have been very helpful bringing this issue to the Code enforcement department. She had advice that I (we) begin to document and have neighbors call into the Monrovia PD and Code enforcement office to notify as to when the Zone restriction have been broken.

I am a home owner on Genoa street along with many others. This street consist of condos of many units, apartment of many units and homes as well. As you know, most average homes/family these days owns more than one car (two –three) and we need the street to park as we come home from a long day of work or home for lunch break. I am concern that if nothing is done about this ongoing issues then the residents of this street will not be able to park their car near their homes and the ongoing noises and traffic that this production company and the owners of 309 Genoa street are causing. They know about the Zone restriction since they are the ones asking for it to be re-classify but it seems like they are not abiding by it.

Attached are only two days of pictures and documentations, there have been many other incidents that have occurred that the residents on Genoa Street have not had the chance to note.

Please update us as to what the Code Enforcement will be doing and what actions it will take to prevent further noises and traffic that this business building have caused.

Thank you for your time,

Irene Doan
7-Eleven Inc.
Field Consultant
Market 2136



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Petition to Revoke Live Action Filming Authorization at 309 Genoa Street

<p>Petition summary and background</p>	<p>The authorization to allow live action filming at the above mention location has negatively impacted our neighborhood. Production crews monopolies the public parking. Equipment is parked on the street. Crews come and go loading and unloading on the public street actors and crews linger on the both public and private property. There have been occasion where these activities take place as early as 6:30 am and as late as 11:00 pm. Due to the heavy traffic on this street we residents are concerned that this could cause a safety issue in our neighborhood.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned citizens who urge our leaders to act now to permanently revoke any live action filming authorization at 309 Genoa Street, Monrovia, CA 91016</p>

Printed Name	Signature	Address	Comment	Date
Tom Dawson	<i>[Signature]</i>	313 Genoa Unit #1	Not a good idea. To allow you business.	7/8/14
Kelly Brise	<i>[Signature]</i>	1825 Magnolia Ave.	VOID ZONE	7/8/14
Mary Ann	<i>[Signature]</i>	1825A Magnolia Ave.	Revoke	7/9/14
June Tien	<i>[Signature]</i>	213 Geneva St #9	Revoke	7/8/14
Teres Niza	<i>[Signature]</i>	330 Genoa St Unit A	not very neighborly!	7/9/14
Nate Weeks	<i>[Signature]</i>	321 Genoa St Unit B	VOID ZONE	7/8/14
Rosalia Hernandez	<i>[Signature]</i>	327 Genoa St Unit E	Revoke	7/9/14
Mary of Matelek	<i>[Signature]</i>	321A W. Geneva St.	VOID ZONE	7/9/14

Petition to Revoke Live Action Filming Authorization at 309 Genoa Street

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Petition summary and background	The authorization to allow live action filming at the above mention location has negatively impacted our neighborhood. Production crews monopolies the public parking. Equipment is parked on the street. Crews come and go loading and unloading on the public street actors and crews linger on the both public and private property. There have been occasion where these activities take place as early as 6:30 am and as late as 11:00 pm. Due to the heavy traffic on this street we residents are concerned that this could cause a safety issue in our neighborhood.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to permanently revoke any live action filming authorization at 309 Genoa Street, Monrovia, CA 91016

Printed Name	Signature	Address	Comment	Date
CJAMI BOLANDEZ	<i>CJ Bolandez</i>	319 Genoa St. #2 MONROVIA, CA 91016		6/31/14
Vicky Shattuck	<i>Vicky Shattuck</i>	313 Genoa St #7 Monrovia CA 91016		7/1/14
Irene Down	<i>Irene</i>	313 Genoa St #5 Monrovia CA 91016	Revoke the license	7/7/14
Debra Jackson	<i>Debra</i>	319 Genoa St #12	Revoke	7/1/14
Frank James	<i>Frank James</i>	317 Genoa	Revoke	7/7/14
Jeremy Harris	<i>Jeremy Harris</i>	313 Genoa St #3 Monrovia, CA 91016	Revoke	7/7/14
Destine Harris	<i>Destine Harris</i>	313 Genoa, St #3 Monrovia, CA, 91016	Revoke	7/7/14
FANNY AN	<i>Fanny A</i>	313 GENOA ST, #9 MONROVIA, CA 91016	Revoke	7/7/14
HUBERT KAM	<i>Hubert Kam</i>	313 Genoa St #11 Monrovia, CA 91016	Revoke the license	7/7/14
Aminda Rosillos	<i>Aminda Rosillos</i>	319 Genoa St #4 Monrovia, CA 91016	Revoke	7/7/14
Aracelia Leon	<i>Aracelia Leon</i>	319 Genoa St #8 Monrovia, CA 91016	Permanently Revoke	7/8/14



July 23, 2014

Hope Clarizio
1412 Orlando Drive
Arcadia, CA 91006

Site Address: 309 Genoa St.

Application: PMT2014-00787

Request: Review of a previous DRC decision to allow an indoor filming studio subject to Planning Conditions.

The above request was presented to the Development Review Committee (DRC) at their regular meeting on July 23, 2014.

The following action was taken:

The approval decision was revoked based on the numerous violations of the Planning Conditions.

NOTE: Decisions of the Development Review Committee are final unless a written appeal to the Planning Commission is filed with the Planning Division within ten (10) days from said decision.

Monrovia Planning Division

**Hope and Dino Clarizio
1412 Orlando Drive
Arcadia, CA 91006**

RECEIVED

AUG 04 2014

Dept Of Community Development
City Of Monrovia

August 1, 2014

City of Monrovia
415 South Ivy
Monrovia, CA 91016-2888

Dear Craig Jimenez,

We are requesting to appeal the decision to rescind the Conditional Use Permit to film at 309 Genoa Street. I have enclosed the payment in the amount of \$319.00 to start the appeal process.

Thank you,


Hope Clarizio


Dino Clarizio