Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

August 18, 2010

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, CA 90012

PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
PETITIONER: EATON CANYON TREATMENT CENTER
NORTHEAST PASADENA ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)

Dear Supervisors:

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Indicate its intent to deny the appeal, thereby denying the application for Conditional Use Permit No. 200800131, and instruct County Counsel to prepare the necessary findings for denial.

PURPOSE OF/JUSTIFICATION FOR RECOMMENDED ACTION

1. The proposal to provide services to 20 residents at the proposed facility would adversely impact the surrounding community and be inconsistent with the character of the surrounding neighborhood.

2. The types, timing, and nature of traffic trips to the facility in order to provide services for 20 adults as proposed is sufficiently different from that associated with other low density residential development that the operation of the facility with the proposed number of residents would be materially detrimental to the use and enjoyment of other property in the vicinity.

3. Over 90 letters expressing concerns have been submitted to Regional Planning staff, many of which relate specific incidents that have occurred in association with the facility, which is currently in operation and had been operating without the required approvals. These incidents include, but are not limited to, vandalism, mail and trash can theft, increased traffic, patients allowed to wander outside facility grounds, and hostility and/or intimidation from the operator when he is approached about such issues. Although the applicant rebuts the assertions that such incidents have occurred, the information submitted to evidence the community's concerns

supports a conclusion that operation of the facility at this location with the number of residents proposed has resulted in problems in the neighborhood. Therefore, allowing the facility to continue operation at its current capacity would be likely to negatively affect the comfort and welfare of area residents.

4. It is unclear whether on-site parking facilities are adequate for the proposed use. There are eight parking spaces provided on the property, one of which is used to park the van that transports facility residents. The available parking, therefore, would only accommodate a maximum of seven employees at any given time, and the applicant has indicated that the largest shift would have "seven to eight" employees, as stated in the project application. This would not allow for any additional parking to accommodate any visitors or others who might come to the facilty. Based on the efforts of the applicant to restrict street parking in the neighborhood, it appears that the amount of parking has been an issue and that the facility is providing insufficient parking to meet its operational needs.

FISCAL IMPACT/FINANCING

Denial of the conditional use permits should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Regional Planning Commission conducted a public hearing on Conditional Use Permit No. 200800131 and the related Environmental Assessment Case No. 200900053 on July 7, 2010, and July 21, 2010, to consider the application for operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone at 3323 Fairpoint Street within the Northeast Pasadena Zoned District of Los Angeles County. The facility would house a maximum of 20 patients. The facility has been in operation at the site since 2003 without the necessary land use approvals from the Department of Regional Planning. Prior to submitting the application for a CUP, as well as in subsequent correspondence, the applicant requested relief from the County's processes as a reasonable accommodation. Applicable federal law requires that the County grant requested accommodations if the request meets certain requirements, including that it is necessary to afford a disabled applicant an equal opportunity to use and enjoy a dwelling and that it is reasonable. The applicant requested to be exempted from the CUP process in its entirety. The request was reviewed by County Counsel and determined to be neither reasonable nor necessary. After the conclusion of the public hearing, the Regional Planning Commission voted to deny the conditional use permit at its July 21, 2010 meeting.

Pursuant to subsection A of Section 22.60.230 of the County Code, the applicant appealed the Regional Planning Commission's denial to the Board of Supervisors on July 22, 2010. A public hearing is required pursuant to Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State

CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study concluded that a Negative Declaration of Environmental Impact would be the appropriate determination under pursuant to the provisions of CEQA. As proposed, the project would not result in any significant adverse environmental impacts. Approval of the project proposal requires certification of the Negative Declaration.

IMPACT ON CURRENT SERVICES

Action on the proposed conditional use permit is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Maria Masis, AICP
Section Head, Zoning Permits II

Attachments: Commission Findings and Conditions, Commission Staff Report and attachments, Factual

C: CEO
County Counsel
Director, Department of Public Works
Chief, County Fire Department
Director, Department of Public Health

MM:TM

Date 07/22/10

Mr. Don Ashton
Deputy Executive Officer
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Mr. Ashton:

Subject: CONDITIONAL USERS PERMIT

Use: To authorize continued operation of an adult 20 BED residential facility and alcohol rehabilitation in an R-1-20000 zone.

Address 3323- EAST- FAIRPOINT STREET.
PASADENA, CALIF. 91107

5th DISTRICT Zoned District

Related zoning matters:

Tract or Parcel Map No. APN # 5860-020-019

Change of Zone Case No. CUP # 200800131

Other PROJECT # R2008-01555(5)

This is a notice of appeal from the decision of the Regional Planning Commission on:
(Check One)

X The Denial of this request

_____ The Approval of this request

_____ The following conditions of the approval:

_____, _____, _____, _____, _____, _____, _____.

Briefly, the reason for this appeal is as follows:

We are appealing the overall denial of our CUP land use request to continue the operation of our 20 bed residential treatment facility servicing disabled clients for over a of decade with out any negative impact the community.

a) The Commission's refusal to consider of our alterative secondary request of reducing the capacity to 14 as oppose to the existing 20 bed facility.

b) The denial of our reasonable accommodation consideration request for our disabled clients, and the County's failure to implement a policy and/or procedure regarding due consideration of reasonable accommodations for disabled clients as required by State and Federal laws.

c) In essence, we are appealing all matters, issues and procedures raised regarding this process.

Enclosed is a check (or money order) in the total amount of $ 1,578.00.
The amount of $1,578.00 for applicants or $789.00 for non-applicants is to cover the Regional Planning Department's processing fee.

JAMES HEARD

(Signed) Appellant

EATON CANYON RECOVERY SERVICES, INC.

Print Name

3323- E- FAIRPOINT STREET.

Address

PASADENA, CALIF. 91107

(626) 798-0150

Day Time Telephone Number

JAMES@eatoncanyon.com

E-mail Address

THE DEPARTMENT OF REGIONAL PLANNING
COUNTY OF LOS ANGELES

NOTICE OF PUBLIC HEARING
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

PROJECT NUMBER R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053

Notice is hereby given that the Regional Planning Commission will conduct a public hearing concerning this land use proposal on **Wednesday, July 7, 2010 at 9:00 a.m.** in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

CONDITIONAL USE PERMIT REQUEST: To authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.

LOCATION: 3323 Fairpoint Street, in the Northeast Pasadena Zoned District of Los Angeles County

This case does not affect the zoning of surrounding property. If you are unable to attend the public hearing but wish to send written comments, please write to the Regional Planning Commission, 320 W. Temple St., Los Angeles, CA 90012, Attn: Tyler Montgomery.

If the final decision on this proposal is challenged in court, testimony may be limited to issues raised at the public hearing or by written correspondence delivered to the commission at or prior to the public hearing.

A Negative Declaration has been prepared for this project, subject to the requirements of the California Environmental Quality Act (CEQA). The draft environmental document concludes that the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of no significance. Notice is hereby given that the County of Los Angeles will consider a recommendation to adopt a Negative Declaration.

Case materials, including the environmental documentation, are available for review between 7:30 a.m. and 5:30 p.m., Monday through Thursday **(closed on Fridays)** in the offices of the Department of Regional Planning, Hall of Records, Room 1346, 320 W. Temple St., Los Angeles, CA 90012. Selected materials are available on the Regional Planning website at http://planning.lacounty.gov/case and at the following location:

Hastings Branch Library
3325 E. Orange Grove Blvd.
Pasadena, CA 91107 (626) 744-7262

Additional information concerning this case may be obtained by telephoning **Tyler Montgomery** at (213) 974-6435 between 7:30 a.m. and 5:30 p.m., Monday through Thursday. **Our offices are closed on Fridays.** Callers from North County areas may dial (661) 272-0964 (Antelope Valley) or (661) 253-0111 (Santa Clarita) toll free and then request a connection to 974-6435.

"Este es un aviso de una audiencia pública de acuerdo al Decreto de la Protección del Medio Ambiente de California. El proyecto que se considera por el Condado de Los Ángeles es un la operación de una clínica por la drogadicción y el alcoholismo. Una audiencia pública para considerar el proyecto tendrá lugar el día 7 de julio 2010 a nueve en la mañana. Si necesita mas información, o si quiere este aviso en Español, favor llamar al Departamento de Planificación al (213) 974-6466."

"ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice".

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053

RPC MEETING DATE	CONTINUE TO
July 7, 2010	
AGENDA ITEM 7	
PUBLIC HEARING DATE July 7, 2010	

APPLICANT	OWNER	REPRESENTATIVE
Eaton Canyon Treatment Center	Eaton Canyon Recovery Services, Inc.	Tim Riley

REQUEST
Conditional Use Permit: To authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.

LOCATION/ADDRESS
3323 Fairpoint Street, unincorporated Pasadena, Los Angeles County

ACCESS
From the south, via Fairpoint Street

ZONED DISTRICT
Northeast Pasadena

COMMUNITY
Kinneloa Mesa

EXISTING ZONING
R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
0.5 acres	Adult residential facility	Rectangular	Slightly sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)	East: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)
South: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size); City of Pasadena	West: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide Land Use Plan	1 (Low Density Residential)	1 to 6 dwelling units/acre	See Staff Analysis

ENVIRONMENTAL STATUS
A Negative Declaration has been prepared for this project, subject to the requirements of the California Environmental Quality Act (CEQA). The draft environmental document concludes that the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of no significance.

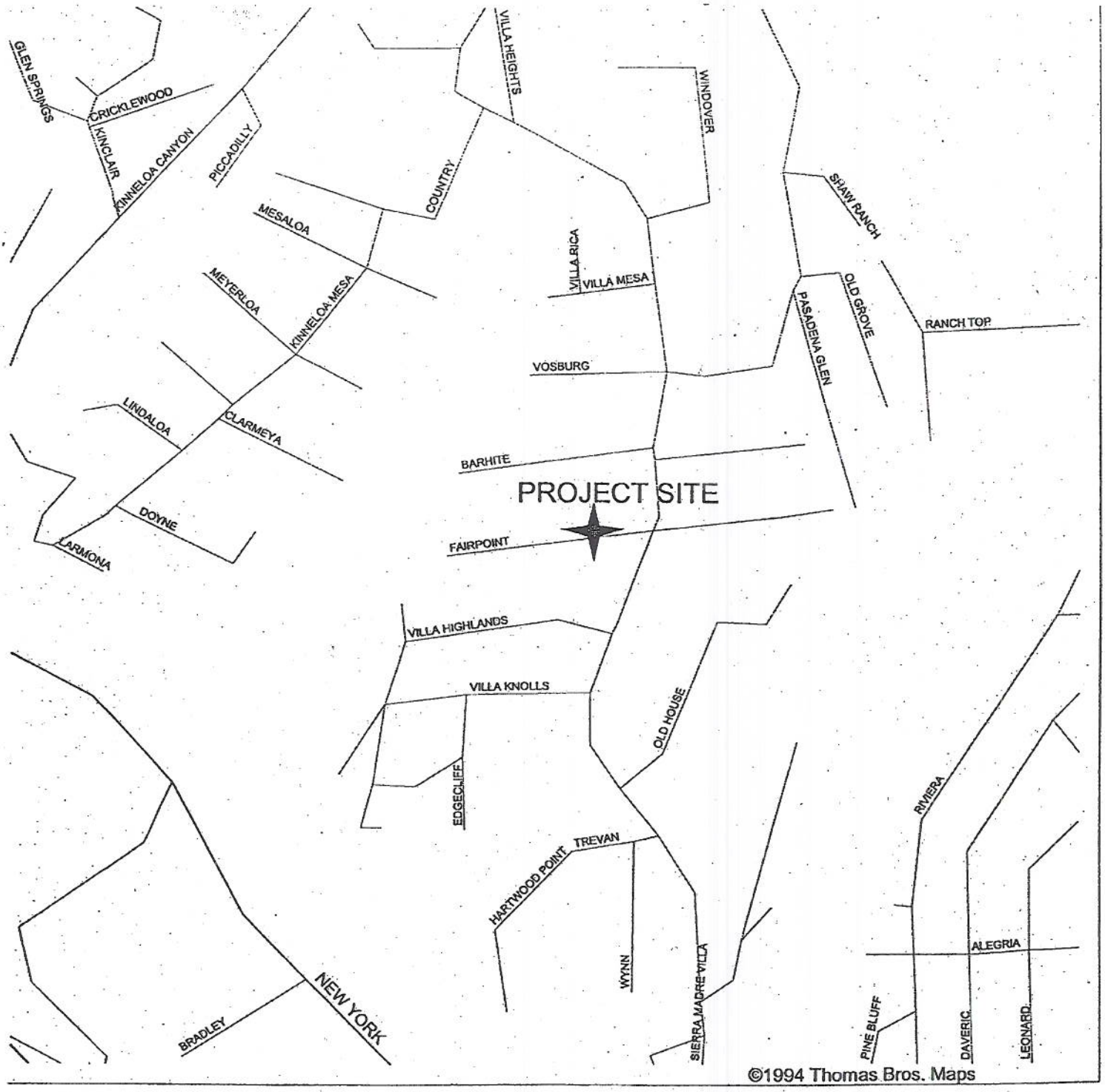
DESCRIPTION OF SITE PLAN
The applicant, Eaton Canyon Treatment Center, is requesting a Conditional Use Permit to continue the operation and maintenance of an adult residential facility for drug and alcohol rehabilitation. The 5,650 square-foot adult residential facility includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility was originally permitted in 1996 as a sober living facility for 12 adults or less; however, since 2003 the facility has operated, without Regional Planning approval, as a drug and alcohol treatment center. The adult residential facility is currently licensed by the state for the treatment of 12 to 20 adults. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. The facility is permitted by the state to house a maximum of 20 adults, who are transported to and from the site. The maximum height of the structure is 26 feet. Ten (10) parking spaces would be provided on-site.

KEY ISSUES
- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

*(O) = Opponents (F) = In Favor



VICINITY MAP

SITE : 3323 FAIRPOINT STREET

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

August 18, 2010

Honorable Board of Supervisors
County of Los Angeles
Kenneth Hahn Hall of Administration, Room 383
500 West Temple Street
Los Angeles, CA 90012

PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
PETITIONER: EATON CANYON TREATMENT CENTER
NORTHEAST PASADENA ZONED DISTRICT
FIFTH SUPERVISORIAL DISTRICT (3-VOTE)

Dear Supervisors:

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING:

1. Indicate its intent to deny the appeal, thereby denying the application for Conditional Use Permit No. 200800131, and instruct County Counsel to prepare the necessary findings for denial.

PURPOSE OF/JUSTIFICATION FOR RECOMMENDED ACTION

1. The proposal to provide services to 20 residents at the proposed facility would adversely impact the surrounding community and be inconsistent with the character of the surrounding neighborhood.

2. The types, timing, and nature of traffic trips to the facility in order to provide services for 20 adults as proposed is sufficiently different from that associated with other low density residential development that the operation of the facility with the proposed number of residents would be materially detrimental to the use and enjoyment of other property in the vicinity.

3. Over 90 letters expressing concerns have been submitted to Regional Planning staff, many of which relate specific incidents that have occurred in association with the facility, which is currently in operation and had been operating without the required approvals. These incidents include, but are not limited to, vandalism, mail and trash can theft, increased traffic, patients allowed to wander outside facility grounds, and hostility and/or intimidation from the operator when he is approached about such issues. Although the applicant rebuts the assertions that such incidents have occurred, the information submitted to evidence the community's concerns

supports a conclusion that operation of the facility at this location with the number of residents proposed has resulted in problems in the neighborhood. Therefore, allowing the facility to continue operation at its current capacity would be likely to negatively affect the comfort and welfare of area residents.

4. It is unclear whether on-site parking facilities are adequate for the proposed use. There are eight parking spaces provided on the property, one of which is used to park the van that transports facility residents. The available parking, therefore, would only accommodate a maximum of seven employees at any given time, and the applicant has indicated that the largest shift would have "seven to eight" employees, as stated in the project application. This would not allow for any additional parking to accommodate any visitors or others who might come to the facilty. Based on the efforts of the applicant to restrict street parking in the neighborhood, it appears that the amount of parking has been an issue and that the facility is providing insufficient parking to meet its operational needs.

FISCAL IMPACT/FINANCING

Denial of the conditional use permits should not result in any new significant costs to the County or to the Department of Regional Planning; no request for financing is being made.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Regional Planning Commission conducted a public hearing on Conditional Use Permit No. 200800131 and the related Environmental Assessment Case No. 200900053 on July 7, 2010, and July 21, 2010, to consider the application for operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone at 3323 Fairpoint Street within the Northeast Pasadena Zoned District of Los Angeles County. The facility would house a maximum of 20 patients. The facility has been in operation at the site since 2003 without the necessary land use approvals from the Department of Regional Planning. Prior to submitting the application for a CUP, as well as in subsequent correspondence, the applicant requested relief from the County's processes as a reasonable accommodation. Applicable federal law requires that the County grant requested accommodations if the request meets certain requirements, including that it is necessary to afford a disabled applicant an equal opportunity to use and enjoy a dwelling and that it is reasonable. The applicant requested to be exempted from the CUP process in its entirety. The request was reviewed by County Counsel and determined to be neither reasonable nor necessary. After the conclusion of the public hearing, the Regional Planning Commission voted to deny the conditional use permit at its July 21, 2010 meeting.

Pursuant to subsection A of Section 22.60.230 of the County Code, the applicant appealed the Regional Planning Commission's denial to the Board of Supervisors on July 22, 2010. A public hearing is required pursuant to Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

An Initial Study was prepared for the proposed project in compliance with the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State

CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study concluded that a Negative Declaration of Environmental Impact would be the appropriate determination under pursuant to the provisions of CEQA. As proposed, the project would not result in any significant adverse environmental impacts. Approval of the project proposal requires certification of the Negative Declaration.

IMPACT ON CURRENT SERVICES

Action on the proposed conditional use permit is not anticipated to have a negative impact on current services.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Maria Masis, AICP
Section Head, Zoning Permits II

Attachments: Commission Findings and Conditions, Commission Staff Report and attachments, Factual

C: CEO
County Counsel
Director, Department of Public Works
Chief, County Fire Department
Director, Department of Public Health

MM:TM

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 27, 2010

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Eaton Canyon Treatment Services
Attn: James Heard
3323 Fairpoint St.
Pasadena, CA 91107

Regarding: Project Number R2008-01555-(5)
Conditional Use Permit No. 200800131
Environmental Assessment No. 200900053
Adult residential facility at 3323 Fairpoint Street

Dear Applicant:

The Regional Planning Commission, by its action of July 21, 2010, **DENIED** the above described conditional use permit. The attached documents contain the Regional Planning Commission's findings relating to the denial.

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on August 4, 2010**. Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Tyler Montgomery in the Zoning Permits Section II at (213) 974-6435.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner
Director

Mark Child, Supervising Regional Planner
Zoning Permits I Section

Enclosures: Findings
c: BOS; Zoning Enforcement; Testifiers

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES

PROJECT NUMBER R2008-01555-(5)
CONDITIONAL USE PERMIT NUMBER 200800131
ENVIRONMENTAL ASSESSMENT NUMBER 200900053

REGIONAL PLANNING COMMISSION HEARING DATES: JULY 7 AND JULY 21, 2010.

SYNOPSIS:
Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a conditional use permit to authorize to authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone within the Northeast Pasadena Zoned District of Los Angeles County. The facility would house a maximum of 20 patients.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:
July 7, 2010
A duly noticed public hearing was held before the Regional Planning Commission. Commissioners Modugno, Rew, and Bellamy were present. One person testified in favor of the project, and three (3) persons testified in opposition. The applicant's representative requested that the hearing be continued in order for the applicant to obtain adequate representation, as his attorney and expediter had recently ended their involvement with the project. Opponents asked that the request for a continuation be denied, as they felt it was a stalling tactic on the part of the applicant. After some discussion, the Commission voted 3-0 to continue the public hearing to the regular hearing date of July 21, 2010.

July 21, 2010
A continued public hearing was held before the Regional Planning Commission. Commissioners Modugno, Rew, Valadez, and Bellamy were present. Seven (7) persons testified in support of the project, and five (5) testified in opposition. The applicant's representative presented to the commission the merits of the project and in addition offered to reduce the request from 20 residents to 14. Supporters testified that the facility was well run and would provide a valuable service to the community. Opponents testified that a facility of this type would not be appropriate for a single family neighborhood, especially as the street is narrow and street parking is difficult. At the conclusion of testimony the commission discussed the issues and concluded that, although the facility would provide a service to the community, the site was not able to support the operation without negative effects on the surrounding community. By a 3-0 vote, the commission denied the request.

Findings

1. The applicant, Eaton Canyon Treatment Services, is requesting a conditional use permit (CUP) to authorize the operation of the Eaton Canyon Treatment Center ("ECTC") as an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.

2. The subject property is located at 3323 Fairpoint Street. The site is within the community of Kinneloa Mesa in the Northeast Pasadena Zoned District of unincorporated Los Angeles County.

3. The project site is zoned R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size).

4. The subject property is a 21,700 square-foot, slightly sloping rectangular parcel. It is entirely developed with an 6,190 square-foot, existing adult residential facility, which includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate. All surrounding properties are developed with single-family residences. Parking on the site is intended for employees only, as visitors are not allowed, and residents are not permitted to make use of automobiles during their stays. Street parking is also permitted on Fairpoint Street and would be utilized by maintenance and delivery vehicles.

5. Surrounding properties are zoned as follows:
   North: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size)
   East: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size)
   South: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size), City of Pasadena
   West: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size)

6. The surrounding land uses consists of the following:
   North: Single-family residences
   East: Single-family residences
   South: Single-family residences
   West: Single-family residences

7. The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate any environmental impacts to a level of no significance. A draft version of the Initial Study was circulated to all stakeholder agencies for comments for a period of at

least 30 days. Comments received by the Los Angeles County departments of Public Works, Public Health, and Fire were incorporated into the final document.

8. The facility was established at 3323 Fairpoint Street in 1996 as a sober living facility. A sober living facility is a private communal living arrangement of unrelated or related persons who are often recovering alcoholics or substance abusers living as a single housekeeping unit. A true sober living facility functions as an alternate family unit and, therefore, is compatible with residential use and therefore can be established in residential areas. A sober living facility does not offer on-site counseling or treatment services. The provision of such services would require licensing by the State of California, and would make the facility an adult residential facility subject to the CUP requirement in the R-1 zone for facilities that serve seven or more residents.

9. Prior to 1999, the prior operator undertook construction on the site without necessary building permits or other applicable County approvals. In or about 1999, after ECTC had purchased the property, they applied for retroactive building permits in order to legalize these unpermitted additions that had been made to the subject property. At this time, ECTC represented to both the Department of Public Works and Regional Planning that ECTC operated solely as a sober living facility with no on-site professional treatment. As a result, the facility was allowed to continue operation without obtaining a CUP and was issued a certificate of occupancy as a congregate living facility.

10. In 2003, without notifying Regional Planning, ECTC applied for and was granted a state license for the non-medical treatment of 12 adults for drug and alcohol rehabilitation. The use of the facility subsequently changed from a sober living facility to an adult residential facility, as ECTC now provided on-site treatment to its residents, consisting of certified counselors and other professionals. This change brought ECTC into the County's definition of an adult residential facility, which requires a CUP to operate within the R-1-20,000 zone if serving seven or more adults. However, the applicant did not seek or obtain the necessary permits and approvals from Regional Planning in order to operate in the R-1-20,000 zone as an adult residential facility. In 2007, again without seeking the necessary permits and approvals from Regional Planning, ECTC expanded the number of persons treated at the facility from 12 to 20 adults. ECTC obtained state licensing for this expansion, but did not obtain the required CUP.

11. In March 2008, after learning of ECTC's unauthorized operation of an adult residential facility, Regional Planning issued a notice of violation to ECTC to bring the facility into compliance. Regional Planning directed the ECTC either to cease the unpermitted operations or to seek the necessary approvals to continue its operation as an adult residential facility. As a result, the applicants have applied for a CUP in order to legalize the continued operation of ECTC as an adult residential facility providing drug and alcohol treatment for a maximum of 20 adults.

Pursuant to Section 22.04.110 of the Zoning Code, the applicant sought and was granted a "Clean Hands Waiver," allowing the facility to continue operating pending the outcome of the CUP process.

12. The 6,190 square-foot adult residential facility is a single two-story structure that contains seven (7) bedrooms, eight (8) bathrooms, four (4) offices, a classroom, two (2) multi-purpose rooms, as well as a kitchen, a pantry, a dining room, and a laundry room on a 21,700 square-foot (0.5-acre) lot. There are also two (2) patios, an outdoor exercise area on the property's western edge, an 83-square-foot storage shed on the property's northwest corner, and approximately 5,000 square feet of landscaping dispersed throughout the project site. The maximum height of the structure is 26 feet. It is set back 37 feet from the front (south) property line and has minimum side-yard setbacks of 6'7" to the west and 20 feet to the east, respectively. Its minimum rear yard setback is 13'9"; however, the storage shed on the northeastern corner of the property has no setback from either the rear (north) or side (west) property lines.

13. A ten-space parking lot and trash enclosure currently exist on the northeastern portion of the property, accessed by a driveway from the south. As part of the project, the applicant proposes reconfiguring the parking spaces in order to meet County development standards, decreasing the total number to eight (8) spaces, one of which would be reserved for the handicapped. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. A metal fence near the south (front) edge of the property has a height of four (4) feet. The perimeter fence to the north would have a uniform height of eight (8) feet, while the eastern perimeter fence varies in height from six (6) feet to eight (8) feet. A block-wall fence along the western edge of the property also varies in height from five (5) feet to seven (7) feet. However, a wooden fence has been added to the top of this structure for 57 feet of its length, extending this portion's total height to approximately 10 feet.

14. An earlier, duly noticed public hearing was held before a Hearing Officer on May 18, 2010 regarding the project proposal. Given that the applicant was informed of the recommendation that the matter be referred to the Regional Planning Commission, the applicant opted not to testify at the Hearing Officer proceedings. Six area residents attended the Hearing Officer proceedings and testified in opposition to the project. They raised several concerns about the proposed facility, which are described in more detail below. The Hearing Officer, Dennis Slavin, subsequently closed the public hearing and stated that, in his opinion, the case involved a major planning issue appropriate for consideration by the Regional Planning Commission. Therefore, the Hearing Officer referred the matter to this body.

15. A total of 176 public hearing notices were mailed out to property owners located within the 1,000-foot radius of the subject property and other interested parties on

May 24, 2010 regarding the project proposal. The notice was published in the *Pasadena Star-News* and in *La Opinion* on May 28, 2010. Case-related materials were sent to the Hastings Branch Library in Pasadena and posted on the Regional Planning web site. The public hearing notice was posted at the project site on June 4, 2010.

16. A total of 95 letters were received in opposition to the project proposal. All concerns that were raised at the May 18, 2010 public hearing were restated, and several additional issues were raised. Concerns included the following contentions:
    a. The proposed facility is not appropriate for the existing residentially-zoned neighborhood and is not consistent with the County's General Plan;
    b. Such a use would not be permitted in the City of Pasadena, which is across the street from the subject property;
    c. Too many residents (20) would be living on a single property in a residential zone, which would create additional traffic on a narrow street and potentially overwhelm the existing septic system;
    d. The facility will change the character of the neighborhood, negatively influencing property values in the area;
    e. Because the facility has be operating for seven years without a County permit, allowing it to continue would be effectively rewarding bad behavior;
    f. There are no known examples of this type of use in a similar residential area within the County, and allowing the facility would set an undesirable precedent;
    g. Incidents of petty crime, such as vandalism and theft of mail, have increased dramatically on Fairpoint Street since the facility has been in operation;
    h. Residents of the facility have repeatedly been seen in front of the building or walking along Fairpoint Street, in violation of the facility's stated policy of allowing exit through arranged transportation only;
    i. Arguments by the applicant in favor of the project do not adequately address the burden of proof—specifically, studies cited by the applicant as supporting the ineffectiveness of such facilities on property values relate only to small group homes;
    j. The facility is unnecessary, as there are many other facilities in the Pasadena area with excess capacity for patients;
    k. Such facilities are allowed by right in commercial zones, so it is not necessary for the County to allow them to locate in residential areas, and;
    l. The applicant has acted in bad faith with respect to area residents, often harassing, intimidating, or threatening them for making complaints or using deceptive practices in order to gain "support" statements from adjacent residents.

17. The Los Angeles County Fire Department was consulted in July 2009 regarding the project proposal and the Initial Study. The department initially responded in August 2009, providing minimal comments on the Initial Study. After a period of 60 days, Regional Planning assumed that the department had no comments regarding the project proposal. However, on June 23, 2010, Regional Planning

staff received comments from County Fire indicating that the project, as proposed, does not meet applicable Fire Department requirements..

18. The Los Angeles County Department of Public Works was consulted regarding the project in July 2009. The department responded with minimal comments on the Initial Study. After a period of 60 days, Regional Planning assumed that DPW had no comments regarding the project proposal. The Building and Safety Division of DPW had previously given retroactive building permits to all on-site structures—with the exception of a storage shed—in 1999 and 2000.

19. The Department of Public Health—Environmental Hygiene Division was consulted regarding the on-site septic system. DPH originally placed a hold on the project, requiring that the applicant either connect to the Pasadena City Sewer or submit a plan for construction of an adequate septic system. This project was later cleared for public hearing after being given a conceptual approval for the design of a new septic system.

20. The Altadena Station of the Los Angeles County Sheriff's Department was consulted in April 2010 regarding the project proposal and the relative crime rate of the vicinity over the last seven (7) years. This was done after several residents remarked on the increasing crime rate in the area since the opening of ECTC. Lieutenant Roosevelt Johnson responded that, from 2005 to 2010, there were nine (9) calls for service from the facility, four (4) of which were accidental activation of the burglar alarm. Lieutenant Johnson further stated that such a number of calls did not represent a particularly high volume at that address, although he did not give a position for or against the project proposal.

21. The Pasadena Police Department was also consulted regarding the project proposal. The department provided a letter stating that the property fell outside of their jurisdiction.

22. The City of Pasadena Planning and Development Department was consulted as well, as its jurisdiction begins immediately across Fairpoint Street from the subject property. The department opposes the project for the following reasons:
    a. The facility would generate an inordinate amount of vehicle traffic and on-street parking for a single-family residential neighborhood;
    b. The septic system is inadequate for a 20-bed facility, plus staff and visitors (and the minimum requirements for a potential sewer connection cannot be met);
    c. There is inadequate fire access to the rear of the structure; and
    d. A facility of this size is inappropriate for a single-family neighborhood.

23. The subject property is located within the "1" (Low Density Residential) classification of the Los Angeles County Land Use Plan. This designation allows for primarily residential uses with a density range of one to six dwelling units per acre. Certain other non-residential uses are also allowed, such as public facilities

and institutional uses, pending discretionary review. The project site is approximately one-half acre and is currently developed with one single-family dwelling unit (an approximately two unit per acre density). It is therefore consistent with the General Plan designation allowing for one to six dwelling units per acre.

24. Facilities in the R-1-20,000 zone are required to maintain minimum front yard setbacks of 20 feet (County Code Sec. 22.20.120). The existing facility has a front yard setback of 37 feet. The Code also requires interior side-yard setbacks of five (5) feet, while the facility's main structure has side yards of 6'7" and 20 feet, respectively. The structure also has a rear-yard setback of 13'9", which is less than the 15-foot setback that is required. This 1'3" reduction in setback was approved by the Department of Public Works, Building and Safety Division in 1999 through the retroactive building permit process, although no yard modification was ever approved by Regional Planning. There is also an 83-square-foot storage shed on the property's northwestern corner with side-yard and rear-yard setbacks close to zero. These reduced setbacks have not been approved.

25. An adult residential facility is allowed within the R-1-20,000 zone upon issuance of a conditional use permit. However, the proposal to provide services to 20 residents at the proposed facility would adversely impact the surrounding community and be inconsistent with the character of the surrounding neighborhood.

26. The area is designated as and zoned for low density residential development, and as such, a facility serving 20 residents, with the associated employees, visitors, and other services necessary to operate such a facility is out of character with similarly situated residential properties and creates a burden on the surrounding neighborhood. The types, timing, and nature of traffic trips to the facility in order to provide services for 20 adults as proposed is sufficiently different from that associated with other low density residential development that the operation of the facility with the proposed number of residents would be materially detrimental to the use and enjoyment of other property in the surrounding vicinity.

27. Over 90 letters expressing concerns have been submitted to Regional Planning staff, many of which relate specific incidents that have occurred in association with ECTC. These incidents include, but are not limited to, vandalism, mail and trash can theft, increased traffic, patients allowed to wander outside facility grounds, and hostility and/or intimidation from the operator when he is approached about such issues. Although the applicant rebuts the assertions that such incidents have occurred, the information submitted to evidence the community's concerns supports a conclusion that operation of the facility at this location with the number of residents proposed has resulted in problems in the neighborhood. Therefore, it allowing the facility to continue operation at its current capacity would be likely to negatively affect the comfort and welfare of area residents

28. Staff also questions whether on-site parking facilities are adequate for the proposed use, as the eight (8) parking spaces on the property would accommodate a maximum of seven (7) employees at any given time, which may be less than the "seven to eight" employees stated as the largest shift in the project application. Based on the efforts of the applicant to restrict street parking in the neighborhood, it appears that facility is providing parking that is insufficient to meet the operational needs of the facility.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. The proposed use is not consistent with the adopted general plan for the area;

B. The requested use at the proposed location is likely to adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas and be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site;

C. The proposed site is not adequately served by highways or streets of sufficient width improved as necessary to carry the kind and quantity of traffic such use would generate.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200800131 is **DENIED**.

VOTE: **3-0**

Concurring: **Modugno, Bellamy and Rew**

Dissenting:

Abstaining: **Valadez**

Absent: **Helsley**

Action Date: **July 21, 2010**

c: Commission Services, Zoning Enforcement, Building and Safety, Fire, DPH—Environmental Hygiene.

MC:TM
07/27/10

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 14, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez
Leslie G. Bellamy
Harold V. Helsley

FROM: Tyler Montgomery TM
Regional Planning Assistant II
Zoning Permits II Section

SUBJECT: PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
July 21, 2010 Continued Public Hearing
Agenda Item No. 6

The attached two (2) items were received after the preparation of the previous update memo. One is a letter from the Los Angeles County Fire Department stating the requirements that the project must meet in order to be given clearance by said department. The second is an additional letter of opposition to the project from an area resident.

Enclosures:
6/24/10 Letter from County Fire
7/1/10 Letter of opposition

MM:TM

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: June 24, 2010

TO: Department of Regional Planning
Permits and Variances

PROJECT #: CUP R2008-01555

LOCATION: Eaton Canyon Treatment Center // 3323 Fairpoint Street, Pasadena (Kinneloa Mesa)

☐ The Fire Department Land Development Unit has no additional requirements for this permit.

☒ The required fire flow for this development is **2500** gallons per minute for **2** hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 psi residual pressure. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☒ ***Verify and Flow Test*** 1 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.

☒ Brush clearance shall be maintained at all times in accordance with the Uniform Fire Code, Section 317.2.2 and 317.2.3

☒ **Comments:** THIS PROJECT IS NOT CLEARED BY THE FIRE DEPARTMENT FOR PUBLIC HEARING APPROVAL UNTIL THE FOLLOWING ITEMS HAVE BEEN ADDRESSED WITH THE FIRE DEPARTMENT FOR CLEARANCE.

☒ **Water:** Verify that the required fire flow as noted above by having the water purveyor perform a flow test on the nearest existing public fire hydrant to the property line. Original verification shall be submitted to the Land Development Unit of the Fire Department for review.

☒ **Access:** 1. All fire access gates shall comply with the County of Los Angeles Fire Department Regulation 5.

☒ **Special Requirements:** APPLICANT SHALL CORRECT ALL OUTSTANDING VIOLATIONS AND BE IN COMPLIANCE WITH THE REQUIREMENTS OF THE COUNTY OF LOS ANGELES FIRE DEPARTMENT SCHOOLS AND INSTITUTIONS UNIT PRIOR TO CLEARANCE OF THE PUBLIC HEARING.

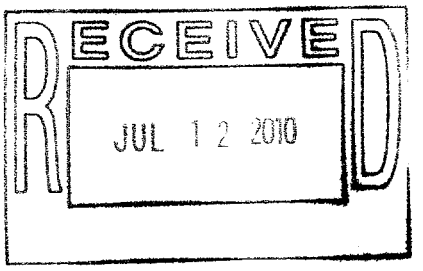
THE FOLLOWING ITEMS SHALL BE SUBMITTED TO THE FIRE PREVENTION LAND DEVELOPMENT UNIT FOR REVIEW AND APPROVAL PRIOR TO CLEARANCE OF THE PUBLIC HEARING:

1. An original Fire Flow Availability form (Form 196).
2. Clearance of the notice of violation from Fire Prevention Schools and Institution Unit.
3. Upon submittal of the required information an additional review will be conducted and a revised set of conditions will be issued.
4. Changes in occupancy classification shall be submitted for review and approval to the Los Angeles County Fire Department, Fire Prevention Engineering. For specific information pertaining to submittal requirements please contact engineering at 323-890-4125.
5. Interior fire sprinklers may be required upon subsequent review of the requested information as noted within these comments.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to contact Scott Jaeggi at our Land Development office (323) 890-4243.

Chief: ***JAMES BAILEY***

MARY M. MANN
2031 WINDOVER RD.
PASADENA, CA 91107



July 1, 2010

Mr. Tyler Montgomery
320 W. Temple St.
Los Angeles, Ca 90012

Re: 3323 Fairpoint St., Pasadena, Ca

Dear Mr. Montgomery,

I am writing to you to protest the occupancy of the home at 3323 Fairpoint St., Pasadena, Ca., for a rehab facility. I have a close friend that has run this type of facility in Ventura, Ca., for many years so I am familiar with the needs of this type of facility. I would like to address the following points with you:

1. The property is too expensive for this type of operation. The expense of the care and maintenance of the home and grounds would be too extravagant.

2. The egress and ingress in the area would be too difficult in case of fire or other emergencies.

3. Parking in and around the property would be very difficult. Having employees would add to the problem. Parking on the street is not acceptable because the street is very narrow.

4. The terrain would not be conducive for exercise for the residents. There are more suitable properties in Pasadena on level streets that would be better locations.

5. This area is zoned R1 and I pay taxes accordingly. As a resident of the area I do not want businesses operated in the neighborhood.

6. The project in and amongst our homes is less that desirable.

7. The proposed operator and owner of this project currently has a facility in the area and has broken many of the restrictions for operating the business.

I hope you will consider my concerns and I would be happy to discuss them further with you.

Sincerley,

Mary M Mann

Mary M. Mann

626-798 4996

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 8, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez
Leslie G. Bellamy
Harold V. Helsley

FROM: Tyler Montgomery TM
Regional Planning Assistant II
Zoning Permits II Section

SUBJECT: PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
July 21, 2010 Public Hearing
Agenda Item No. 6

The above item was continued from the July 7, 2010 public hearing in order for the applicant to obtain new representation. Commissioners Rew, Modugno, and Bellamy were present. No additional information has been received at this time.

MM:TM

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 7, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez
Leslie G. Bellamy
Harold V. Helsley

FROM: Tyler Montgomery TM
Regional Planning Assistant II
Zoning Permits II Section

SUBJECT: PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
July 7, 2010 Public Hearing
Agenda Item No. 7

The three (3) attached letters were received by staff on July 6, 2010. The first letter, from applicant James Heard, requests that the hearing be continued to a later date in order for him to obtain new representation. The two (2) additional letters are from attorney Kim Savage and land use consultant Tim Riley, respectively. Both letters state that they no longer represent Eaton Canyon Treatment Center or James Heard for the above project.

Attachments
07/02/10 Letter from James Heard
07/01/10 Letter from Kim Savage to County Counsel
06/29/10 Letter from Tim Riley to James Heard

MM:TM

EATON CANYON TREATMENT CENTER

July 2, 2010

Mr. Wayne Rew
L.A. County Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012

Re: Request to Rescheduling CUP Hearing Date
Re: Project No. R2008-01555(5)

Dear Mr. Rew:

Please be advised that the Law Office of Kim Savage no longer represents Eaton Canyon Recovery Services Inc, (Eaton Canyon Treatment Center) in regards to the CUP application. Additionally, lobbyist Tim Riley also is no longer representing this agency.

Consequently, we are presently without representation for the hearing and respectfully requesting that the July 7th CUP hearing is rescheduled for another date in the near future. I do realize that this is a very short notice; however this situation was unexpected; See attachments (2) letters of Termination from Kim Savage and Tim Riley.

I assure you that we are aggressively seeking new representation of which should be accomplished within weeks. I can be contacted directly at (626) 798-0150 or james@eatoncanyon.com.

Thanking you in advance for your consideration in this matter.

Sincerely,

James Heard, CEO

CC: Richard Weiss, Assistant County Counsel,
Tracy Swann, Deputy County Counsel
Richard Bruckner, County Regional Planning
Tyler Montgomery, Hearing Officer

3323 East Fairpoint Street
(626) 798-0150 Office

Pasadena, CA 91107
(626) 798-8685 Fax

Law Office of Kim Savage
Post Office Box 41580
Long Beach, California 90853
(562) 930-1113

July 1, 2010 Via Electronic and First Class Mail

Richard Weiss, Assistant County Counsel
Tracy Swann, Deputy County Counsel
Office of the County Counsel
500 West Temple Street
Los Angeles, CA 90012

Dear Mr. Weiss and Ms. Swann:

Please be advised that the Law Office of Kim Savage no longer represents Eaton Canyon Foundation, Eaton Canyon Treatment Center or Mr. James Heard in any matters before the County of Los Angeles. Today I received your 6/28/10 letter and I will promptly forward it to Mr. Heard. All future communications should be directed to Mr. Heard.

Thank you for your courtesy and cooperation.

Sincerely,

Kim Savage

Kim Savage
Attorney At Law

cc: James Heard
Tyler Montgomery, Zoning Permits II, Planning

Tim Riley & Associates

GOVERNMENT RELATIONS • LAND USE CONSULTING

Tim Riley

June 29, 2010

Mr. James Heard
Eaton Canyon Treatment Center
3323 Fairpoint Street
Pasadena, CA 91107

Re: Project No. R2008-01555-(5)

Dear Mr. Heard:

I bring to your attention that on May 9, 2010, you sent me an email, in advance of the scheduled May 18th hearing officer public hearing, that I was "advised not to take any action" in the matter of your CUP application before the County of Los Angeles. Furthermore, this email specifically put me on notice that "all lobbyist and attorney efforts are hereby cancelled," and as a result, I suspended active representation of your case.

Since that time, however, I have extended the courtesy of informing you, and passing along, any information and requests made to me by the County of Los Angeles. I have now received the Regional Planning Commission transmittal package for the hearing scheduled for July 7, 2010. In briefly reviewing this package, I notice that you have sent communications to the Department of Regional Planning and that you are represented by attorney Kim Savage, who has also formally written to the County on your behalf.

This letter serves as my notice of disengagement from the project, considering that I was relieved of all duties on May 9, 2010 by virtue of your email communication noted above. I recommend that you should be represented by your attorney or another party at this hearing, particularly if you wish to request a continuance or to seek the possibility of negotiating a different outcome than that which is proposed in the Staff Report.

I wish you the best in securing an approval for a much-needed substance abuse program that has proven a benefit to the community.

Sincerely,

Tim Riley

8537 Wakefield Avenue • Panorama City, California 91402
Phone (818) 891-0495 • Fax (818) 891-1056 • Email: timriley7@roadrunner.com

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

July 1, 2010

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez
Leslie G. Bellamy
Harold V. Helsley

FROM: Tyler Montgomery TM
Regional Planning Assistant II
Zoning Permits II Section

SUBJECT: PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
July 7, 2010 Public Hearing
Agenda Item No. 7

Agenda Item No. 7 is Conditional Use Permit No. 200800131 and Environmental Assessment No. 200900053. The applicant, Eaton Canyon Treatment Center, is requesting a conditional use permit to authorize the operation and maintenance of an adult residential facility for drug and alcohol rehabilitation. The facility would house a maximum of 20 residents.

Two (2) letters were inadvertently ommitted from the previous packet you received. One is the response from the Los Angeles County Fire Department to the Initial Study consultation. The other is the clearance of the project for public hearing by the Department of Public Health. Both letters are hereto attached.

Since the preparation of the previous staff report, staff has also received an additional four (4) letters from three (3) unique addresses in opposition to the proposed project. Concerns include potential increases in crime, increased traffic in the neighborhood, the lack of necessity for such a facility in the area, and the facility's past violations of the zoning ordinance and other state and county regulations. These letters are also attached hereto.

Attachments
08/13/09 Letter from County Fire
03/02/10 Letter from Public HealthProperty location map
Four (4) Letters of opposition from three (3) unique addresses

MM:TM

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED
AUG 17 2009

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

August 13, 2009

Mr. Tyler Montgomery
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Montgomery:

NEGATIVE DECLARATION, SUBJECT: ENVIRONMENTAL REVIEW AND COMMENT, PROJECT: R2008-01555-(5), CASE: CONDITIONAL USE PERMIT CASE NO. 200800131, ENVIRONMENTAL REVIEW CASE NO. 200900053, NEGATIVE DECLARATION, ADDRESS: 3323 FAIRPOINT STREET, PASADENA (FFER #200900118)

The Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. We have no comments at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Frank Vidl

FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:lj

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

Land Use Program
Patrick Nejadian, REHS
Chief Environmental Health Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5380 • FAX (626) 813-3016

BOARD OF SUPERVISORS

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March 2, 2010

Mr. James Heard
3323 East Fairpoint Street
Pasadena, CA 91107

RE: Project No. R2008-01555-(5) / CUP 2008800131; 3323 East Fairpoint Street, Pasadena

Dear Mr. Heard:
This is in response to your request for an approval of the project identified above. Land Use Program has reviewed the information provided regarding the proposed new onsite wastewater treatment system prepared by A.V. Environmental Technologies and has no objection to the approval of this project. This conceptual approval is intended for the project review process only that encompasses the requirements applicable to an Onsite Wastewater Treatment System (OWTS), and does neither authorize any land development nor continued operation until the following conditions have been satisfactorily fulfilled:

1. Approval for the project shall be obtained from the Department of Regional Planning. The design and installation of OWTS shall be in conformance with the guidelines established by this Department and other applicable regulations. Obtain authorization from the Department of Public Works, Building and Safety Division to proceed with this project.

2. Your letter dated December 17, 2009 states that, "Additionally, we are actively exploring the possibility with other contractors of attaching to the sewer line operated by the City of Pasadena which is less than 100 feet from the subject property." If public sewer connection is available within 200 feet of the subject property, any part of the building sewer or building's exterior drainage and all future sewage drainage and piping shall be connected to such public sewer. If for any unforeseen reasons, the City of Pasadena refuses to extend the sewer lines to your property, provide an official written letter from the City Planning Department explaining the reasoning for their decision. Upon submittal of such letter, the Department will review the basis for the decision and may render a ruling that OWTS could be accepted as an alternative to public sewer.

3. Prior to the installation of the proposed OWTS, a complete feasibility report shall be completed in accordance with the requirements outlined in the Department's guidelines: "Onsite Wastewater Treatment System (OWTS) Guidelines." The data submitted supports the feasibility for the installation of OWTS in conjunction with supplemental treatment.

4. If due to the proposed development, grading, geological limitations, required setbacks and flood or surface/ground water related concerns or for any other related reasons, conformance with all applicable requirements cannot be achieved, this conceptual approval shall be render void.

If there are any questions or further information is needed, please contact me at 626-430-5380.

Respectfully,

Patrick Nejadian, Chief REHS
Land Use Program

June 22, 2010

Regional Planning Commission
County of Los Angeles
320 W. Temple St.
Los Angeles CA 90012

RECEIVED
JUN 28 2010

Attention: Tyler Montgomery

Reference: CUP # 200800131

Ladies/Gentlemen:

I am a resident living off of Sierra Madre Villa for more than 33 years.

I would say there is no cause for reconsideration for LA county to grant ACTC (CUP) 20 full time residents undergoing treatment and up to eight daytime staff approval or a permit to use this address for ECTS. Because the existing residential ADF's in the Pasadena and vicinity number is 13; nine of which are in Pasadena this is more than sufficient for the area.

If you consider the lack of such treatment services in all the neighboring cities including; Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. It almost looks like Pasadena has been targeted by a special interest group.

The 13 facilities currently active in the city of Pasadena provide 473 residential treatment beds, of which around 40% are currently vacant!

Another point of concern for me as a resident is that we have been the target of frequent burglaries almost every family that has moved in within the last 5 years have been burglarized. That indeed is a very alarming statistic.

The address 3323 Fairpoint St. Pasadena, Ca 91107 has been housing six full time addicts undergoing treatment for more than five years now. The owner has enlarged his ownership by buying the house on the south west corner of Fairpoint and Sierra Madre Villa. He is also the owner of a vacant lot immediately a few housed south of his property on Fairpoint. Even before applying for hearing or permit his intentions are very clear.

I know of two to three neighbors on Fairpoint and Sierra Madre Villa across from Fairpoint who sold their houses and moved out of the area after being harassed at the first hearing for the permission of these services!

There is another treatment service center on Sierra Madre Villa a little to the north of the aforementioned Treatment service that is requesting to enlarge too! We often see cars parked in the driveway early mornings and have asked why are they there? Some have been honest to say they have to be checked weekly for sobriety before they can go to work.

I think our neighborhood is overwhelmed and over saturated with such service homes already. And reconsideration of a hearing is only an assault on the neighbors repeated rejection for such a house to be enlarging its services for a small neighborhood as ours.

I realize the hearing has been rescheduled because of more than 75 complaint letters and emails that the court has received regarding this hearing. And this facility owner is adamant in his pursuit.

I would strongly request the denial of such a facility in our neighborhood.

Please consider that the neighborhood should not be coerced to accept the situation with repeated hearing requests.

Would you kindly reconsider your negative declaration and stop this residential drug and alcohol rehabilitation facility once and for all in this particular neighborhood.

Respectfully,

Mary Astourian
email address: Astourians@aol.com

June 22, 2010

Regional Planning Commission
County of Los Angeles
320 W. Temple St.
Los Angeles CA 90012

RECEIVED
JUN 28 2010

Attention: Tyler Montgomery

Reference: CUP # 200800131

Ladies/Gentlemen:

I am a resident living off of Sierra Madre Villa for more than 33 years.

I would say there is no cause for reconsideration for LA county to grant ACTC (CUP) 20 full time residents undergoing treatment and up to eight daytime staff approval or a permit to use this address for ECTS. Because the existing residential ADF's in the Pasadena and vicinity number is 13; nine of which are in Pasadena this is more than sufficient for the area.

If you consider the lack of such treatment services in all the neighboring cities including; Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. It almost looks like Pasadena has been targeted by a special interest group.

The 13 facilities currently active in the city of Pasadena provide 473 residential treatment beds, of which around 40% are currently vacant!

Another point of concern for me as a resident is that we have been the target of frequent burglaries almost every family that has moved in within the last 5 years have been burglarized. That indeed is a very alarming statistic.

The address 3323 Fairpoint St. Pasadena, Ca 91107 has been housing six full time addicts undergoing treatment for more than five years now. The owner has enlarged his ownership by buying the house on the south west corner of Fairpoint and Sierra Madre Villa. He is also the owner of a vacant lot immediately a few housed south of his property on Fairpoint. Even before applying for hearing or permit his intentions are very clear.

I know of two to three neighbors on Fairpoint and Sierra Madre Villa across from Fairpoint who sold their houses and moved out of the area after being harassed at the first hearing for the permission of these services!

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I think our neighborhood is overwhelmed and over saturated with such service homes already. And reconsideration of a hearing is only an assault on the neighbors repeated rejection for such a house to be enlarging its services for a small neighborhood as ours.

I realize the hearing has been rescheduled because of more than 75 complaint letters and emails that the court has received regarding this hearing. And this facility owner is adamant in his pursuit.

I would strongly request the denial of such a facility in our neighborhood.

Please consider that the neighborhood should not be coerced to accept the situation with repeated hearing requests.

Would you kindly reconsider your negative declaration and stop this residential drug and alcohol rehabilitation facility once and for all in this particular neighborhood.

Respectfully,

Zareh Astourian
email address: Astourians@aol.com

June 23, 2010

Mr. Tyler Montgomery
Regional Planning Commission
320 W. Temple Street
Los Angeles, CA 90012

RECEIVED
JUN 28 2010

RE: Project #: R2008-01555-C57
Conditional Use Permit No. 200800131
Environmental Assessment No. 2009 00053

Dear Mr. Montgomery:

My wife and I as long-time residents of Kinneloa Mesa; a neighborhood in close proximity to this project, wish to express our strong opposition to any further expansion of this facility.

The project originally requested that a maximum of 10 residents be housed. Our good friends and a close neighbor to the facility, felt compelled to move because of concerns for their young child.

We do not feel that it is fair that someone can open such a business in a neighborhood that is not designed for a business enterprise, especially a business of this nature.

We are concerned about the increased traffic, potential for unsavory characters wondering the neighborhood and decreased property values as a result of this business and their intention to expand.

Again please note our STRONG OPPOSITION to this project.

Sincerely,

Esteban and Laurel Magallanes
1850 Kinneloa Mesa Road
Pasadena, CA 91107
(626) 665-9888

Montgomery, Tyler

From: Darren Abe [darren@bosschair.com]
Sent: Monday, June 28, 2010 5:56 PM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: 3323 Fairpoint Street, Pasadena, CA 91107

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Tyler Montgomery,

My wife and I live in the same neighborhood as this treatment center (2036 Windover Road, Pasadena 91107), are not happy about it and certainly object to any expansion of this facility. I am particularly concerned with the safety of my wife who walks daily up and down Sierra Madre Villa and has almost been hit several times by drivers speeding to and from this facility. We are also concerned about the type of people who receive treatment at this center as we have no knowledge of who they are. This is a nice quiet safe neighborhood and we would like to keep it that way.

Thank you for your support,

Darren K. Abe'
2036 Windover Road
Pasadena 91107

Regional Planning Commission Transmittal Checklist	Hearing Date 7/7/2010
	Agenda Item Number 7

Project Number: R2008-01555-(5)
Case(s): Conditional Use Permit No. 200800131
Environmental Assessment No. 200900053
Contact Person: Tyler Montgomery, Zoning Permits II

Included	NA/None	Document
☒	☐	Factual
☒	☐	Property Location Map
☒	☐	Staff Report
☒	☐	Draft Findings
☐	☒	Draft Conditions
☐	☒	DPW Letter
☒	☐	FD Letter
☒	☐	Other Department's Letter(s)
☒	☐	Burden Of Proof Statement(s)
☒	☐	Environmental Documentation (IS, MMP, EIR)
☒	☐	Opponent And Proponent Letters
☒	☐	Photographs
☐	☒	Resolution (ZC Or PA)
☐	☒	Ordinance with 8.5 X 11 Map (ZC Or PA)
☒	☐	Aerial (Ortho/Oblique) Image(s)
☐	☒	Land Use Radius Map
☒	☐	Site Plan And Elevations
☒	☐	Sheriff's Department letter and call log

Reviewed By: _____

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053

RPC MEETING DATE	CONTINUE TO
July 7, 2010	
AGENDA ITEM 7	
PUBLIC HEARING DATE July 7, 2010	

APPLICANT	OWNER	REPRESENTATIVE
Eaton Canyon Treatment Center	Eaton Canyon Recovery Services, Inc.	Tim Riley

REQUEST
Conditional Use Permit: To authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.

LOCATION/ADDRESS
3323 Fairpoint Street, unincorporated Pasadena, Los Angeles County

ACCESS
From the south, via Fairpoint Street

ZONED DISTRICT
Northeast Pasadena

COMMUNITY
Kinneloa Mesa

EXISTING ZONING
R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
0.5 acres	Adult residential facility	Rectangular	Slightly sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)	East: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)
South: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size); City of Pasadena	West: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide Land Use Plan	1 (Low Density Residential)	1 to 6 dwelling units/acre	See Staff Analysis

ENVIRONMENTAL STATUS
A Negative Declaration has been prepared for this project, subject to the requirements of the California Environmental Quality Act (CEQA). The draft environmental document concludes that the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of no significance.

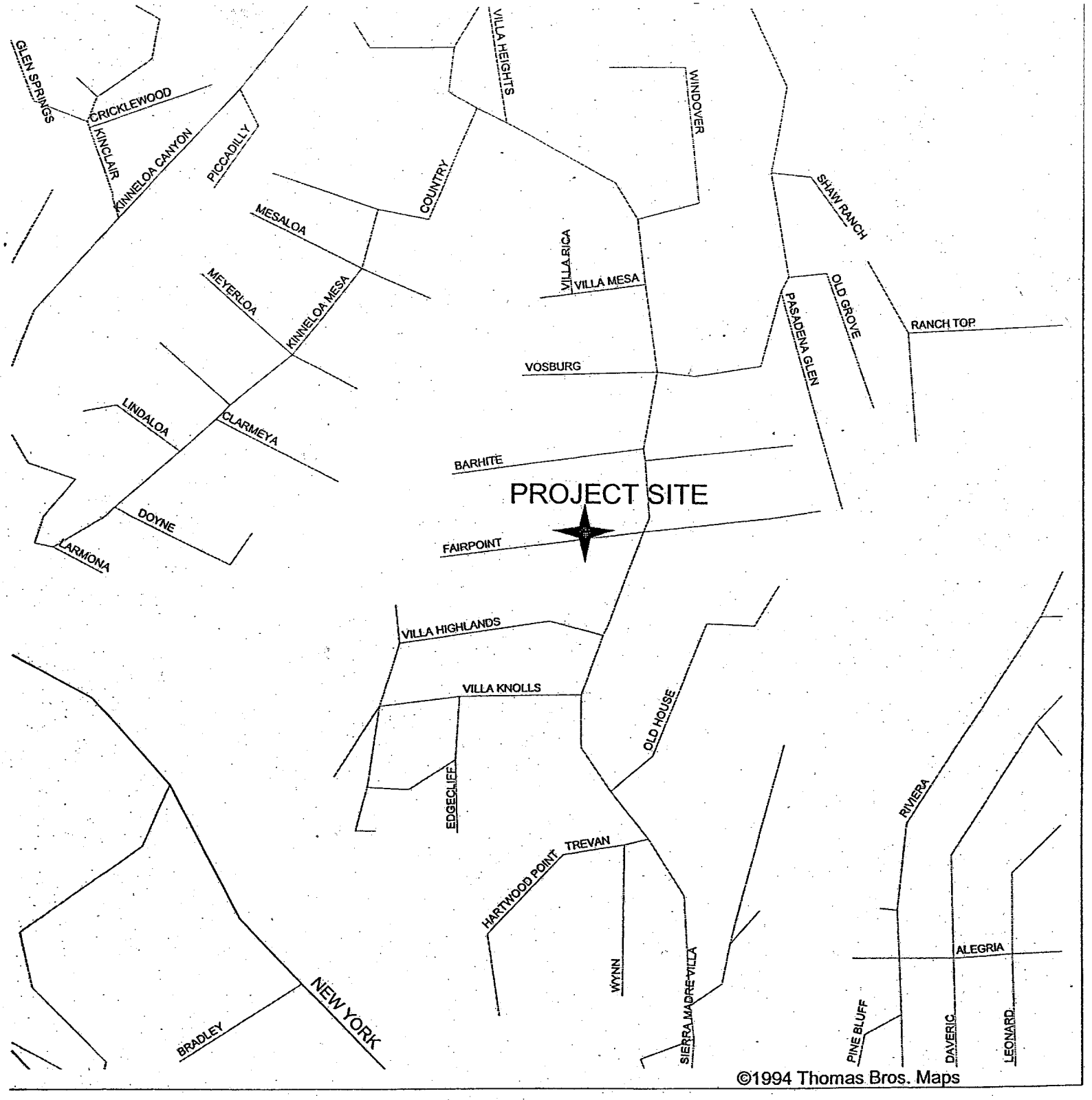
DESCRIPTION OF SITE PLAN
The applicant, Eaton Canyon Treatment Center, is requesting a Conditional Use Permit to continue the operation and maintenance of an adult residential facility for drug and alcohol rehabilitation. The 5,650 square-foot adult residential facility includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility was originally permitted in 1996 as a sober living facility for 12 adults or less; however, since 2003 the facility has operated, without Regional Planning approval, as a drug and alcohol treatment center. The adult residential facility is currently licensed by the state for the treatment of 12 to 20 adults. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. The facility is permitted by the state to house a maximum of 20 adults, who are transported to and from the site. The maximum height of the structure is 26 feet. Ten (10) parking spaces would be provided on-site.

KEY ISSUES
- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE(S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

**(O) = Opponents (F) = In Favor*



VICINITY MAP

SITE : 3323 FAIRPOINT STREET

STAFF ANALYSIS

PROJECT NUMBER:
R2008-01555-(5)

CONDITIONAL USE PERMIT NO.
200800131
ENVIRONMENTAL ASSESSMENT NO.
200900053

OVERVIEW OF THE PROPOSED PROJECT

The applicant, Eaton Canyon Treatment Services, is requesting a conditional use permit (CUP) to authorize the operation of the Eaton Canyon Treatment Center ("ECTC") as an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients. The facility was originally established in 1996 as a sober living facility, which housed up to 12 adults as residents. However, since 2003 the facility has operated, without the necessary Los Angeles County Department of Regional Planning ("Regional Planning") approvals, as an adult residential facility providing drug and alcohol treatment services. Despite the failure to obtain the necessary approvals from Regional Planning prior to beginning operation as an adult residential facility, the applicant obtained a state license for the treatment of 12 to 20 adults.

The 5,650 square-foot adult residential facility includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and eight (8) off-street parking spaces. The applicant requires that residents of the facility enter and leave the project site only via arranged transportation provided by the facility.

DESCRIPTION OF SUBJECT PROPERTY

Location

The subject property is located at 3323 Fairpoint Street. The site is within the community of Kinneloa Mesa in the Northeast Pasadena Zoned District of unincorporated Los Angeles County.

Physical Features

The subject property is a 21,700 square-foot, slightly sloping rectangular parcel. It is entirely developed with an 5,650 square-foot, existing adult residential facility, which includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate. All surrounding properties are developed with single-family residences. Parking on the site is intended for employees only, as visitors are not allowed, and residents are not permitted to make use of automobiles during their stays. Street parking is also

permitted on Fairpoint Street and would be utilized by maintenance and delivery vehicles.

ENTITLEMENT

The applicant, Eaton Canyon Treatment Services, is requesting a conditional use permit (CUP) to authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone. Under Section 22.08.010(A) of the County Code, any facility that provides 24-hour-a-day nonmedical care and supervision to adults, as defined and licensed under the regulations of the state of California is classified as an Adult Residential Facility (ARF). Any ARF of seven (7) or more residents must obtain a CUP in order to operate in the R-1-20,000 zone, per County Code Sec. 22.20.100.

EXISTING ZONING

Subject Property

R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size)

Surrounding Zones

Surrounding properties are zoned:

North: R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size)
East: R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size)
South: R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size), City of Pasadena
West: R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size)

EXISTING LAND USES

Subject Property

The subject property is currently utilized as an adult residential facility for drug and alcohol rehabilitation. The facility currently has a license issued by the State of California to provide treatment for 12 to 20 adults.

Surrounding Land Use

Surrounding land uses consist of:

North: Single-family residences
East: Single-family residences
South: Single-family residences
West: Single-family residences

LAND USE HISTORY

The facility was established at 3323 Fairpoint Street in 1996 as a sober living facility. A sober living facility is a private communal living arrangement of unrelated or related persons who are often recovering alcoholics or substance abusers living as a single housekeeping unit. A true sober living facility functions as an alternate family unit and, therefore, is compatible with residential use and therefore can be established in residential areas. A sober living facility does not offer on-site counseling or treatment

services. The provision of such services would require licensing by the State of California, and would make the facility an adult residential facility subject to the CUP requirement in the R-1 zone for facilities that serve seven or more residents.

Prior to 1999, the operator undertook construction on the site without necessary building permits or other applicable County approvals. In or about 1999, ECTC applied for retroactive building permits in order to legalize these unpermitted additions that had been made to the subject property. At this time, ECTC represented to both the Department of Public Works and Regional Planning that ECTC operated solely as a sober living facility with no on-site professional treatment. As a result, the facility was allowed to continue operation without obtaining a CUP and was issued a certificate of occupancy as a congregate living facility.

In 2003, without notifying Regional Planning, ECTC applied for and was granted a state license for the non-medical treatment of 12 adults for drug and alcohol rehabilitation. The use of the facility subsequently changed from a sober living facility to an adult residential facility, as ECTC now provided on-site treatment to its residents, consisting of certified counselors and other professionals. This change brought ECTC into the County's definition of an adult residential facility, which requires a CUP to operate within the R-1-20,000 zone if serving seven or more adults. However, the applicant did not seek or obtain the necessary permits and approvals from Regional Planning in order to operate in the R-1-20,000 zone as an adult residential facility. In 2007, again without seeking the necessary permits and approvals from Regional Planning, ECTC expanded the number of persons treated at the facility from 12 to 20 adults. ECTC obtained state licensing for this expansion, but did not obtain the required CUP.

In March 2008, after learning of ECTC's unauthorized operation of an adult residential facility, Regional Planning issued a notice of violation to ECTC to bring the facility into compliance. Regional Planning directed the ECTC either to cease the unpermitted operations or to seek the necessary approvals to continue its operation as an adult residential facility. As a result, the applicants have applied for a CUP in order to legalize the continued operation of ECTC as an adult residential facility providing drug and alcohol treatment for a maximum of 20 adults. Pursuant to Section 22.04.110 of the Zoning Code, the applicant sought and was granted a "Clean Hands Waiver," allowing the facility to continue operating pending the outcome of the CUP process.

GOVERNING LEGAL PRINCIPLES

Federal Fair Housing Act

County Counsel has advised Regional Planning that the Federal Fair Housing Act, 42 USCS § 3601, et seq. ("FHA"), prohibits housing discrimination based on a resident's disability. Federal regulations and case law have defined recovery from drug addiction or alcoholism as a disability, as it is a physical or mental condition that substantially impairs one or more daily life activities.

Under the FHA, it is discriminatory for government entities to refuse to make reasonable accomodations from rules, policies, and practices when such accomodations may be necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling. (42 USCS § 3604(f)(3)(B).)

A government agency has an affirmative duty to grant a requested accommodation if: (1) the request is made by or on behalf of a disabled individual or individuals, (2) the accommodation is necessary to afford the disabled applicant an equal opportunity to use and enjoy a dwelling, and (3) the request is reasonable. The county may find an accommodation request unreasonable if granting the request would impose undue financial and administrative burdens on the public entity or would impose changes that constitute fundamental alterations in the nature or a zoning program. *See Giebeler v. M&B Associates*, 343 F.3d 1143, 1146–47 (9th Cir. 2003). Whether a requested accommodation is reasonable and necessary must be determined on a case-by-case basis.

Reasonable Accommodation Request

Prior to submitting an application for the CUP, as well as in correspondence since the filing of the CUP application, the applicant requested relief from the County's processes as a reasonable accommodation. However, the applicant's reasonable accommodation request was to be exempted from the CUP permitting process in its entirety. County Counsel reviewed the applicant's requested accommodation and denied the request on the ground that the request failed to be reasonable and necessary to afford an equal opportunity to the disabled individuals to use and enjoy housing.

GENERAL PLAN

Land Use Policy Map

The subject property is located within the "1" (Low Density Residential) classification of the Los Angeles County Land Use Plan. This designation allows for primarily residential uses with a density range of one to six dwelling units per acre. Certain other non-residential uses are also allowed, such as public facilities and institutional uses, pending discretionary review. The project site is approximately one-half acre and is currently developed with one single-family dwelling unit (an approximately two unit per acre density). It is therefore consistent with the General Plan designation allowing for one to six dwelling units per acre.

SITE PLAN

The 5,650 square-foot adult residential facility is a single two-story structure that contains seven (7) bedrooms, eight (8) bathrooms, four (4) offices, a classroom, two (2) multi-purpose rooms, as well as a kitchen, a pantry, a dining room, and a laundry room on a 21,700 square-foot (0.5-acre) lot. There are also two (2) patios, an outdoor exercise area on the property's western edge, an 83-square-foot storage shed on the property's northwest corner, and approximately 5,000 square feet of landscaping dispersed throughout the project site. The maximum height of the structure is 26 feet. It is set back 37 feet from the front (south) property line and has minimum side-yard

setbacks of 6'7" to the west and 20 feet to the east, respectively. Its minimum rear yard setback is 13'9"; however, the storage shed on the northeastern corner of the property has no setback from either the rear (north) or side (west) property lines.

A ten-space parking lot and trash enclosure currently exist on the northeastern portion of the property, accessed by a driveway from the south. As part of the project, the applicant proposes reconfiguring the parking spaces in order to meet County development standards, decreasing the total number to eight (8) spaces, one of which would be reserved for handicapped parking. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. A metal fence near the south (front) edge of the property has a height of four (4) feet. The perimeter fence to the north would have a uniform height of eight (8) feet, while the eastern perimeter fence varies in height from six (6) feet to eight (8) feet. A block-wall fence along the western edge of the property also varies in height from five (5) feet to seven (7) feet. However, a wooden fence has been added to the top of this structure for 57 feet of its length, extending this portion's total height to approximately 10 feet.

COMPLIANCE WITH APPLICABLE ZONING STANDARDS

The property on which the proposed facility is to be located is zoned R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size). An adult residential facility (ARF) is allowed in this zone, subject to the issuance of a CUP.

Facilities in the R-1-20,000 zone are required to maintain minimum front yard setbacks of 20 feet (County Code Sec. 22.20.120). The existing facility has a front yard setback of 37 feet. The Code also requires interior side-yard setbacks of five (5) feet, while the facility's main structure has side yards of 6'7" and 20 feet, respectively. The structure also has a rear-yard setback of 13'9", which is less than the 15-foot setback that is required. This 1'3" reduction in setback was approved by the Department of Public Works, Building and Safety Division in 1999 through the retroactive building permit process, although no yard modification was ever approved by Regional Planning. There is also an 83-square-foot storage shed on the property's northwestern corner with side-yard and rear-yard setbacks close to zero. These reduced setbacks have not been approved. Such a setback modification may be approved as part of the conditional use permit process; however, should the Commission wish to approve this project, staff recommends conditioning the shed's removal.

County Code Section 22.20.110 allows a maximum structural height of 35 feet above grade within the R-1-20,000 zone, not counting chimneys or rooftop antennas. The existing structure's maximum height is 26 feet above grade and is thus consistent with the requirement.

Code Section 22.52.1120(D) determines parking requirements for adult residential facilities. One parking space is required for every employee of the facility during its largest shift, as well as one additional space for each vehicle required for directly

conducting its use. The project application indicates that the daytime shift requires "seven to eight" employees and that an additional space is needed for the facility's van. When queried, a representative of the applicant indicated that no more than seven (7) employees were required to operate the facility at any one time, and that a condition restricting this number to seven would be abided. Should this be the case, a total of eight (8) parking spaces would be required pursuant to applicable County Code standards.

Section 22.48.160 of the County Code regulates fences and walls within required setbacks. Within a required front yard, a fence with a maximum height of 42 inches is permitted, while the existing fence has a height of 48 inches. A maximum height for any fence within a side-yard or rear-yard setback is six feet. Existing fences in these areas of the project site vary in height from six feet to eight feet, and—in the case of the block wall topped by a wooden fence—ten feet. Therefore, several fences on the existing project site do not conform to applicable County Code requirements, and were constructed without proper approvals. The Commission may, at its discretion, grant a modification to these standards as part of the CUP process if it finds that the additional heights would not be incompatible with adjoining uses. However, staff recommends that, should the Commission choose to approve this project, conditions should be added that all fences be reduced to their permitted heights under the Code.

BURDEN OF PROOF

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Commission, the following facts:

A. That the requested use at the location proposed will not:
   1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
   2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
   3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

C. That the proposed site is adequately served:
   1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
   2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document. Based on the analysis set forth herein, Staff is of the opinion that the necessary Burden of Proof has not been met for this application.

ENVIRONMENTAL DOCUMENTATION

The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate any environmental impacts to a level of no significance. A draft version of the Initial Study was circulated to all stakeholder agencies for comments for a period of at least 30 days. Comments received by the Los Angeles County departments of Public Works, Public Health, and Fire were incorporated into the final document.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

An earlier, duly noticed public hearing was held before a Hearing Officer on May 18, 2010 regarding the project proposal. Given that the applicant was informed of the recommendation that the matter be referred to the Regional Planning Commission, the applicant opted not to testify at the Hearing Officer proceedings. Six area residents attended the Hearing Officer proceedings and testified in opposition to the project. They raised several concerns about the proposed facility, which are described in more detail below. The Hearing Officer, Dennis Slavin, subsequently closed the public hearing and stated that, in his opinion, the case involved a major planning issue appropriate for consideration by the Regional Planning Commission. Therefore, the Hearing Officer referred the matter to this body.

A total of 176 public hearing notices were mailed out to property owners located within the 1,000-foot radius of the subject property and other interested parties on May 24, 2010, regarding the project proposal. The notice was also published in the *Pasadena Star-News* and in *La Opinion* on May 28, 2010. Case-related materials were sent to the Hastings Branch Library in Pasadena and posted on the Regional Planning web site. The public hearing notice was posted at the project site on June 4, 2010.

A total of 95 letters were received in opposition to the project proposal. All concerns that were raised at the May 18, 2010 public hearing were restated, and several additional issues were also raised. These letters are attached. Concerns stated in the letters included the following contentions:

a. The proposed facility is not appropriate for the existing residentially zoned neighborhood and is not consistent with the County's General Plan;
b. Such a use would not be permitted in the City of Pasadena, which is across the street from the subject property
c. Too many residents (20) would be living on a single property in a residential zone, which would create additional traffic on a narrow street and potentially overwhelm the existing septic system;
d. The facility will change the character of the neighborhood, negatively influencing property values in the area;

e. Because the facility has be operating for seven years without a County permit, allowing it to continue would be effectively rewarding bad behavior;
f. There are no known examples of this type of use in a similar residential area within the County, and allowing the facility would set an undesirable precedent;
g. Incidents of petty crime, such as vandalism and theft of mail, have increased dramatically on Fairpoint Street since the facility has been in operation;
h. Residents of the facility have repeatedly been seen in front of the building or walking along Fairpoint Street, in violation of the facility's stated policy of allowing exit through arranged transportation only;
i. Arguments by the applicant in favor of the project do not adequately address the burden of proof—specifically, studies cited by the applicant as supporting the lack of effect on property values of such facilities relate only to small group homes;
j. The facility is unnecessary, as there are many other facilities in the Pasadena area with excess capacity for patients;
k. Such facilities are allowed by right in commercial zones, so it is not necessary for the County to allow them to locate in residential areas, and;
l. The applicant has acted in bad faith with respect to area residents, often harassing, intimidating, or threatening them for making complaints or using deceptive practices in order to gain "support" statements from adjacent residents. Three area residents have signed affidavits stating that such letters, provided by the applicant, were solicited under false pretenses or taken out of context.

Staff also received 53 letters of support for the project, which are also attached. Many of these statements are from former residents of the facility who credit it with helping them recover from drug and/or alcohol addictions. There are also four (4) letters from area residents expressing support for, or lack of opposition to, the facility. In addition, the applicant has submitted many letters of support from local agencies, charities, and politicians. These letters are also attached. It should be noted that many of these letters indicate support for the program itself—not necessarily for allowing the facility at its current location. Supporters of the facility make the following contentions:

a. The facility provides a needed service that has changed the lives of many for the better, including several of the letter writers.
b. The facility has been in operation for more than 10 years and has been an asset to the community as a whole.
c. Those opposing the facility are reacting to an inaccurate stereotype about people with addictions.
d. The facility has not had an adverse effect upon the neighborhood.
e. ECTC has operated without problems since 2003 and is essentially requesting to simply continue its current operations.

The applicant has also submitted additional documentation maintaining that no sex offenders or court-ordered patients are accepted at the facility and that there has been no increase in crime in the area since the facility began operations in 2003.

PUBLIC AGENCY COMMENTS AND RECOMMENDATIONS

Staff consulted with several stakeholder agencies during the consultation process. The Los Angeles County Fire Department was consulted in July 2009 regarding the project proposal and the Initial Study. The department initially responded in August 2009, providing minimal comments on the Initial Study. After a period of 60 days, Regional Planning assumed that the department had no comments regarding the project proposal. However, on June 23, 2010, Regional Planning staff received comments from County Fire indicating that the project, as proposed, does not meet applicable Fire Department requirements. Should the project be approved, Fire would recommend several conditions for providing adequate emergency access to the facility and ensuring adequate water flow from nearby hydrants. Staff has yet to receive these proposed conditions, although they will be provided before the public hearing date.

The Los Angeles County Department of Public Works was consulted regarding the project in July 2009. The department responded with minimal comments on the Initial Study. After a period of 60 days, Regional Planning assumed that DPW had no comments regarding the project proposal. The Building and Safety Division of DPW had previously given retroactive building permits to all on-site structures—with the exception of a storage shed—in 1999 and 2000.

The Department of Public Health—Environmental Hygiene Division was consulted regarding the on-site septic system. DPH originally placed a hold on the project, requiring that the applicant either connect to the Pasadena City Sewer or submit a plan for construction of an adequate septic system. This project was later cleared for public hearing after being given a conceptual approval for the design of a new septic system.

The Altadena Station of the Los Angeles County Sheriff's Department was consulted in April 2010 regarding the project proposal and the relative crime rate of the vicinity over the last seven (7) years. This information was requested after several residents remarked on the increasing crime rate in the area since the opening of ECTC. Lieutenant Roosevelt Johnson responded that, from 2005 to 2010, there were nine (9) calls for service from the facility, four (4) of which were accidental activation of the burglar alarm. Lieutenant Johnson further stated that such a number of calls did not represent a particularly high volume at that address, although he did not give a position for or against the project proposal. Call logs provided by the applicant pursuant to the Public Records Act also indicate that the other five (5) incidents were relatively minor, including theft of a trash can and a preemptive call regarding a possible conflict with a terminated employee. The Sheriff's Department did not respond to Regional Planning's request to comment on whether or not there had been a relative increase in crime on Fairpoint Street since 2003.

The Pasadena Police Department was also consulted regarding the project proposal. The department simply provided a letter stating that the property fell outside of their jurisdiction.

The City of Pasadena Planning and Development Department was consulted as well, as its jurisdiction begins immediately across Fairpoint Street from the subject property. The department has given its opposition to the project for the following reasons:

a. The facility would generate an inordinate amount of vehicle traffic and on-street parking for a single-family residential neighborhood;
b. The septic system is inadequate for a 20-bed facility, plus staff and visitors (and the minimum requirements for a potential sewer connection cannot be met);
c. There is inadequate fire access to the rear of the structure; and
d. A facility of this size is inappropriate for a single-family neighborhood.

The applicant has submitted a rebuttal to these contentions as part of their supplemental documents (attached).

STAFF EVALUATION

When considering the merits of the project proposal, the issue before the Commission is whether an adult residential facility proposed to serve up to 20 residents is appropriate for the proposed location. In order for the Commission to determine that the proposed project is appropriate for this location, the Commission must be able to find that the project would not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area. The Commission would also have to find that the project would not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. Additionally, the proposed site would have to be found to be adequate in size and shape to accommodate the required development features such as yards, walls, parking, and landscaping. Further, the Commission would have to determine that the site is adequately served by sufficient facilities and infrastructure, such as highways and streets that would accommodate the kind and quantity of traffic that the facility would generate. Although an adult residential facility with six or fewer residents is allowed in the R-1-20,000 zone as a matter of right as a per se residential use, a facility with 20 residents as proposed must meet the burden of proof standards applicable to CUPs.

The development standards listed in the County Code for R-1-20,000 zoning indicate that adult residential facilities require a conditional use permit. While most of the development standards for the zoning are met by the proposed project, there are several instances in which the project as currently developed does not meet the applicable standards. Therefore, modifications would be needed in order to legalize the height of the fence within the front-yard setback (48 inches, compared to allowed height of 42 inches) and the heights of much of the side-yard and rear-yard fences (greater than the allowed height of six feet). A modification would also be required in order to allow the storage shed on the property's northwestern corner, which has side-yard and rear-yard setbacks of close to zero. However, staff believes that there is insufficient justification for such modifications and therefore, it is staff's recommendation that—were the Commission decide to approve the project—conditions of approval be adopted that would mandate the conformance of these structures to zone development standards.

Even were the project to meet all requirements of the zoning ordinance, the conditional use permit process gives the Commission discretion to approve or deny a project based on whether or not it meets all aspects of the required burden of proof. In this case, staff has concerns regarding whether or not the project would comply with sections A1, A2, and C1, namely that the proposed use would not:

A1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or

A2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site

C1. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate

As stated above, an adult residential facility is allowed within the R-1-20,000 zone upon issuance of a conditional use permit. However, the proposal to provide services to 20 residents at the proposed facility would adversely impact the surrounding community and be inconsistent with the character of the surrounding neighborhood.

The area is designated as and zoned for low density residential development, and as such, a facility serving 20 residents, with the associated employees, visitors, and other services necessary to operate such a facility is out of character with similarly situated residential properties and creates a burden on the surrounding neighborhood. The types, timing, and nature of traffic trips to the facility in order to provide services for 20 adults as proposed is sufficiently different from that associated with other low density residential development that the operation of the facility with the proposed number of residents would be materially detrimental to the use and enjoyment of other property in the surrounding vicinity.

As shown in the numerous letters submitted in opposition to the project, great concern exists among the residents of the surrounding area that the facility has already and will continue to affect their peace, comfort, and welfare. Area residents have expressed concerns that the facility—which has operated without County authorization since 2003—has already affected their health, comfort, and welfare and reduced property values. Over 90 letters expressing concerns have been submitted to Regional Planning staff, many of which relate specific incidents that have occurred in association with ECTC. These incidents include, but are not limited to, vandalism, mail and trash can theft, increased traffic, patients allowed to wander outside facility grounds, and hostility and/or intimidation from the operator when he is approached about such issues. Although the applicant rebuts the assertions that such incidents have occurred, the information submitted to evidence the community's concerns supports a conclusion that operation of the facility at this location with the number of residents proposed has resulted in problems in the neighborhood. Therefore, it is staff's opinion that allowing the facility to continue operation at its current capacity would be likely to negatively affect the comfort and welfare of area residents.

Staff also questions whether on-site parking facilities are adequate for the proposed use, as the eight (8) parking spaces on the property would accommodate a maximum of seven (7) employees at any given time, which may be less than the "seven to eight" employees stated as the largest shift in the project application. Based on the efforts of the applicant to restrict street parking in the neighborhood, it appears that facility is providing parking that is insufficient to meet the operational needs of the facility.

STAFF RECOMMENDATION

Staff recommends denial of project R2006-01555-(5) / Conditional Use Permit No. 200800131, subject to the attached Findings.

SUGGESTED MOTION

I move that the Regional Planning Commission close the public hearing and **DENY** Conditional Use Permit 200800131with the attached Findings.

Prepared by Tyler Montgomery, Regional Planning Assistant II
Reviewed by Maria Masis, Section Head
Zoning Permits Section II

Attachments:
Draft Findings
Applicant's Burden of Proof statement
Letter from County Fire
Letter from Public Health
Letter from Los Angeles County Sheriff's Department—Altadena Station
Altadena Sheriff's Station call log for property
Letter from Pasadena Police Department
Letters from Pasadena Department of Planning and Development (2)
Aerial photo
Site photographs
Initial Study
Letters of opposition from James C. Marr (3)
Letters of opposition from area residents (95)
Applicant's supplemental documents and letters of support (53)

MM:TM
06/24/10

FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION OF THE COUNTY OF LOS ANGELES

PROJECT NUMBER R2008-01555-(5)
CONDITIONAL USE PERMIT NUMBER 200800131
ENVIRONMENTAL ASSESSMENT NUMBER 200900053

REGIONAL PLANNING COMMISSION HEARING DATE: JULY 7, 2010

SYNOPSIS:
Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a conditional use permit to authorize to authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone within the Northeast Pasadena Zoned District of Los Angeles County. The facility would house a maximum of 20 patients.

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

Findings

1. The applicant, Eaton Canyon Treatment Services, is requesting a conditional use permit (CUP) to authorize the operation of the Eaton Canyon Treatment Center ("ECTC") as an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.

2. The subject property is located at 3323 Fairpoint Street. The site is within the community of Kinneloa Mesa in the Northeast Pasadena Zoned District of unincorporated Los Angeles County.

3. The project site is zoned R-1-20,000 (Single Family Residence—20,000 square-foot minimum lot size).

4. The subject property is a 21,700 square-foot, slightly sloping rectangular parcel. It is entirely developed with an 5,650 square-foot, existing adult residential facility, which includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate. All surrounding properties are developed with single-family residences. Parking on the site is intended for employees only, as visitors are not allowed, and residents are not permitted to make use of automobiles during their stays. Street parking is also permitted on Fairpoint Street and would be utilized by maintenance and delivery vehicles.

5. Surrounding properties are zoned as follows:

North: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size)
East: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size)
South: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size), City of Pasadena
West: R-1-20,000 (Single Family Residence—20,000 square-foot min. lot size)

6. The surrounding land uses consists of the following:
   North: Single-family residences
   East: Single-family residences
   South: Single-family residences
   West: Single-family residences

7. The Department of Regional Planning has determined that a Negative Declaration is the appropriate environmental documentation under California Environmental Quality Act (CEQA) reporting requirements. The Initial Study concludes that the project design and/or suggested conditions will adequately mitigate any environmental impacts to a level of no significance. A draft version of the Initial Study was circulated to all stakeholder agencies for comments for a period of at least 30 days. Comments received by the Los Angeles County departments of Public Works, Public Health, and Fire were incorporated into the final document.

8. The facility was established at 3323 Fairpoint Street in 1996 as a sober living facility. A sober living facility is a private communal living arrangement of unrelated or related persons who are often recovering alcoholics or substance abusers living as a single housekeeping unit. A true sober living facility functions as an alternate family unit and, therefore, is compatible with residential use and therefore can be established in residential areas. A sober living facility does not offer on-site counseling or treatment services. The provision of such services would require licensing by the State of California, and would make the facility an adult residential facility subject to the CUP requirement in the R-1 zone for facilities that serve seven or more residents.

9. Prior to 1999, the operator undertook construction on the site without necessary building permits or other applicable County approvals. In or about 1999, ECTC applied for retroactive building permits in order to legalize these unpermitted additions that had been made to the subject property. At this time, ECTC represented to both the Department of Public Works and Regional Planning that ECTC operated solely as a sober living facility with no on-site professional treatment. As a result, the facility was allowed to continue operation without obtaining a CUP and was issued a certificate of occupancy as a congregate living facility.

10. In 2003, without notifying Regional Planning, ECTC applied for and was granted a state license for the non-medical treatment of 12 adults for drug and alcohol rehabilitation. The use of the facility subsequently changed from a sober living

Montgomery, Tyler

From: John Schlaerth [jbs_pgs@yahoo.com]
Sent: Sunday, May 16, 2010 8:54 PM
To: Montgomery, Tyler; PNovak@lacbos.org
Cc: info@bos.lacounty.gov

Mr. Montgomery and Mr. Novak,

In regard to the Conditional Use Permit for LA County Project No. R2008-01555-(5) at 3323 Fairpoint St. in Pasadena, we strenuously object to this proposal.

The general plan for this area is entirely residential - families in their own homes. The peace and comfort of all our families will be affected, not to mention their safety.

We have 7 children and 11 grandchildren who will not be able to enjoy our neighborhood as it is again.

Please do not allow this to occur.

Signed,
John and Katherine Schlaerth
3244 Villa Highlands Drive, Pasadena, CA 91107

Montgomery, Tyler

From: John Schlaerth [brvtvs@hotmail.com]
Sent: Monday, May 17, 2010 11:21 AM
To: Montgomery, Tyler; pnovak@lacbos.org
Cc: executiveoffice@bos.lacounty.gov
Subject: Do not proceed with Project No. R2008-01555-(5)

Mr. Novak, Mr. Montgomery,
I was shocked and dismayed to learn this project [Conditional Use Permit, L.A. County Project R2008-01555-(5)] could even be conceived for my parent's neighborhood.

This is an attack on the peace of mind of every resident in the area who wishes the safety of their children and families. We would feel threatened by it, and would avoid visits to the area with my children as a result.

Knowing the impact on the neighborhood and lives of those who have family there, it would be simply unconscionable to sanction this project. Please do not do so,
John Schlaerth Jr.
(310) 798-8131

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.

Lonergan

MAY 17 2010

5/12/10
Hearing Officer,
320 W. Temple St.,
Los Angeles, Ca 90012.
Atten:Tyler Montgomery
Subj: Project #R2008-01555-(5)

Dear Sir,
As you can see by our address below, we are close to the property at 3323 Fairpoint St. that is involved in the above referenced project. The property is located in an R1 zone – a single-family residential zone that has many children in the area. To place a 20 patient alcohol and drug facility here is inconceivable.
There are already 13 such facilities in the Pasadena area. They are large enough to serve over 400 patients and have a vacancy of 40%. Why anyone would want to put such a rehab center in a family neighborhood in violation of the very purpose of establishing zoning ordinances defies all reason.

Sincerely,
J & B Lonergan
Joseph & Barbara Lonergan.

Cc: Mike Antonovich
Paul Novak

1960 SIERRA MADRE VILLA • PASADENA, CA 91107 • (626) 398-8311

Montgomery, Tyler

From: greg bull [padman20032003@yahoo.com]
Sent: Monday, May 17, 2010 12:26 PM
To: Montgomery, Tyler
Subject: Eaton Canyon Treatment Center @ 3323 Fairpoint Street

Dear Mr. Montgomery,

I am writing this letter on behalf of the homeowners in the Sierra Madre Villa area. I am a Realtor with Prudential California Realty and have been licensed for 16 years and specialized in this area for the past 6 years.

I am concerned with the proposed increase in the size of beds from 6 to 20 residences at 3323 Fairpoint St. Under California Prop. 36 passed in 2000, R-1 homes are allowed treatment facilities up to 6 beds without license or permits. Because they are treated as single family residences and not businesses, sellers of real estate in the neighborhood near the facility are not required to disclose that to potential buyers. However, with the additional beds, disclosure will absolutely be required and in my experience, will adversely affect property values in the area. This area is one of the most beautiful and tranquil in the San Gabriel Valley and would be negatively impacted by such a large treatment center in the middle of single family residences. The Sierra Madre Villa neighborhood is unique in that it has very defined boundaries. In my opinion, property values in the area could be negatively effected by as much as 15 to 20 percent. People with children may not even consider the area due to safety concerns.

I hope you carefully consider all the ramifications and deny the permit for this facility in this wonderful neighborhood.

Sincerely,

Gregory Bull
DRE License # 01177732

Allowing this permit is irresponsible and wrong. There is not a need for a treatment center in our neighborhood (there are many in Pasadena which are not at capacity), it is a fire and safety hazard, it will reduce surrounding property values, and it is not at all consistent with the general plan for this area. Please do not grant a Conditional Use Permit for 3323 Fairpoint Street.

Sincerely yours,

Sean Mispagel Carol Mispagel

cc: Paul Novak, LA County Board of Supervisors

Sean and Carol «Last»

«Address» «Address», «Address» «Address»

Tel: 626-791-2735 Email: «Email»

Hearing Officer
320 W. Temple
Los Angeles, CA 90012
Attention: Tyler Montgomery
Re: Project Number R2008-01555-(5)
Conditional Use Permit Number 200800131
Environmental Assessment No. 2009-00053

Tuesday, May 18, 2010

Dear Mr. Montgomery,

We are writing to you in regard to the proposed Conditional Use Permit (CUP) hearing coming up on May 18th in regard to the property located at 3323 Fairpoint Street in Pasadena. We are opposed to the county granting such a permit. Fairpoint Street is located in the hills in Northeast Pasadena and is a very quiet, residential neighborhood. As the parents of three young children we have always had grave concern having a drug rehabilitation facility on our street. We were not aware of the facility at the time we purchased our home. The idea of having it approved to house 20 people, instead of 6, is extremely alarming. Increasing the capacity to 20 people poses inordinate issues about the welfare, peace, and safety of our family and neighborhood. In addition, the negative impact this will have on our property values is already evident in the fact that several neighbors have moved off of the street as a direct result of having the facility there and the problems it was presenting with traffic and an increase in crime in the neighborhood. Another neighbor had difficulty selling their home because of the proximity to the treatment center and had clients back out of the deal once the disclosure of the treatment center was made.

The proposed site is inadequate to accommodate 20 people, plus staff and visitors. In the past several years, the facility has had numerous visitors on weekends, when they host family meetings, causing traffic and parking issues on Fairpoint and Sierra Madre Villa Avenue. In addition, the visibility to turn onto the main street was obscured by the parked cars, causing a safety issue.

Fairpoint is a very narrow, culdesac street and it is in a high fire hazard area. Adding additional cars to the already narrow street poses parking issues as well as prohibits emergency vehicles from getting down the street in a timely manner in the event of an emergency. This poses an issue of safety to the patients of the facility as well as the neighborhood residents. As you may know, several houses on that street burned in a wild fire back in 1993. Having 20- 30 people (including staff) in one home trying to evacuate in the event of a wildfire presents a danger to the clients, the neighbors, and the emergency personnel.

The proposed home is a single family residence (R-1) and is not zoned to be used for an institution of 20 plus people. The home was not built for that many people and has only 6 bedrooms. The septic system has not been updated to accommodate that number of people and there have been issues with raw sewage coming from the septic system at that address in the past.

The rate of relapse for people undergoing rehabilitation for drug and alcohol addictions is very high. This type of a facility does not belong in a residential neighborhood with young children and families. The safety and welfare of our children is at stake by increasing the number of people, and thus the number of potential problems. In addition, there is no screening process for sexual offenders (as we were told by Mr. Heard at a meeting at Victory Park 2 years ago) when they apply to be treated at the facility and they do not need to register with that address since it is considered temporary housing.

3323 Fairpoint Street, Business #2
From http://kepler.sos.ca.gov/cbs.aspx

California Secretary of State Debra Bowen

Business Entities (BE)

Online Services
- **Business Search**
- **Disclosure Search**
- **E-File Statements**
- **Mail Processing Times**

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Service of Process
FAQs
Contact Information

Resources
- **Business Resources**
- **Tax Information**
- **Starting A Business**
- **International Business Relations Program**

Customer Alert

Business Entity Detail

Data is updated weekly and is current as of Friday, May 07, 2010. It is not a complete or certified record of the entity.

Entity Name:	EATON CANYON FOUNDATION
Entity Number:	C1796470
Date Filed:	01/02/1997
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	3323 E FAIRPOINT ST
Entity City, State, Zip:	PASADENA CA 91107
Agent for Service of Process:	JUDITH WILSON
Agent Address:	3323 E FAIRPOINT ST
Agent City, State, Zip:	PASADENA CA 91107

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to Name

3323 Fairpoint Street, Business #1
http://kepler.sos.ca.gov/cbs.aspx

California Secretary of State Debra Bowen

Secretary of State | Administration | Elections | **Business Programs** | Political Reform

Business Entities (BE)

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- **Starting A Business**
- **International Business Relations Program**

Customer Alert (misleading business solicitations)

Business Entity Detail

Data is updated weekly and is current as of Friday, May 07, 2010. It is not a complete or certified record of the entity.

Entity Name:	EATON CANYON RECOVERY SERVICES, INC.
Entity Number:	C2384660
Date Filed:	11/26/2001
Status:	ACTIVE
Jurisdiction:	CALIFORNIA
Entity Address:	3323 FAIRPOINT ST
Entity City, State, Zip:	PACADENA CA 91107
Agent for Service of Process:	JAMES HEARD
Agent Address:	3323 FAIRPOINT ST
Agent City, State, Zip:	PACADENA CA 91107

* Indicates the information is not contained in the California Secretary of State's database.

- If the status of the corporation is "Surrender," the agent for service of process is automatically revoked. Please refer to California Corporations Code **section 2114** for information relating to service upon corporations that have surrendered.
- For information on checking or reserving a name, refer to **Name Availability**.
- For information on ordering certificates, copies of documents and/or status reports or to request a more extensive search, refer to **Information Requests**.
- For help with searching an entity name, refer to **Search Tips**.
- For descriptions of the various fields and status types, refer to **Field Descriptions and Status Definitions**.

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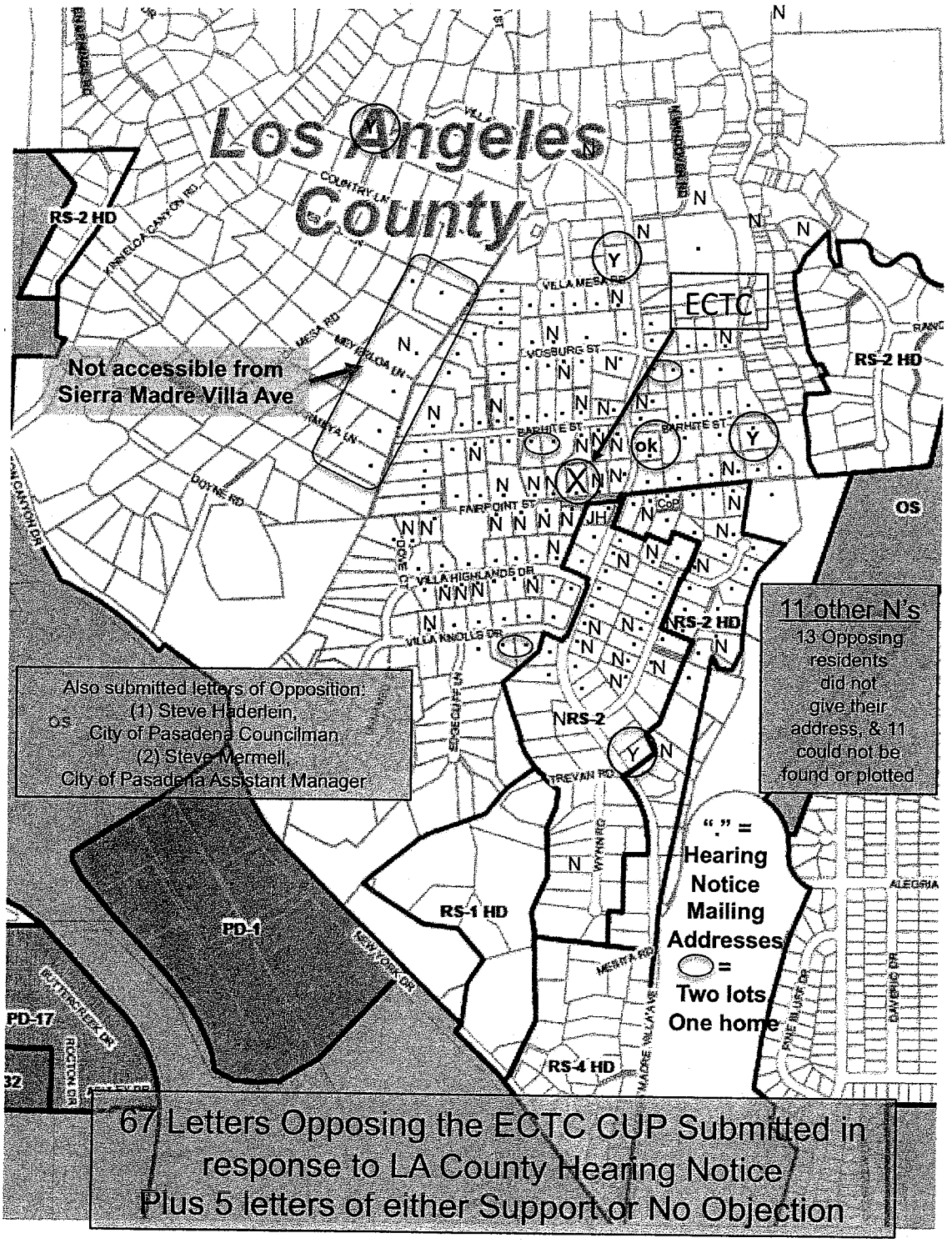
Sierra Madre Villa Avenue area
Annotated with Hearing Notice distribution and Response letter locations



18 May 2010 Hearing for Project: R2008-01555-(5); CUP: 200800131

To: Hearing Officer, Mitch Glaser, AICP, and Tyler Montgomery, Regional Planning Assistant II

I have **previously written to both of you** regarding this matter but would like to **emphasize and expand on a couple of points.**

A. The ECTC, a **for-profit 20-person** adult residential treatment facility with an additional **5 to 8 full time staff, does not belong** in a single-family residential neighborhood. The LA County Code Section **22.20.020** places **strict requirements on home-based occupations**, with the **intention of preserving the character of single-family residential neighborhoods.**

For example, the Code requires: (1) A home based business to be "**demonstrably secondary and incidental to the primary dwelling unit**", (2) A home-based **business be run by someone who lives there**, (3) A home-based **business to have no more than *one* paid or unpaid employee**, and (4) No **more than one home-based occupation per dwelling unit.**

The ECTC business is **not secondary and incidental, Mr Heard does not live at the ECTC**, and the **ECTC has 5 to 8 paid employees.** Further, there appear to be **two businesses operating from the 3323 Fairpoint St address** per the **web site of Secretary of State Debra Bowen** (see http://kepler.sos.ca.gov/cbs.aspx): (1) **Eaton Canyon Recovery Services, Inc** by **Mr. James Heard**, and (2) **Eaton Canyon Foundation** by **Judith Wilson** (see the attachments to these notes).

B. The ECTC is **unlike any other home-based business in the SMVA area.** LA County Regional Planning's Mr. **Tyler Montgomery** and the City of Pasadena's Mr. **Denver Miller** (Principal Planner, Current Planning/Zoning) identified **no other adult residential facilities in the area** and **no other home-based businesses that required a permit.**

Mr. Montgomery did say that **his search wasn't exhaustive**, in that his tools aren't designed to answer this question easily (they're more for finding all permits for a particular address than for finding all addresses in an area with a particular type of permit). **LA County should develop the tool(s) to answer this type of question easily.**

Mr. Miller said that the **City of Pasadena** (*which makes up **1/3 of the addresses** surrounding the ECTC and whose **boundary is only 35 feet away** from the ECTC*) **denies all** permits for adult residential facilities with **more than 6** persons in **any** Pasadena single-family residential zone. **LA County should do the same.**

C. As described above, **denying** the ECTC CUP would be **consistent with** the LA County and City of Pasadena **zoning plans and practices** for the SMVA area. Further, it **would avoid a precedent** that would allow additional such facilities to enter this neighborhood.

D. The **Hearing Officer's Report shows** that ECTC has very **little support** from neighbors. Ninety-three percent **(93%)** of neighbors responding to the Hearing Notice **oppose** the ECTC CUP, **including all immediate ECTC neighbors** (See Map, next page).

E. Further, City of Pasadena **Councilman, Steve Haderlein**, the Councilman responsible for the SMVA area, and City of Pasadena **Assistant Manager, Steve Mermell**, both **submitted letters opposing the ECTC CUP.**

F. Please **deny this permit.**

Respectfully,
James C Marr
1484 Old House Road
Pasadena, CA 91107

3. We are on septic systems. I doubt that the septic system at 3323 East Fairpoint was designed (nor approved) for an additional 20 plus people.
4. The owner has violated city and county ordinances in the past and obviously felt that the laws apply to other people, not him. He has been operating illegally for quite some time. How and why did the County allow this to happen? We would prefer Zero Drug Rehabilitation facilities in our neighborhood, but certainly not a large one like what he has been illegally operating.
5. The owner, and his staff, has been threatening and intimidating to neighbors.
6. Some neighbors have sold/moved as a result of this facility in our midst. In particular, the Maxwells at the southeast corner of Fairpoint and Sierra Madre Villa sold and left. What has this done to our property values? If you continue to allow this man to operate such a facility, I would expect a reduction in Property Taxes (and I would suggest that ALL the neighbors should receive said Property Tax reduction).

Again, I urge you to deny the Conditional Use Permit, and to (finally) Enforce the law and stop the operation of this large facility. As a law-abiding, tax-paying, voting citizen, I deserve the service from the County to not only deny the CUP, but enforce a cease and desist of this large facility.

Sincerely,

Fred Weideman

PS. I am certainly willing to stand up, but given the past behavior of the owner/operator of Eaton Canyon Treatment Center, I would appreciate keeping my name and address confidential if possible.

Cc: Richard D. Bruckner, Director
Supervisor Michael D. Antonovich

PN

Fred Weideman
1694 Sierra Madre Villa
Pasadena, CA 91107

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012

Re: Project Number R2008-01555-(5)
3323 East Fairpoint Street, Unincorporated Pasadena

Dear Sir, or Madam:

I am writing in vehement opposition of CUP for the above property.

We have lived "on-the-hill" for 25 years, a wonderful residential neighborhood. Several years ago, we noticed a change in the traffic, parking, and crime in the neighborhood. Most of the criminal increase was in crimes of opportunity; rifling of unlocked cars after midnight/before dawn, mail and packages stolen, etc. There were also some break-ins/burglaries. We have never had to lock our car in our own driveway before, and I installed a locking mailbox. This may be unrelated to having a drug rehab facility nearby, however, it coincidentally started at the same time as the facility did.

Further:

1. Fairpoint is an extremely narrow street, not designed for 20 additional people and the attendant staff and visitors (we see visitor's vehicles and cabs at all hours of the day and night). The street is barely wide enough for 2 cars to pass with zero parking on the street. Parking would restrict access to legitimate residents, and to emergency vehicles.
2. In October 1993 we had the wildfires that burned 105 homes on our hill. Additional people and vehicles does not seem to be a wise addition, particularly given the width of Fairpoint. It should be noted that there is only ONE road in and out of our "hill".

MANDATORY FINDINGS OF SIGNIFICANCE

Based on this Initial Study, the following findings are made:

	Yes	No	Maybe	
a.	☐	☒	☐	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? *The project will not substantially degrade the environment, affect fish or wildlife habitats or populations, or eliminate archaeological or historical resources.*
b.	☐	☒	☐	Does the project have possible environmental effects that are individually limited but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. *The project is not likely to have a cumulatively considerable impact. There are few other projects in the vicinity that involve uses not allowed by right, and the cumulative impact of this limited number of projects has not reached a level that could be deemed significant.*
c.	☐	☒	☐	Will the environmental effects of the project cause substantial adverse effects on human beings, either directly or indirectly? *Any effects upon human beings would be minimal, as the project will not create unhealthful conditions, cause traffic or safety hazards, or eliminate resources. Any visual impacts would be less than significant, as other similar structures exist in the immediate vicinity.*

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the environment?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 4. Population/Housing/Employment/Recreation

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project cumulatively exceed official regional or local population projections? *The project does not propose any permanent dwelling units.*
b.	☐	☒	☐	Could the project induce substantial direct or indirect growth in an area (e.g., through projects in an undeveloped area or extension of major infrastructure)? *The project is not likely to induce substantial growth in the area.*
c.	☐	☒	☐	Could the project displace existing housing, especially affordable housing? *The project will not eliminate any dwelling units.*
d.	☐	☒	☐	Could the project result in substantial job/housing imbalance or substantial increase in Vehicle Miles Traveled (VMT)?
e.	☐	☒	☐	Could the project require new or expanded recreational facilities for future residents?
f.	☐	☒	☐	Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?
g.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES**

☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **population, housing, employment,** or **recreational** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 3. Land Use

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Can the project be found to be inconsistent with the plan designation(s) of the subject property? *An adult residential facility is a permitted use within the 1 (Low Density Residential—1 to 6 dwelling units per acre) land use classification, provided that a conditional use permit is first obtained (Source: Los Angeles County General Plan, Land Use Element).*
b.	☐	☒	☐	Can the project be found to be inconsistent with the zoning designation of the subject property? *An adult residential facility is allowed within the R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size) zone, upon issuance of a conditional use permit (Source: Los Angeles County Code, Title 22).*
c.				Can the project be found to be inconsistent with the following applicable land use criteria:
	☐	☒	☐	Hillside Management Criteria?
	☐	☒	☐	SEA Conformance Criteria?
	☐	☒	☐	Other?
d.	☐	☒	☐	Would the project physically divide an established community?
e.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **land use** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 2. Environmental Safety

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Are any hazardous materials used, transported, produced, handled, or stored on-site? *No hazardous materials exist or are proposed for the project site.*
b.	☐	☒	☐	Are any pressurized tanks to be used or any hazardous wastes stored on-site? *No pressurized tanks or hazardous wastes exist or are proposed for the project site.*
c.	☐	☒	☐	Are any residential units, schools, or hospitals located within 500 feet and potentially adversely affected? *No residences would be adversely affected by environmental safety issues at the project site.*
d.	☐	☒	☐	Have there been previous uses that indicate residual soil toxicity of the site? *No known previous uses would indicate residual soil toxicity on the site.*
e.	☐	☒	☐	Would the project create a significant hazard to the public or the environment involving the accidental release of hazardous materials into the environment? *The project would not have the potential to release hazardous materials into the environment.*
f.	☐	☒	☐	Would the project emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? *The project would not emit hazardous emissions and is more than one-quarter mile from the nearest school.*
g.	☐	☒	☐	Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or environment? *The project is not listed in the Department of Toxic Substances Control EnviroStar Database.*
h.	☐	☒	☐	Would the project result in a safety hazard for people in a project area located within an airport land use plan, within two miles of a public or public use airport, or within the vicinity of a private airstrip? *The project is not within an airport land use plan and would not result in a safety hazard to air traffic.*
i.	☐	☒	☐	Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
j.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES**

☐ Toxic Clean-up Plan

☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact relative to **public safety**?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

OTHER FACTORS - 1. General

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Will the project result in an inefficient use of energy resources? *The site is located in a relatively urbanized area with adequate utilities and infrastructure.*
b.	☐	☒	☐	Will the project result in a major change in the patterns, scale, or character of the general area or community? *The project is surrounded by single-family residences of comparable height and design.*
c.	☐	☒	☐	Will the project result in a significant reduction in the amount of agricultural land? *The project will not reduce the amount of agricultural land in the area.*
d.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ State Administrative Code, Title 24, Part 5, T-20 (Energy Conservation)

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to any of the above factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 5. Utilities/Other Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site in an area known to have an inadequate public water supply to meet domestic needs or to have an inadequate ground water supply and proposes water wells? *The project does not propose water wells and is currently served by the Kinneloa Water Company.*
b.	☐	☐	☒	Is the project site in an area known to have an inadequate water supply and/or pressure to meet fire fighting needs? *Before final approval, the project shall receive clearance from the Los Angeles County Fire Department regarding adequate access and fire flow standards.*
c.	☐	☒	☐	Could the project create problems with providing utility services, such as electricity, gas, or propane? *The project site has existing utility service that is adequate for the proposed use.*
d.	☐	☒	☐	Are there any other known service problem areas (e.g., solid waste)?
e.	☐	☒	☐	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services or facilities (e.g., fire protection, police protection, schools, parks, roads)? *The project will not result in the need for expanded governmental facilities.*
f.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Plumbing Code – Ordinance No. 2269 ☐ Water Code – Ordinance No. 7834

☐ **MITIGATION MEASURES**
☐ Lot Size ☒ Project Design

☒ **OTHER CONSIDERATIONS**

Prior to the issuance of final approval, the applicant shall consult with the County Fire Department to ensure the proximity of adequate water pressure and capacity for fire flow standards.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **utilities** services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 4. Fire/Sheriff Services

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project create staffing or response time problems at the fire station or sheriff's substation serving the project site? *The nearest fire station and sheriff substation are both approximately 3 miles to the west of the subject property, in Altadena.*
b.	☐	☒	☐	Are there any special fire or law enforcement problems associated with the project or the general area? *The project would not create any special fire or law enforcement service problems.*
c.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES**

☐ Fire Mitigation Fee

☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **fire/sheriff** services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 3. Education

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Could the project create capacity problems at the district level? *The subject property would not create any permanent dwelling units for school-age children.*
b.	☐	☒	☐	Could the project create capacity problems at individual schools that will serve the project site?
c.	☐	☒	☐	Could the project create student transportation problems?
d.	☐	☒	☐	Could the project create substantial library impacts due to increased population and demand?
e.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

☐ Site Dedication ☐ Government Code Section 65995 ☐ Library Facilities Mitigation Fee

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) relative to **educational** facilities/services?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 2. Sewage Disposal

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	If served by a community sewage system, could the project create capacity problems at the treatment plant? *The project site is not served by a community sewage system.*
b.	☐	☒	☐	Could the project create capacity problems in the sewer lines serving the project site?
c.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Sanitary Sewers and Industrial Waste – Ordinance No. 6130

☐ Plumbing Code – Ordinance No. 2269

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on the physical environment due to **sewage disposal** facilities?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

SERVICES - 1. Traffic/Access

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Does the project contain 25 dwelling units, or more and is it located in an area with known congestion problems (mid-block or intersections)? *The project does not contain 25 or more dwelling units.*
b.	☐	☒	☐	Will the project result in any hazardous traffic conditions? *Traffic to and from the site would be minimal, as residents would be confined to the facility throughout the duration of the program and would come and go via arranged transportation.*
c.	☐	☒	☐	Will the project result in parking problems with a subsequent impact on traffic conditions? *The parking required on-site would be minimal, as all residents would arrive and depart via arranged transportation, and only staff would utilize on-site parking.*
d.	☐	☒	☐	Will inadequate access during an emergency (other than fire hazards) result in problems for emergency vehicles or residents/employees in the area?
e.	☐	☒	☐	Will the congestion management program (CMP) Transportation Impact Analysis thresholds of 50 peak hour vehicles added by project traffic to a CMP highway system intersection or 150 peak hour trips added by project traffic to a mainline freeway link be exceeded? *The project would generate minimal traffic.*
f.	☐	☒	☐	Would the project conflict with adopted policies, plans, or program supporting alternative transportation (e.g., bus, turnouts, bicycle racks)?
g.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES**

☐ Project Design ☐ Traffic Report

☐ **OTHER CONSIDERATIONS**

☐ Consultation with Traffic & Lighting Division

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **traffic/access** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 7. Visual Qualities

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site substantially visible from or will it obstruct views along a scenic highway (as shown on the Scenic Highway Element), or is it located within a scenic corridor or will it otherwise impact the viewshed? *The project site is not substantially visible from a designated scenic highway or located within a designed scenic corridor (Source: Los Angeles County General Plan, Scenic Highway Element). The project site does not impact the viewshed of any neighboring properties.*
b.	☐	☒	☒	Is the project substantially visible from or will it obstruct views from a regional riding or hiking trail? *No regional riding or hiking trails are located within the vicinity.*
c.	☐	☒	☐	Is the project site located in an undeveloped or undisturbed area that contains unique aesthetic features? *The project site and areas to the north and south are developed with single-family residential structures.*
d.	☐	☒	☐	Is the proposed use out-of-character in comparison to adjacent uses because of height, bulk, or other features? *The project is similar in height and bulk of other single-family residences in the vicinity.*
e.	☐	☒	☐	Is the project likely to create substantial sun shadow, light or glare problems? *The shadow and glare of the facility are minimal.*
f.	☐	☒	☐	Other factors (e.g., grading or landform alteration)? *No grading is proposed on the project site.*

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Visual Report ☐ Compatible Use

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **scenic** qualities?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 6. Agriculture Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?
				The project would not convert farmland to non-agricultural use.
b.	☐	☒	☐	Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
				The project site not zoned for agricultural use.
c.	☐	☒	☐	Would the project involve other changes in the existing environment that due to their location or nature, could result in conversion of Farmland, to non-agricultural use?
d.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES**

☐ Lot Size ☐ Project Design

☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **agriculture** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 5.Mineral Resources

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? *The project is not located within a designated mineral resource area. (Source: Los Angeles County General Plan, Special Management Areas map).*
b.	☐	☒	☐	Would the project result in the loss of availability of a locally important mineral resource discovery site delineated on a local general plan, specific plan or other land use plan?
c.	☐	☒	☐	Other factors?

☐ **MITIGATION MEASURES**

☐ Lot Size ☐ Project Design

☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **mineral** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 4. Archaeological/Historical/Paleontological

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site in or near an area containing known archaeological resources or containing features (drainage course, spring, knoll, rock outcroppings, or oak trees) that indicate potential archaeological sensitivity? *The site contains no known archaeological resources and does not contain features indicating potential archaeological sensitivity.*
b.	☐	☒	☐	Does the project site contain rock formations indicating potential paleontological resources? *No rock formations are located on the project site.*
c.	☐	☒	☐	Does the project site contain known historic structures or sites? *No known historic structures or sites are located on the project site (Source: California Historical Resources Inventory)*
d.	☐	☒	☐	Would the project cause a substantial adverse change in the significance of a historical or archaeological resource as defined in 15064.5?
e.	☐	☒	☐	Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? *No known paleontological resources or unique geologic features are located in the vicinity of the project site.*
f.	☐	☐	☐	Other factors?

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Phase 1 Archaeology Report

CONCLUSION

Considering the above information, could the project leave a significant impact (individually or cumulatively) on **archaeological, historical**, or **paleontological** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 3. Biota

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located within Significant Ecological Area (SEA), SEA Buffer, or coastal Sensitive Environmental Resource (ESHA, etc.), or is the site relatively undisturbed and natural? *The subject property is not located within any SEA or ESHA (Sources: Los Angeles County General Plan and Malibu Local Coastal Plan).*
b.	☐	☒	☐	Will grading, fire clearance, or flood related improvements remove substantial natural habitat areas? *The project does not propose any grading or fire clearance.*
c.	☐	☒	☐	Is a major drainage course, as identified on USGS quad sheets by a blue dashed line, located on the project site? *No blue dashed lines are located on the property.*
d.	☐	☒	☐	Does the project site contain a major riparian or other sensitive habitat (e.g. coastal sage scrub, oak woodland, sycamore riparian, woodland, wetland, etc.)? *The project site is not located within a sensitive habitat area.*
e.	☐	☒	☐	Does the project site contain oak or other unique native trees (specify kinds of trees)? *No oak trees or other unique native trees are located on the project site.*
f.	☐	☒	☐	Is the project site habitat for any known sensitive species (federal or state listed endangered, etc.)? *No known sensitive species are located in the immediate vicinity of the project site.*
g.	☐	☒	☐	Other factors (e.g., wildlife corridor, adjacent open space linkage)?

☐ **MITIGATION MEASURES**

☐ Lot Size ☐ Project Design

☐ **OTHER CONSIDERATIONS**

☐ ERB/SEATAC Review ☐ Oak Tree Permit

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, **biotic** resources?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 2. Air Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Will the proposed project exceed the State's criteria for regional significance (generally (a) 500 dwelling units for residential users or (b) 40 gross acres, 650,000 square feet of floor area or 1,000 employees for non-residential uses)? *An addition of only eight (8) on-site residents is sought, and no new floor area or employees will be added.*
b.	☐	☒	☐	Is the proposal considered a sensitive use (schools, hospitals, parks) and located near a freeway or heavy industrial use?
c.	☐	☒	☐	Will the project increase local emissions to a significant extent due to increased traffic congestion or use of a parking structure or exceed AQMD thresholds of potential significance per Screening Tables of the CEQA Air Quality Handbook? *The project would generate minimal traffic, and all residents would enter and leave the site through prearranged transportation.*
d.	☐	☒	☐	Will the project generate or is the site in close proximity to sources that create obnoxious odors, dust, and/or hazardous emissions?
e.	☐	☒	☐	Would the project conflict with or obstruct implementation of the applicable air quality plan?
f.	☐	☒	☐	Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?
g.	☐	☒	☐	Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
h.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☒ Health and Safety Code – Section 40506

☐ **MITIGATION MEASURES**

☐ Project Design ☐ Air Quality Report

☐ **OTHER CONSIDERATIONS**

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **air quality**?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

RESOURCES - 1. Water Quality

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located in an area having known water quality problems and proposing the use of individual water wells? *The project site is not proposing the use of individual water wells.*
b.	☒	☐	☐	Will the proposed project require the use of a private sewage disposal system? *The project will install a new septic system. As a condition of approval, the proposed system shall be installed according to the requirements of the Los Angeles County Department of Public Health, Environmental Hygiene Division.*
	☐	☐	☒	If the answer is yes, is the project site located in an area having known septic tank limitations due to high groundwater or other geotechnical limitations *or* is the project proposing on-site systems located in close proximity to a drainage course? *The proposed septic system has received conceptual approval from the Los Angeles County Department of Public Health, Environmental Hygiene Division. As a condition of approval, the proposed system shall be installed according to the requirements of said department.*
c.	☐	☒	☐	Could the project's associated construction activities significantly impact the quality of groundwater and/or storm water runoff to the storm water conveyance system and/or receiving water bodies? *The project does not propose any grading or construction.*
d.	☐	☒	☐	Could the project's post-development activities potentially degrade the quality of storm water runoff and/or could post-development non-storm water discharges contribute potential pollutants to the storm water conveyance system and/or receiving bodies? *The proposed project would not degrade the quality of storm water runoff or non-storm water discharges, as no new construction or addition of impervious surfaces is proposed.*
e.	☐	☐	☐	Other factors?

STANDARD CODE REQUIREMENTS

☐ Industrial Waste Permit
☒ Plumbing Code – Ordinance No.2269
☒ Health Code – Ordinance No.7583, Chapter 5
☐ NPDES Permit CAS614001 Compliance (DPW)

☐ **MITIGATION MEASURES**
☐ Lot Size ☐ Project Design ☐ Compatible Use

☒ **OTHER CONSIDERATIONS**

The installation of a new septic system has received conceptual approval from the Los Angeles County *Department of Public Health, Environmental Hygiene Division. As a condition of approval, the proposed system shall be installed according to the requirements of said department.*

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by, **water quality** problems?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 4. Noise

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project site located near a high noise source (airports, railroads, freeways, industry)? *The project site is not located near a high noise source.*
b.	☐	☒	☐	Is the proposed use considered sensitive (school, hospital, senior citizen facility) or are there other sensitive uses in close proximity? *There are no sensitive uses in close proximity to the project site.*
c.	☐	☒	☐	Could the project substantially increase ambient noise levels including those associated with special equipment (such as amplified sound systems) or parking areas associated with the project? *The project is not likely to increase ambient noise levels in the area.*
d.	☐	☒	☐	Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project? *No temporary or periodic noise increases would occur as a result of the project. The project does not propose any new construction.*
e.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☒ Noise Ordinance No. 11,778 ☒ Building Ordinance No. 2225--Chapter 35

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design ☐ Compatible Use

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be adversely impacted by **noise**?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 3. Fire

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☒	☐	☐	Is the project site located in a Very High Fire Hazard Severity Zone (Fire Zone 4)? *Source: Wildland and Urban Fire Hazards Map of the Los Angeles County General Plan Safety Element*
b.	☐	☐	☒	Is the project site in a high fire hazard area and served by inadequate access due to lengths, width, surface materials, turnarounds or grade? *The project must receive clearance from the Los Angeles County Fire Department regarding adequate access and fire flow standards.*
c.	☐	☒	☐	Does the project site have more than 75 dwelling units on a single access in a high fire hazard area? *The project site does not contain more than 75 dwelling units.*
d.	☐	☐	☒	Is the project site located in an area having inadequate water and pressure to meet fire flow standards? *The project must receive clearance from the Los Angeles County Fire Department regarding adequate access and fire flow standards.*
e.	☐	☒	☒	Is the project located in close proximity to potential dangerous fire hazard conditions/uses (such as refineries, flammables, explosives manufacturing)? *No potentially hazardous uses are located within the vicinity.*
f.	☐	☒	☐	Does the proposed use constitute a potentially dangerous fire hazard? *The project itself does not constitute a fire hazard.*
g.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☒ Water Ordinance No. 7834 ☒ Fire Ordinance No. 2947 ☒ Fire Regulation No. 8

☐ Fuel Modification/Landscape Plan

☐ **MITIGATION MEASURES** ☒ **OTHER CONSIDERATIONS**

☒ Project Design ☐ Compatible Use

Before final approval, the project must receive clearance from the Los Angeles County Fire Department regarding adequate access and fire flow standards.

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **fire hazard** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 2. Flood

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the major drainage course, as identified on USGS quad sheets by a dashed line, located on the project site? *There are no blue dashed lines located on the project site (source: USGS Topographic Map, Mt. Wilson, California Quadrangle Sheet).*
b.	☐	☒	☐	Is the project site located within or does it contain a floodway, floodplain, or designated flood hazard zone? *The project site is not located within a flood hazard zone (Source: FEMA)*
c.	☐	☒	☐	Is the project site located in or subject to high mudflow conditions?
d.	☐	☒	☐	Could the project contribute or be subject to high erosion and debris deposition from run-off?
e.	☐	☒	☐	Would the project substantially alter the existing drainage pattern of the site or area?
f.	☐	☐	☐	Other factors (e.g., dam failure)?

STANDARD CODE REQUIREMENTS

☐ Building Ordinance No. 2225 – Section 308A ☐ Ordinance No. 12,114 (Floodways)

☐ Approval of Drainage Concept by DPW

☐ **MITIGATION MEASURES** ☐ **OTHER CONSIDERATIONS**

☐ Lot Size ☐ Project Design

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by **flood (hydrological)** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No impact

HAZARDS - 1. Geotechnical

SETTING/IMPACTS

	Yes	No	Maybe	
a.	☐	☒	☐	Is the project located in an active or potentially active fault zone, Seismic Hazards Zone, or Alquist-Priolo Earthquake Fault Zone? *The project is not located within an Alquist-Priolo Earthquake Fault Zone or Seismic Hazards Zone (Source: California Geological Survey).*
b.	☐	☒	☐	Is the project site located in an area containing a major landslide(s)? *The project site is not located in an area with major landslides (Source: California Geological Survey).*
c.	☐	☒	☐	Is the project site located in an area having high slope instability? *The project site is not located in an area with high slope instability (Source: California Geological Survey).*
d.	☐	☒	☐	Is the project site subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction? *The project site is not subject to high subsidence, high groundwater level, liquefaction, or hydrocompaction (Source: State Mining & Geology Board).*
e.	☐	☒	☐	Is the proposed project considered a sensitive use (school, hospital, public assembly site) located in close proximity to a significant geotechnical hazard? *The proposed project is not considered a sensitive use.*
f.	☐	☒	☐	Will the project entail substantial grading and/or alteration of topography including slopes of over 25%? *The project does not propose any grading.*
g.	☐	☒	☐	Would the project be located on expansive soil, as defined in Table 18-1-B of Uniform Building Code (1994), creating substantial risks to life or property?
h.	☐	☒	☐	Other factors?

STANDARD CODE REQUIREMENTS

☒ Building Ordinance No. 2225 – Sections 308B, 309, 310, and 311 and Chapters 29 and 70

☐ **MITIGATION MEASURES**

☐ Lot Size ☐ Project Design

☐ **OTHER CONSIDERATIONS**

☐ Approval of Geotechnical Report by DPW

CONCLUSION

Considering the above information, could the project have a significant impact (individually or cumulatively) on, or be impacted by, **geotechnical** factors?

☐ Potentially significant ☐ Less than significant with project mitigation ☒ Less than significant/No Impact

Environmental Finding:

FINAL DETERMINATION: On the basis of this Initial Study, the Department of Regional Planning finds that this project qualifies for the following environmental document:

☒ NEGATIVE DECLARATION, inasmuch as the proposed project will not have a significant effect on the environment.

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was determined that this project will not exceed the established threshold criteria for any environmental/service factor and, as a result, will not have a significant effect on the physical environment.

☐ MITIGATED NEGATIVE DECLARATION, in as much as the changes required for the project will reduce impacts to insignificant levels (see attached discussion and/or conditions).

An Initial Study was prepared on this project in compliance with the State CEQA Guidelines and the environmental reporting procedures of the County of Los Angeles. It was originally determined that the proposed project may exceed established threshold criteria. The applicant has agreed to modification of the project so that it can now be determined that the project will not have a significant effect on the physical environment. The modification to mitigate this impact(s) is identified on the Project Changes/Conditions Form included as part of this Initial Study.

☐ ENVIRONMENTAL IMPACT REPORT*, inasmuch as there is substantial evidence that the project may have a significant impact due to factors listed above as "significant".

☐ At least one factor has been adequately analyzed in an earlier document pursuant to legal standards, and has been addressed by mitigation measures based on the earlier analysis as described on the attached sheets (see attached Form DRP/IA 101). The EIR is required to analyze only the factors not previously addressed.

☐ This proposed project is exempt from Fish and Game CEQA filling fees. There is no substantial evidence that the proposed project will have potential for an adverse effect on wildlife or the habitat upon which the wildlife depends. (Fish & Game Code 753.5).

Reviewed by: _____ Date: 6-24-2010

Approved by: _____ Date: 6-29-10

☐ Determination appealed – see attached sheet.

*NOTE: Findings for Environmental Impact Reports will be prepared as a separate document following the public hearing on the project.

IMPACT ANALYSIS MATRIX		ANALYSIS SUMMARY (See individual pages for details)				
			Less than Significant Impact/No Impact			
				Less than Significant Impact with Project Mitigation		
					Potentially Significant Impact	
CATEGORY	**FACTOR**	Pg				Potential Concern
HAZARDS	1. Geotechnical	5	☒	☐	☐	
	2. Flood	6	☒	☐	☐	
	3. Fire	7	☒	☐	☐	*Very High Fire Hazard Severity Zone*
	4. Noise	8	☒	☐	☐	
RESOURCES	1. Water Quality	9	☒	☐	☐	
	2. Air Quality	10	☒	☐	☐	
	3. Biota	11	☒	☐	☐	
	4. Cultural Resources	12	☒	☐	☐	
	5. Mineral Resources	13	☒	☐	☐	
	6. Agriculture Resources	14	☒	☐	☐	
	7. Visual Qualities	15	☒	☐	☐	
SERVICES	1. Traffic/Access	16	☒	☐	☐	
	2. Sewage Disposal	17	☒	☐	☐	
	3. Education	18	☒	☐	☐	
	4. Fire/Sheriff	19	☒	☐	☐	
	5. Utilities	20	☒	☐	☐	
OTHER	1. General	21	☒	☐	☐	
	2. Environmental Safety	22	☒	☐	☐	
	3. Land Use	23	☒	☐	☐	
	4. Pop/Hous./Emp./Rec.	24	☒	☐	☐	
	5. Mandatory Findings	25	☒	☐	☐	

DEVELOPMENT MONITORING SYSTEM (DMS)

As required by the Los Angeles County General Plan, DMS* shall be employed in the Initial Study phase of the environmental review procedure as prescribed by state law.

1. Development Policy Map Designation: *"2"—Low/medium density residential*
2. ☐ Yes ☒ No Is the project located in the Antelope Valley, East San Gabriel Valley, Malibu/Santa Monica Mountains or Santa Clarita Valley planning area?
3. ☐ Yes ☒ No Is the project at urban density and located within, or proposes a plan amendment to, an urban expansion designation?

If both of the above questions are answered "yes", the project is subject to a County DMS analysis.

☐ Check if DMS printout generated (attached)

Date of printout: _____

☐ Check if DMS overview worksheet completed (attached)

EIRs and/or staff reports shall utilize the most current DMS information available.

Major projects in area:

PROJECT NUMBER	DESCRIPTION & STATUS
N/A	*N/A*
N/A	*N/A*
N/A	*N/A*

NOTE: For EIRs, above projects are not sufficient for cumulative analysis.

REVIEWING AGENCIES

Responsible Agencies

- [x] None
- [ ] Regional Water Quality Control Board
  - [ ] Los Angeles Region
  - [ ] Lahontan Region
- [ ] Coastal Commission
- [ ] Army Corps of Engineers
- [ ]
- [ ]
- [ ]

Trustee Agencies

- [ ] None
- [ ] State Fish and Game
- [ ] State Parks
- [ ]
- [ ]
- [ ]
- [ ]

Special Reviewing Agencies

- [ ] None
- [ ] Santa Monica Mountains Conservancy
- [ ] National Parks
- [ ] National Forest
- [ ] Edwards Air Force Base
- [ ] Resource Conservation District of Santa Monica Mtns. Area
- [x] City of Pasadena - Dept. of Planning & Development
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]
- [ ]

Regional Significance

- [x] None
- [ ] SCAG Criteria
- [ ] Air Quality
- [ ] Water Resources
- [ ] Santa Monica Mtns. Area
- [ ]
- [ ]
- [ ]
- [ ]

County Reviewing Agencies

- [ ] Subdivision Committee
- [x] DPW
- [x] Fire Department
- [x] Environmental Health
- [ ]
- [ ]
- [ ]

STAFF USE ONLY

PROJECT NUMBER: *R2008-01555-(5)*
CASES: *RCUP 200800131; RENV 200900053*

*** * * * INITIAL STUDY * * * ***

COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING

GENERAL INFORMATION

I.A. Map Date: *02/17/2009* Staff Member: *Tyler Montgomery, Zoning Permits II*

Thomas Guide: *566; G-1* USGS Quad: *Mt. Wilson*

Location: *3323 Fairpoint Street, unincorporated Pasadena, Los Angeles County (Community of Kinneloa Mesa, Northeast Pasadena Zoned District)*

Description of Project: *A conditional use permit application to authorize the operation and maintenance of an adult residential facility for drug and alcohol rehabilitation.*

Gross Acres: *0.5 acres*

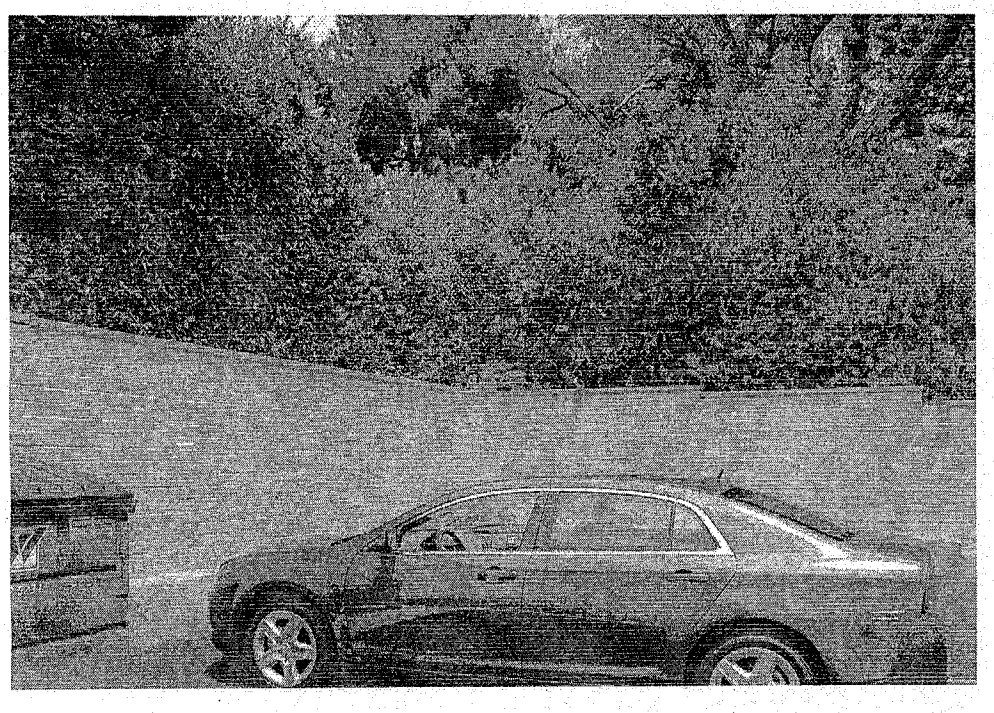
Environmental Setting:

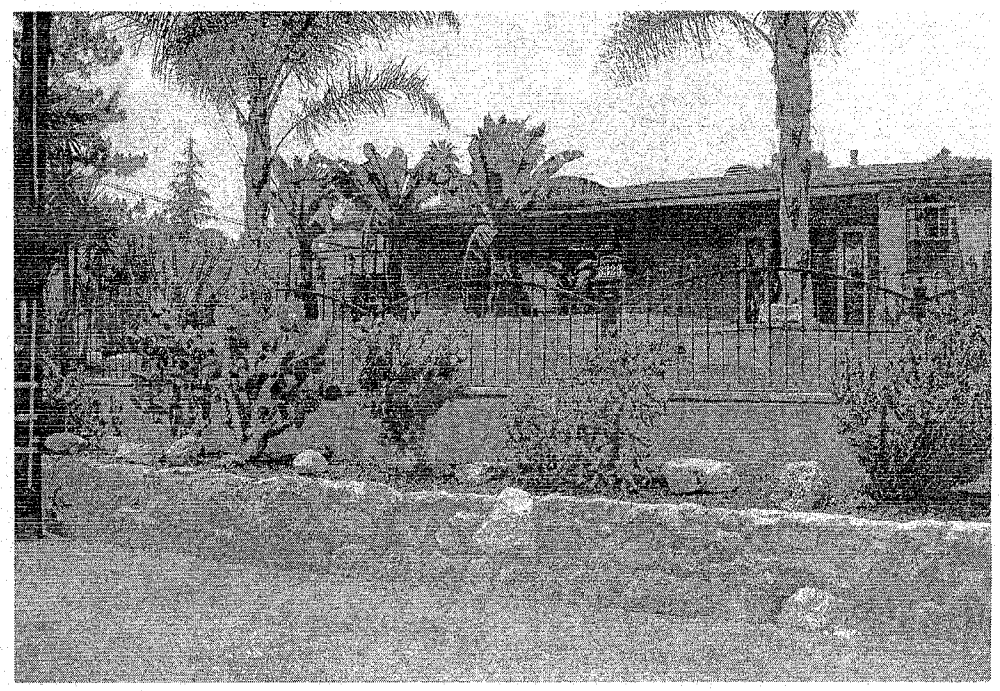
The subject property is a 21,500 square-foot, slightly sloping rectangular parcel. It is entirely developed with an 5,650 square-foot, existing adult residential facility, which includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility was originally permitted in 1996 as a sober living facility for 12 adults or less; however, since 2003 the facility has operated, without Regional Planning approval, as a drug and alcohol treatment center. The adult residential facility is currently licensed by the state for the treatment of 12 to 20 adults. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. The facility is permitted by the state to house a maximum of 20 adults, who are transported to and from the site by arranged transportion. All surrounding properties are developed with single-family residences.

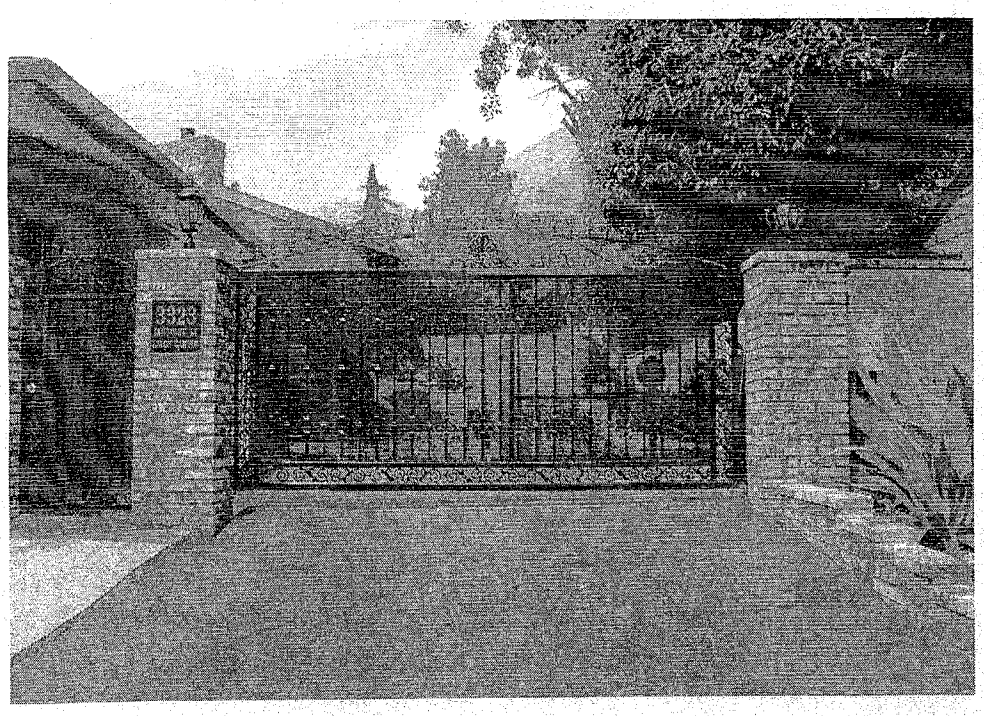
Zoning: *R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)*

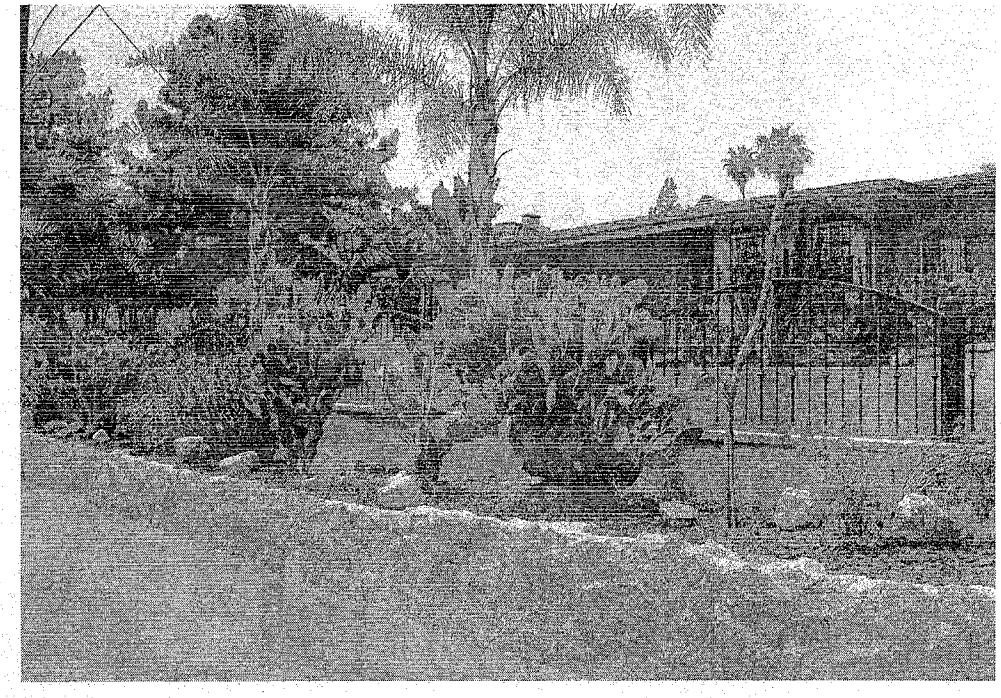
General Plan: *1 (Low Density Residential—1 to 6 dwelling units per acre)*

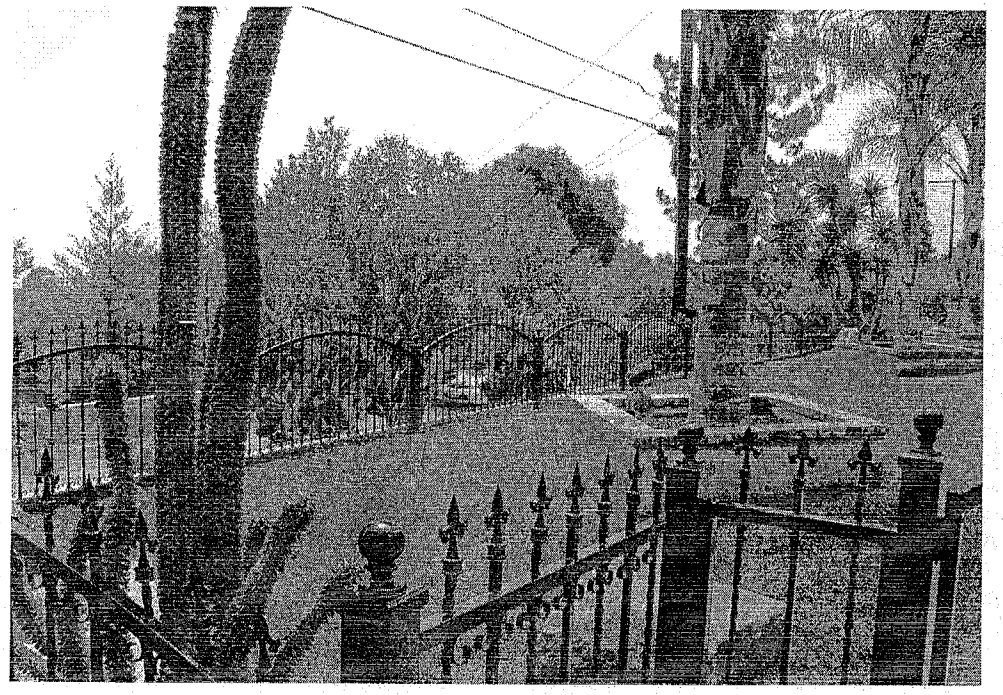
Community/Area wide Plan: *N/A*

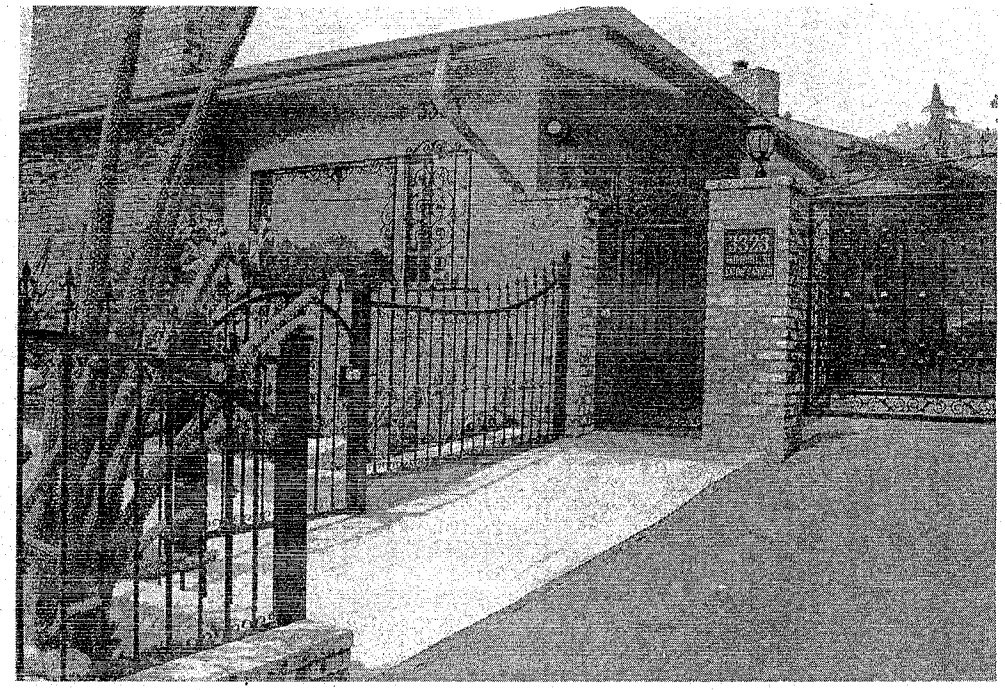








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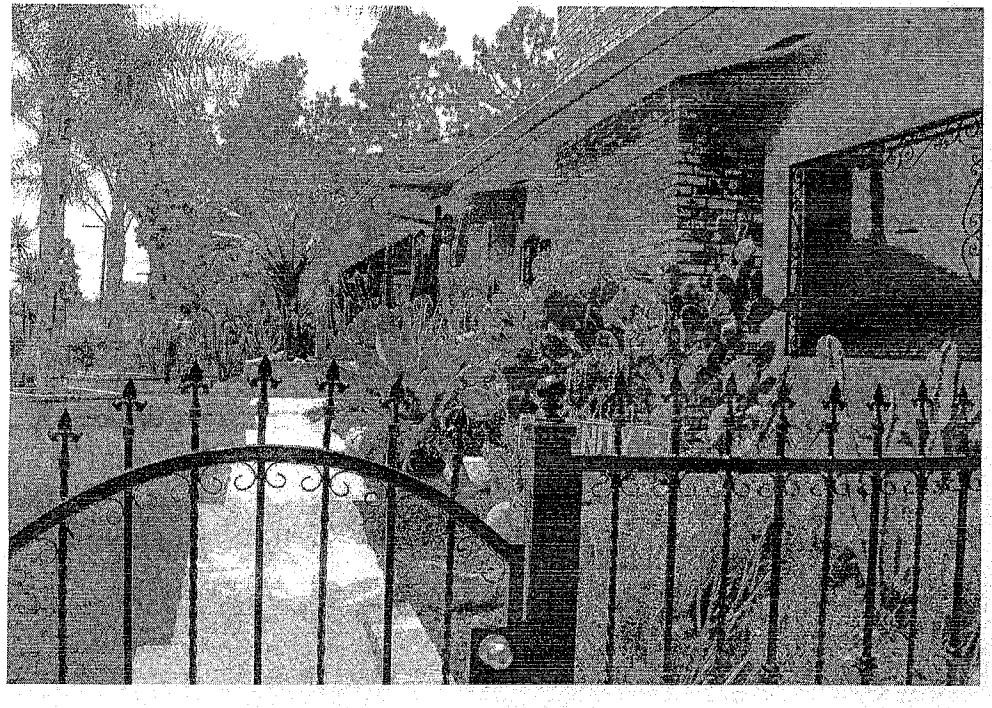
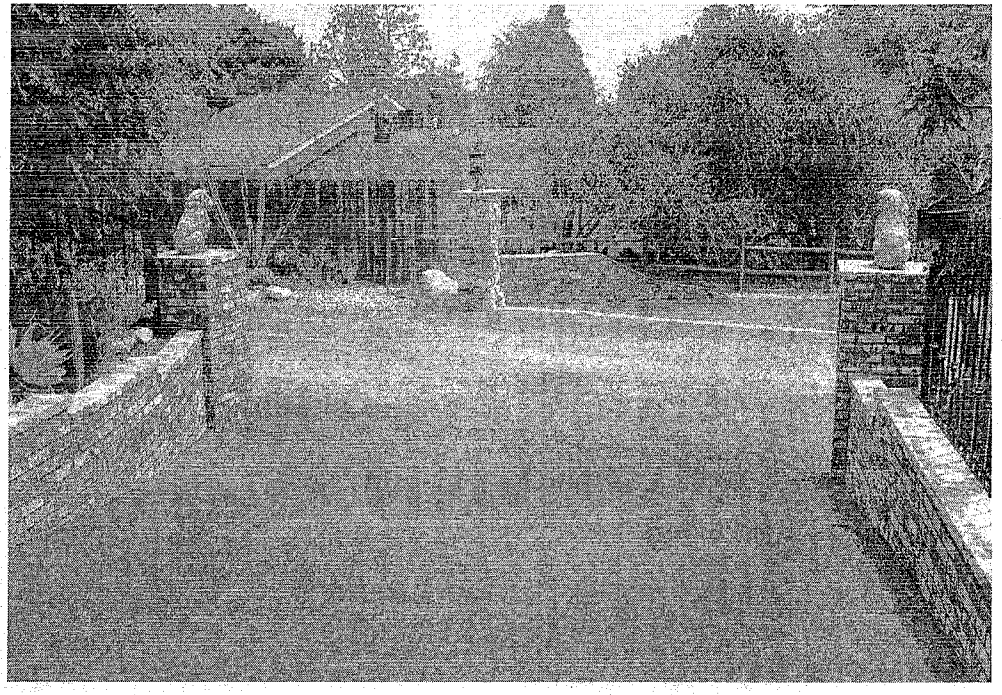
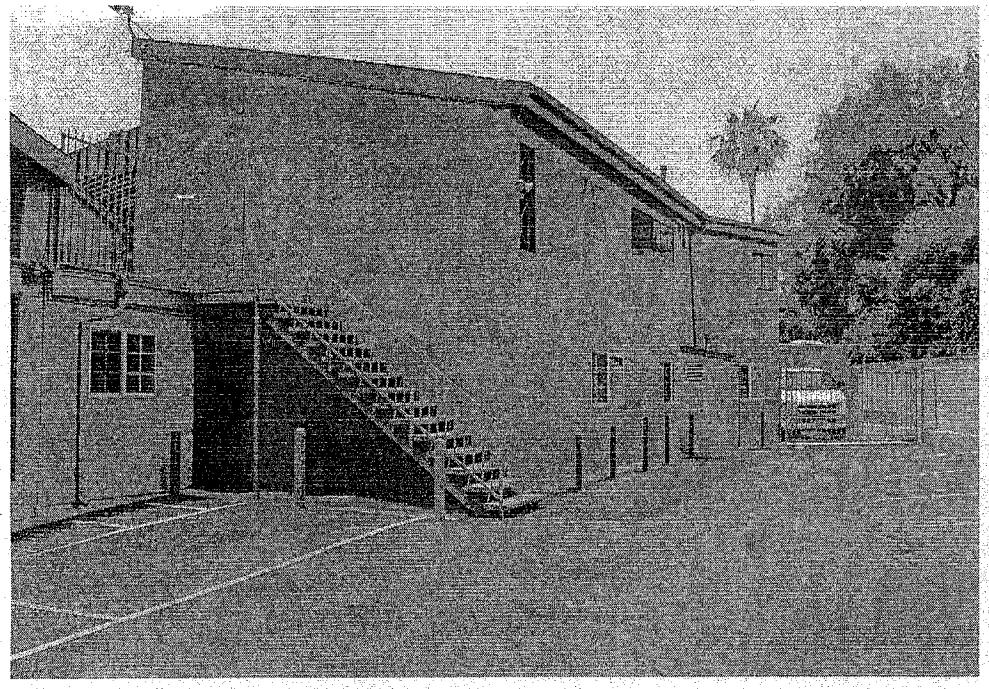
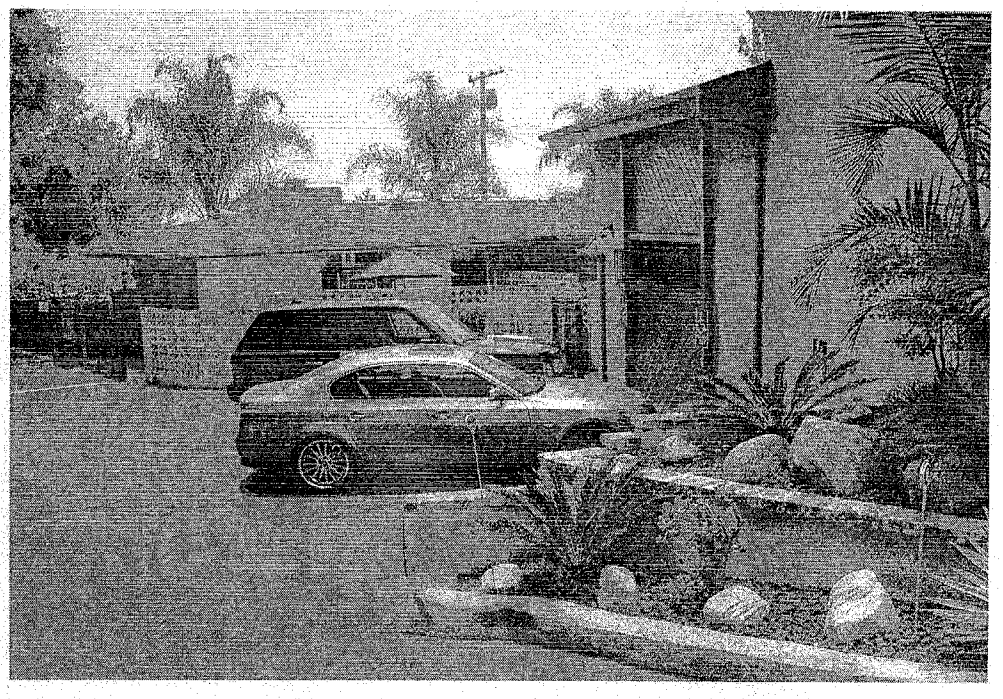
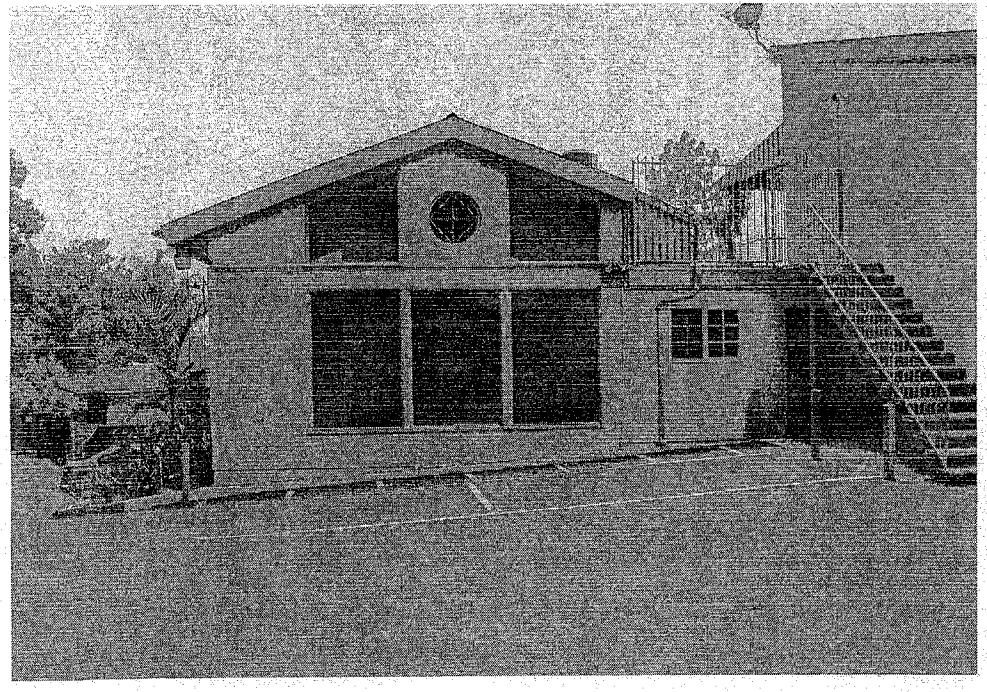
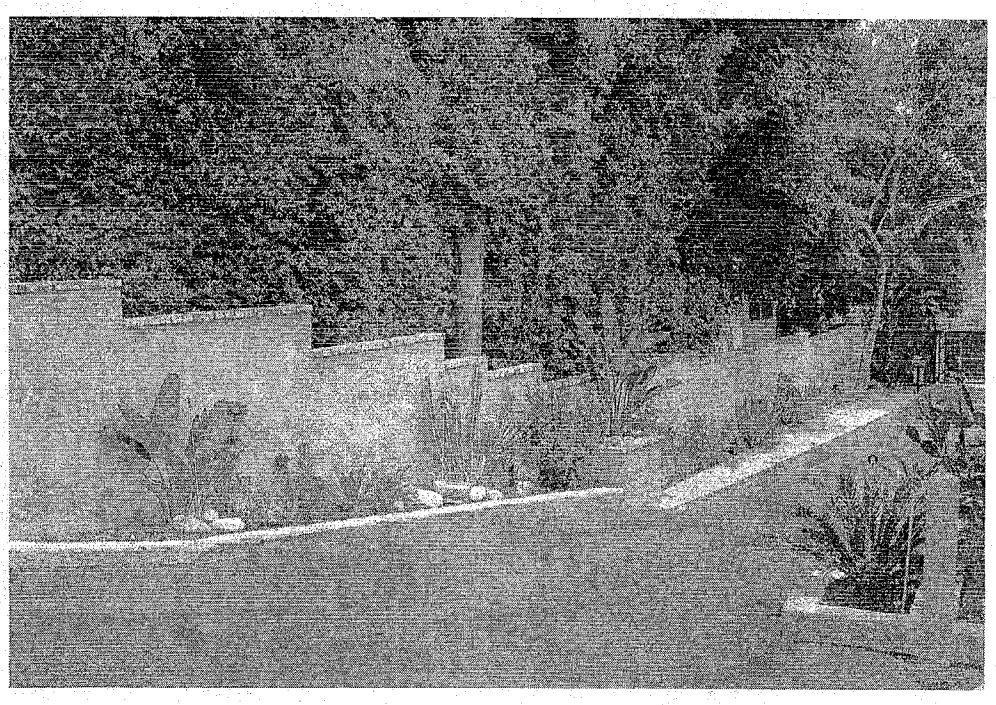


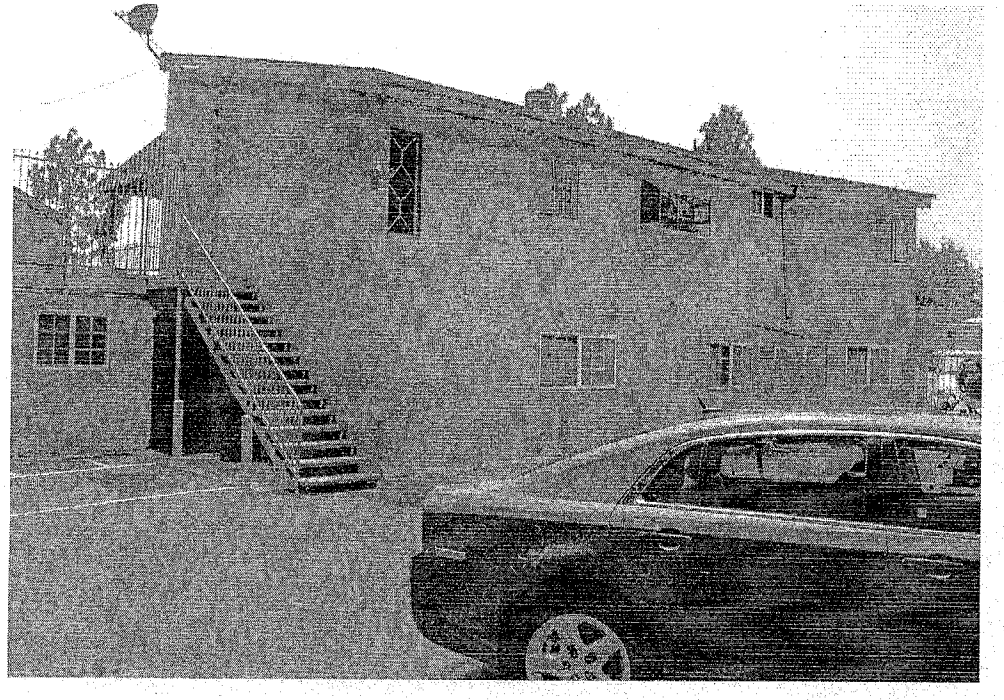


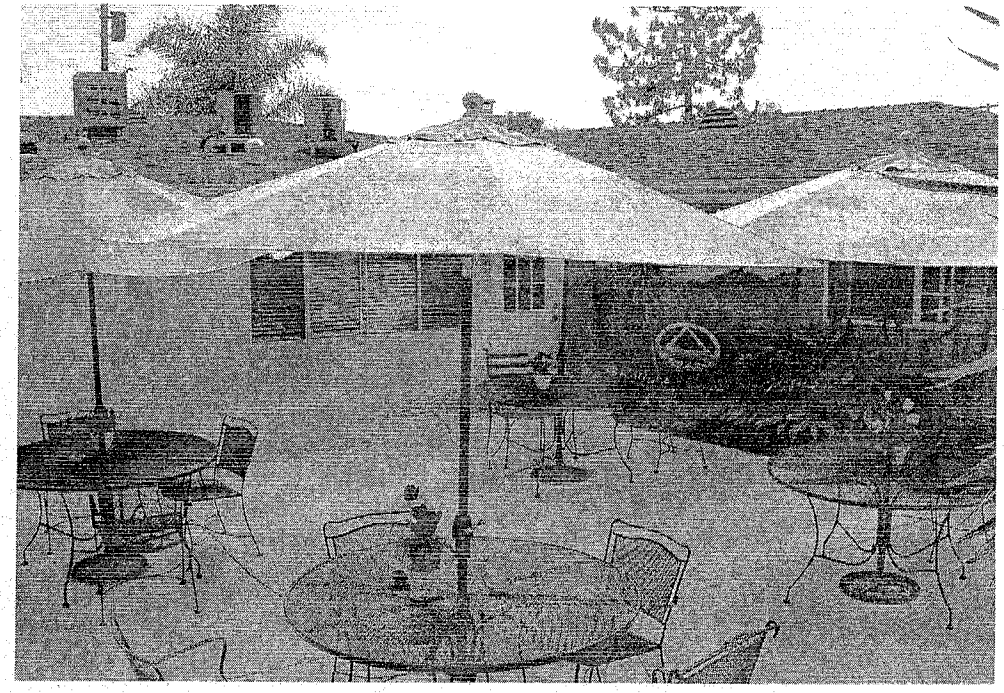


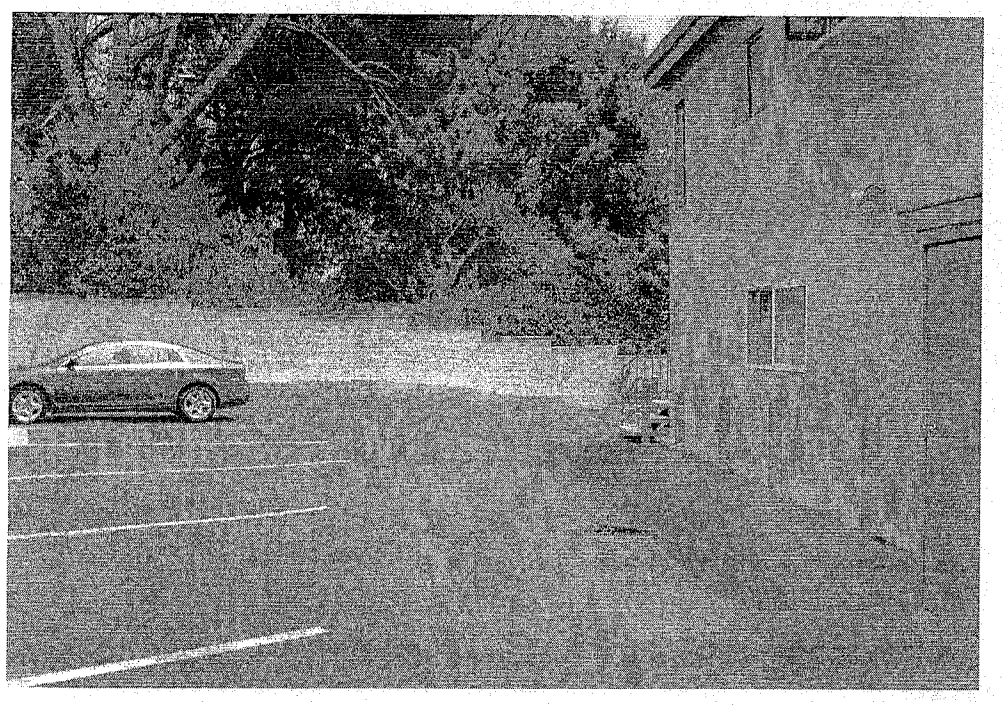


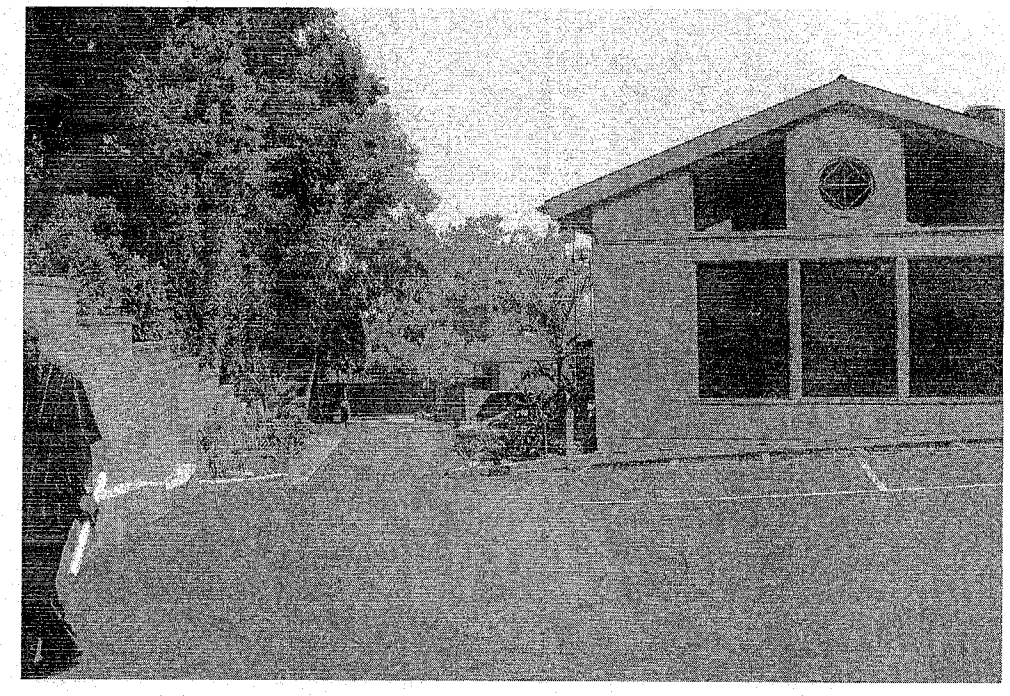


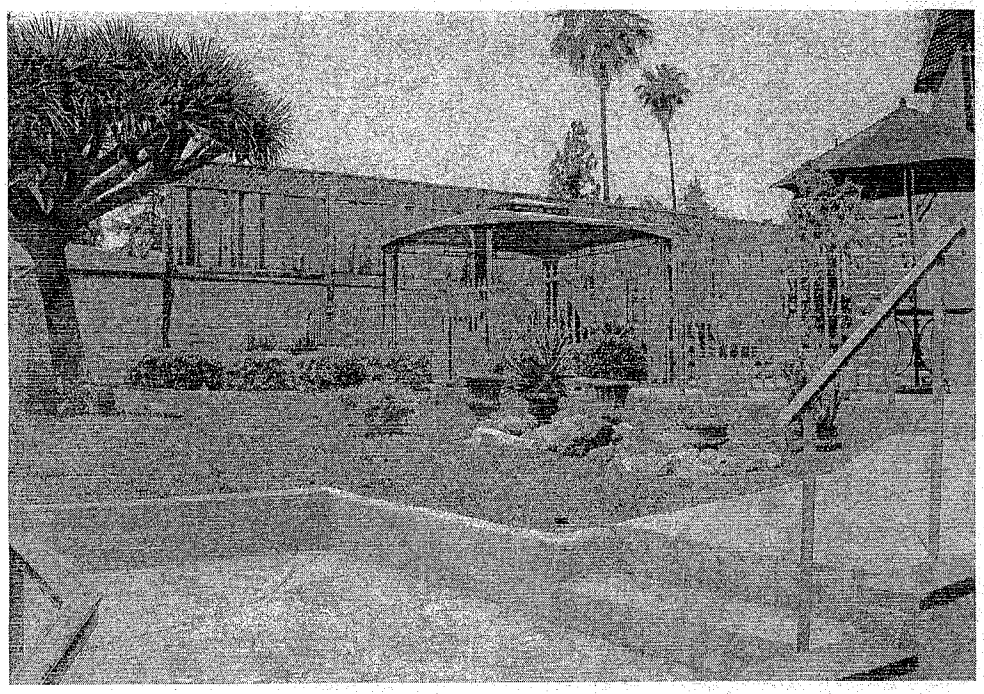


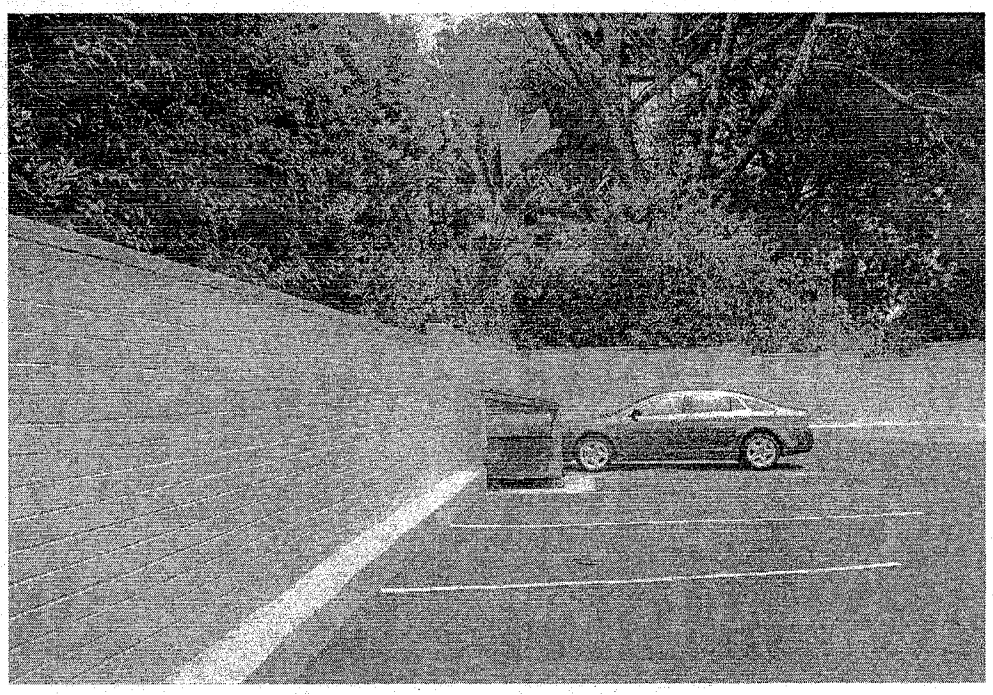


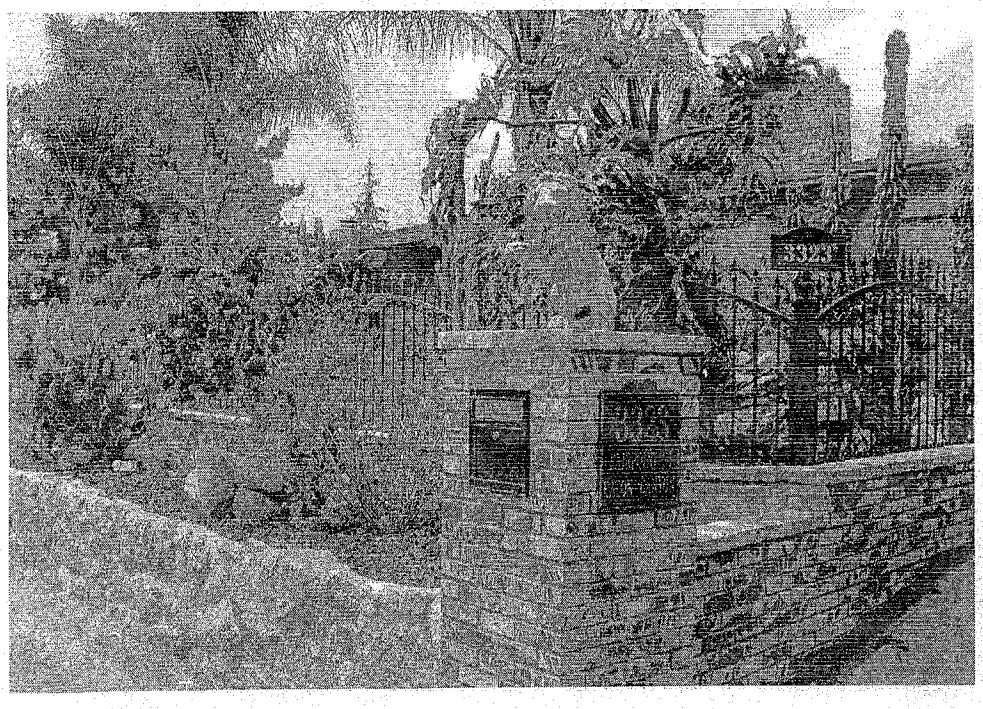


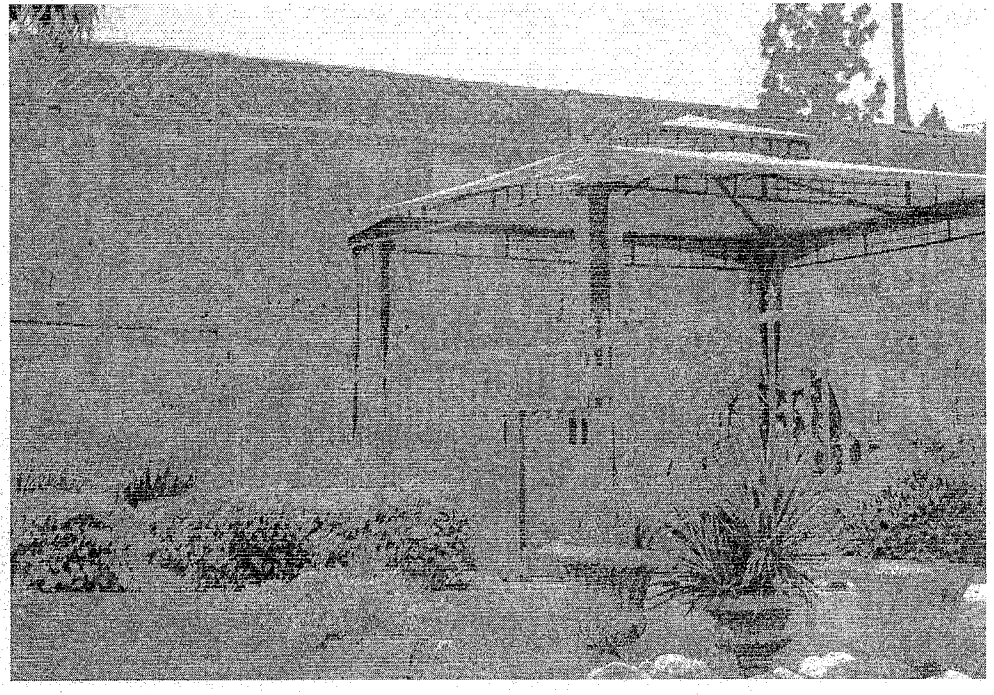












gisNET department of regional planning

Output from GIS-NET

Printed On: Jun 24, 2010

Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway

Master Plan of Highways
- Expressway - (e)
- Expressway - (p)
- Ltd. Secondary Highway - (e)
- Ltd. Secondary Highway - (p)
- Parkway - (e)
- Parkway - (p)
- Major Highway - (e)
- Major Highway - (p)
- Secondary Highway - (e)
- Secondary Highway - (p)
- (e)-Existing (p)-Proposed

Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit

Significant Ridgelines
- Castaic CSD Primary
- Castaic CSD Secondary
- SMMNA Significant

- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Index Map Grid
- Zoning Map Grid
- USGS Quad Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- Very High Fire Hazard Serverity Zone
- Community Standards District (CSD)
- CSD Area Specific Boundary
- SSHA (Coast Only)
- Significant Ecological Area (SEA)
- Section Line
- Township and Range
- National Forest
- Equestrian District (EQD)
- Transit Oriented District (TOD)
- Setback District
- Zoned District (ZD)
- Supervisorial District Boundary

Safety Related Stations (From TB)
- Fire Station
- Highway Patrol
- Police Station
- Ranger Station
- Sheriff Station

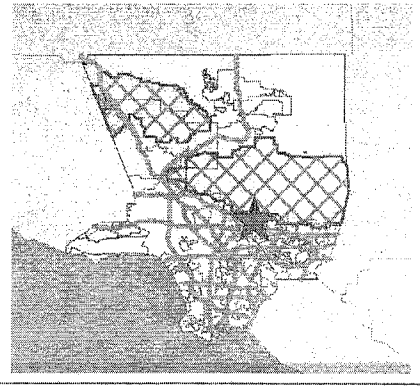
- Zoning (Boundary)

Zoning
- Zone A-1
- Zone A-2
- Zone B-1
- Zone B-2
- Zone C-1
- Zone C-2
- Zone C-3
- Zone C-H
- Zone C-M
- Zone CPD
- Zone C-R
- Zone D-2
- Zone IT
- Zone M-1
- Zone M-1.5
- Zone M-2
- Zone M-3
- Zone MPD
- Zone MXD
- Zone O-S
- Zone P-R
- Zone R-1
- Zone R-2
- Zone R-3-()U
- Zone R-4-()U
- Zone R-A
- Zone RPD
- Zone R-R
- Zone SP
- Zone SR-D
- Zone W

Landuse Policy (Not in Comm/ Area Plan)
- 1 - Low Density Residential (1 to 6 du/ac)
- 2 - Low/Medium Density Residential (6 to 12 du/ac)
- 3 - Medium Density Residential (12 to 22 du/ac)
- 4 - High Density Residential (22 or more du/ac)
- C - Major Commercial
- I - Major Industrial
- O - Open Space
- P - Public and Semi-Public Facilities
- RC - Rural Communities
- R - Non-Urban
- TC - Transportation Corridor

Inland Waterbody
- Perennial
- Intermittent
- Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.



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No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
56	Wolpert, J.	Group homes for the mentally retarded: An investigation of neighborhood property impacts	Impact Study	1978	NY State	Mentally Retarded	Determine impact of community residences for the MR on neighborhood property values	42 MR community residences in 42 neighborhoods in 10 NY cities and corresponding control neighborhoods were studied.	No evidence of neighborhood "saturation". Group homes comparable to neighbors. Property values tracked controls. Proximity to group home didn't significantly affect property values. No evidence of higher turnover.	Siting plan which strives for equitable and fair distribution of residential facilities for handicapped people should have no impact on host communities.

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
48	Sigleman, C.K, et al.	Community reactions to deinstitutionalization: Crime, property values and other bugbears	Literature Review	1979	General	Formerly deinstitutionalized	To confront with the best evidence available such allegations as: crime rates will soar, property values will plummet & neighborhood characteristics will change.	The authors review the findings of significant studies, surveys, research reports and papers **{how many were the same as those on this list?}**	Crime rates do not rise near homes form the handicapped; Residential facilities have no impact on property values or turnover; Neighborhood activitiy patterns do not appear to have changed; Most community residences are accepted by neighbors.	Solid evidence is in short supply. Community education before opening may mobilize community protest.
49	Suffolk Community Council	The impact of community residences upon neighborhood property values	Impact Study	1984	Suffolk County, NY	Psychiatric/ Developmentally Disabled	Determine effect of community residences on neighborhood property values	7 community residences matched with controls.	Sales same or lower in 6 areas. Sales prices did not decline. Sale price/tax ratio proportinately equivalent before & after group home established.	No adverse effects of the group home on surrounding property values identified.
50	Teplin, L.A.	The criminality of the mentally ill: A dangerous misconception	Research Study	1985	Northen city	Mentally Ill	Test the stereotype of the MI person as dangerous and therefore more prone to commit crime	Existing literature reviewed. Monitored 1072 police/citizen encounters involving 2,122 citizens. Screened for MI.	Encounters with MI persons rare (4%). MI persons less likely to be victims or complainants than non-MI persons but were 2x more likely to be suspects.	Pattern of crime among the MI is substantially similar to that of the general population in this northern city.
51	Wagner, C.A, et al.	Group homes and property values: A second look.	Impact Study	1980	Franklin County, OH	Developmentally Disabled, Mentally Ill adults, neglected, dependent or unruly male adolescents	Update the August 1979 study by the same author {see 52 in this table} using date of occupancy rather than date of purchase as pivotal event.	5 homes from the original 8 were retested. 2 in original study used date of occupancy. 1 in original study didn't occupy the facility.	Of the 5 homes, 3 showed no statistically significant difference. Others had positive price differences.	Two indicators: time on market & sales price as % of list price, had no statistical difference in before/after measures of property values.
52	Wagner, C.A, et al.	The non-effect of group homes on neighboring residential property values in Franklin County	Impact Study	1979	Franklin County, OH	Developmentally Disabled, Mentally Ill adults, neglected, dependent or unruly male adolescents	Provide government wth info about the impact of group homes on property values.	Indicators: Sales price as % of list price and Time on market. 8 group homes across wide variety of types. 6 in middle to upper class neighborhoods. Data for 6 months before & after date of purchase or date of occupancy of the facility. No control groups.	No indication that location of group homes influenced property values.	Too many uncontrollable variables to be able to make any general conclusions. No evidence to warrant conjecture any effect on property vaules.
53	Wickware, S., et al.	Promoting and resisting group homes: The property value issue.	Impact Study	1980	Ottawa metropolitan area	Formerly Institutionalized	Determine if there are adverse effects on the vaule of adjacent properties in residential areas caused by the location of group homes.	38 residential-zone group homes. Five indicators: Turnover rate; Selling price; Property value appreciation; Time on market; Sales price as % of list price.	No evidence from five indicators of adverse effect attributable to presence of group homes in a residential zone.	Claims regarding property values will always be heard. More productive to address: licensing & regulatory procedures, availability of local support services; avoidance of concentration; developing a working relationship between home sponsors & neighbors.
54	Wiener, D., et al.	Impact of comjunity-based residential facilities for mentally retarded adults on surrounding property values using realtor anaysis methods	Impact Study	1982	Iowa	Mentally Retarded	Determine impact of group homes for mentally retarded upon surrounding property values in two medium sized Iowa communities.	Comparable market analysis (area vs. control area). 8 group homes (3 in community X, 5 in community Y).	No significant difference between prooperties near group homes vs. controls.	Results suggest that MR group homes for 7-12 residents do not have a negative effect on surrounding property values.
55	Wolch, J.R., et al.	Spillover effects of human service facilities in a racially segmented housing market	Impact Study	1983	Oakland, CA	Service-dependent populations (no details)	Evaluate spillover effects human service facilities have on residential property valuels and the differential impacts in white and non-white areas of the city.	79 census tracts, 36 w/ non-white population of 50% or more. Number of facilities not identified.	Property value impacts vary widely by facility sub-type and racial housing submarket. Non-residential MH centers have significant and substantial negative property effects in the white submarket.	Facility siting decisions should be based on an understanding of existing facility patterns and their effets. The distribution of and the reactions to human service facilities are not even across racial submarkets.

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
40	Padavan, F.	After eight years: An analysis of the use, impact and effectiveness of the 1978 New York state site selection law governing community residences for the mentally disabled	Comprehensive Report and Analysis	1986	NY State	Mentally Disabled	Determine effectiveness of the 1978 NYS Site Selection Law and to examine the progress in, and the effects of, the development of community-based residences for mentally disabled persons.	Data reviewed included: Intent & process of the 1978 legislation; Legal challenges and proposed amendments; Community residence growth under the Site Selection Law; and Effects of community residences on neighborhoods.	The law has not served to avoid litigation but litigation has strengthened the law. Providers avoid sites open to legal challenge. Sharp upturn in development of residences for the MR.	Experience of past 8 years, combined with widespread research, confirms that community residences for the MD do not affect property values or neighborhood safety and stability.
41	Perske, M. & R.	New life in the neighborhood: How persons with retardation or other disabilities can help make a good community better	Opinion Paper/ Handbook	1980	General	Mentally Retarded	Clarify historical misconceptions about retardation and develp true understanding of needs and capabilities of people with retardation as neighbors.	Chapter 15 deals exclusively with the question of property values and cites the Wolpert Study {56}	This is an advocacy document. Cites positive solutions to negative problems.	More advanced civilizations will understand, value and relate to its handicapped members.
42	Piasecki, J.R.	Community response to residential services for the psycho-socially disabled: Preliminary results of a national survey.	National Survey	1975	United States	All disability groups	Record & review relationships of host communities to residential programs; determine origins of resistance; the significance of opposition; strategies of service providers to combat opposition; discover correlation between public resistance and the population served.	No specific methodology included in this report. Two hypotheses tested: Homes for clients who violated community norms (offenders) would be less favorably received; and Facilities placed in residential zones will experience greater opposition than those in non-residential zones.	Data showed: 34% had initial community opposition; Facilities in residential zones received significantly more opposition; 50% failure to get approval; **Facilities for adult offenders or delinquent children encountered substantially greater initial opposition.** Government sponsored facilities received more opposition; Most common strategy for dealing with public was scheduled meetings and open houses.	There is a dearth of quantitative studies which address the specifics of community opposition.
43	The Research Group	The impact of community residences on property values in the Westfield MA area	Impact Study	1985	Westfield, MA	Mentally Ill, Mentally Retarded	Determine the effects that a group home for MI or MR has on property turnover and values in its neighborhood.	Compared like neighborhoods with similar controls.	Analysis of property turnover showed no significant differences within or between neighborhoods. Group home did not cause flight. Insufficient number of sales to allow property value analysis.	Group homes for MI or MR do not have adverse effect on their neighborhoods.
44	Ryan, C.S, et al.	Effects of group homes on neighborhood property values	Impact Study	1985	Eastern Nebraska (NE)	Mentally Retarded	Determine effect that group homes have on property values	13 group homes in two counties. Data on home transactions studied.	No significant difference in number of days houses on marked. No significant difference in sales/list ratio.	Supports finding that group homesfor the MR do not adversely affect neighborhood property values.
45	Ryan, C.S, et al.	Appearance matters: A survey of group homes exterior maintenance in Westchester County, NY	Windshield Survey	1988	Westchester County, NY	Mentally Retarded, Developmentally Disabled	Determine whether community residences for MR & DD are visually distinguishable.	Five assessments of 52 community residences over two years made from the street.	Group homes are generally maintained on par with neighboring properties.	Maintenance of community residences for the MR & DD is generally very good.
46	Scott, N.J. & R.A.	The impact of housing markets on deinstitutionalization	Study of available rental housing	1980	New Jersey	Previously institutionalized	Discover how much room there is in the community to accommodate clients of deinstitutionalization programs.	1970 Census reports used to obtain data. Report only concerns rental housing.	There is a serious housing shortage in New Jersey. Only 3.5% of housing is vacant. Much of available housing is in physically or socially deteriorated neighborhoods.	There is not enough housing stock available in NJ for existing or planned community care programs.
47	Seltzer, M.M.	Correlates of community opposition to community residences for mentally retarded persons	Community Survey	1984	Boston & 6 surrounding communities	Mentally Retarded	Determine patterns of community support and resistance.	43 community residences for the MR studied. Four research questions examined: Does public education make a difference re. support/opposition?; Differences between facilities with opposition vs those without?; Differences from informing community before opening vs. after?; Data only from facility program directors (not neighbors).	Facilities w/o support had fewer staff members from the neighborhood; Higher support in neighborhoods with fewer proportion of homeowners; Opposition least likely if community became aware after facility began operation & most likely if community learned within six months before it opened. **Opposition higher when value of residences was higher.**	Opposition to community residences for the MR is widespread & warrants additional examination.

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
32	Lippincott, M.K.	A sanctuary for people: strategies for overcoming zoning restrictions on comjunity homes for retarded persons	Position Paper	1979	General U.S.	Mentally Retarded	To develop strategies for overcoming zoning restrictions	Report contains 4 Sections: Community homes for the retarded & zoning barriers to their residential locations; Strategies for resolving a zoning case; Stragegies for long-term reform; Necessary elements of a state zoning statute & suggestions for effective lobbying.	Distorted view of Americans to retarded people has led to 1979 zoning structure.	Lawyers must take immediate steps to gain for retarded clients the benefits of normal communty living.
33	LCftPI	Impact of group homes on property values and the surrounding neighborhoods	Review of existing research	1981	General U.S.	Mentally Handicapped	Determine if group homes have a negative impact on the property values and the character of their neighborhoods.	Reviewed findings of City of Lansing {5}, Dear{7}, and Wolpert{56} & cites other studies which confirm the findings. [**Redundant!**]	The studies cited surveyed all types of facilities: Mental health homes, alcohol and drug centers, ex-offender halfway houses in all kinds of neighborhoods. No evidence of a decline in propety value.	Communities can absorb a limited number of group homes without saturation and without measureable property effects.
34	Lowinson, J.H., et al.	**Neighborhood drug treatment centers -** opposition to establishment: Problem in community medicine	Research Paper	1975	Bronx, NY	**Drug Addicts**	Review problems faced by various addiction treatement programs in their attempts to establish community-based facilities and to search for effective ways of dealing with opposition.	Review of pertinent professional literature and newspaper articles that provided immediate and up-to-date accounts of prevailing attitudes.	Following major reasons for resistance to drug treatment centers: Fear of influx of addicts; Fear of decrease in property values; Oposition to specific treatment modality. Various means of opposition.	3 conclusions:Those who benefit must exert pressure for establishment; Clinic director must be sensitive to fears & anxieties; Program must serve people who actually live in that community.
35	Lubin, R.A., et al.	Community acceptance of residential programs for developmentally disabled persons	Mail Survey	1982	NY State	Developmentally Disabled	Investigate changes in level of community acceptance after residence programs established; sources of program support and opposition; strategies used to overcome opposition.	Survey mailed to 459 state-certified community residences for MR & DD persons.	331 responded (99 state & 232 privately operated). 42% had community acceptance prior to opening; 79% felt had community acceptance at time of survey.	Consistent positive change in community attitudes after programs are established.
36	Lubin, R.A., et al.	The likelihood of police contacts with developmentally disabled persons in community residences	Mail Survey	1982	NY State	Developmentally Disabled	Evaluate the extent and context of police interactions with DD community residence occupants.	Survey sent to all 499 community residences in NY State. 368 responded. 93 (25.3%) reported one or more residents had some interaciton with the police. Random sample of 35 of these 93 was conducted by phone.	In the random sample of 35, 45 DD persons were reported to have been involved with the police because of problem behaviors. Represens 3% of population.	Neighbors fears concerning antisocial behaviors of DD community residence occupants is likely unfounded.
37	Mambort, T.T., et al.	Community acceptance: A realistic approach.	Opinion Survey; Property Sales Study	1981	Montgomery County, Ohio	Mentally Retarded	Identify impact of 7 residential programs for the MR on property values & to address attitudes towards individuals with handicaps.	Property values in 9 neighborhoods examined 2yrs before & 2 yrs after opening. Separate opinion survey.	No evidence to substantiate property value impact. Opinion survey showed only 46% of those living nearby thought the group home had not affected their property values.	Residential faciliteis for the MR didn't impact propety values.
38	Muhlin, G.L, et al.	Community reactions to residental mental heath facilities in Westchester county.	Phone survey, Attitude survey	1984	Westchester County, NY	Former mental patients, **former drug abusers,** developmentally disabled children and adults	Assess impact of proximity to psychiatric facilities on attitudes towards the mentally ill and to determine the degree of perceived community burden associated with the presence of such facilities.	6 pairs of areas selected for sampling: one area with chronically ill psychiatric patients and the other w/o health or mental health facility of any kind (the control). 10 minute telephone survey.	Attitudes not determined by distance. No systematic differences in responses from neighborhoods containing different facility types or with controls. **Only drug abuse treatment programs elicited opposition from a majority of residents.**	Cumulative results suggest community facilities do not necessarily constitute a personal or community burden to neighbors.
39	Pace University	Group homes for mentally disabled people: Impact on property values in Westchester County, New York	Impact Study	1988	Westchester County, NY	Mentally Disabled	Study the effects of group home placement on property values and to follow up the 1978 Wolpert study {56} and 1982 Dolan and Wolpert study {10}.	17 group homes were drawn from Westchester County only. Sales up to 36 months after group home established.	Findings same as 1978 & 1982 studies of sample homes througout NY state. Group homes have not had a negative impact on property values.	Property values are not affected by proximity to MD group homes.

Attachment [2]: Summary of studies from There Goes the Neighborhood...

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
26	Lauber, D.	Impacs on the surrounding neighborhood of group homes for persons with developmental disabilities	Impact Study	1986	IL	Developmentally Disabled	Determine effect group homes for DD have on **property values,** stability and safety.	Tracked sales of residential properties surrounding **14 group homes** & 14 controls. Looked 2 yrs before & 2 yrs after home opened. Also tracked 2,200 DD persons for criminal activities. Also mail survey of DD facility operators.	Data showed: **Group homes for DD do not affect the value of surrounding residential property or stability of neighborhood**; Crime rates for DDs in group home is lower than that of general IL population. These studies compare with 20 other studies of the impact of group homes.	Group homes for the DD do not adversely affect the surrounding communities.
27	Lauber, D.	Zoning for family and group care facilities	Handbook	1974	General	Formerly Institutionalized	Present rational and legal means to regulate the location of family and group care facilities in a manner compatible with both their needs and those of the community in which they locate.	Contains chapters: The nature of family and group care facilities; Current zoning treatment; court decisions; and Recommended zoning treatment. Includes extenisve bibliography.	Zoning laws have generally supported community fears and concerns.	Zoning ordinance should establish reasonable conditions related to parking, signing, or concentration of facilitels in a neighborhood.
28	LWV of Seattle	yes - but in my neighborhood?> Siting community-bsed residential facilities in Seattle	Case studies	1984	Seattle, WA	Mentally Retarded; Mentally Ill; Abused spouse; Ex-Offenders; Hearing impared; Low income, & Emergency shelters.	Look at zoning requirements, perceived attitudes of the community, and the advantages and disadvantages of community-based residential facilities in the siting process.	A variety of facilities were examined and questionnaires distributed.	Findings site specific & not generalized. Hearings delayed openings.	Good community relations is essential.
29	Levy, P.R.	Coexistence implies reciprocity	Position Paper	1985	General U.S.	Mentally Ill	Understand divisiveness caused by mental health treatment facilities & to propose strategies for coexistance.	Discusses issue of community response to placing MI facilities in residential areas	Lists 5 considerations: Other public ventures; Undercurrents of social Darwinism; Urban blight and deterioration; Class & racial tensions; General sense of social breakdown & loss of control over our lives.	Put an end to one-sided talk; Recognize fundamental right and obligation of neighborhood to shape the conditions of its common life; Negotiate facility placement with the neighborhood; Understand neighborhood variation; Seek out neutral neighborhood leaders; Learn about local needs and offer what can to meet them.
30	Lindauer, M.S., et al.	The effect of community residences for the mentally retarded on real estate values in the neighborhoods in which they are located	Impact Study	1980	A medium-sized north eastern city & three adjoining towns	Mentally Retarded	To determine the effect of community residences for the mentally retarded on the prices of homes sold and the number of sales in seven neighborhoods.	Neighborhoods around 7 community residences studied. 2 yrs before & 2 yrs following opening. Two control neighborhoods.	2 neighborhoods with matching control neighborhoods had nearly idential post opening sales prices. Prices rose in all but one of the neighborhoods. There was a wave of selling prior to community residences opening.	Community residences for the MR do not decrease nearby property values.
31	Linowes, L.	The effect of group care facilitels on property values	Research paper/summary of studies	1983	General	Special populations: Mentally Retarded; Physicaly handicapped; Substance abusers; Ex-offenders	Determine if the presence of group care facilities in a community would cause an increase in criminal activities and if the area would become saturated with additional facilities, resulting in a decrease in property value.	Impact studies from six areas: Wash. D.C{TBD}.; Green Bay, WI{23}; Lansing, MI{5}; Ottawa, Ontario, Canada{16}; NY State{10}; Oakland, CA{55}, were analyzed and discussed [**Each of these studies is separately included in the CRISP <u>There Goes</u>... document, making this review redundant.**]	With the exception of Oakland, CA (Wolch & Gabriel - see No 53 below), reports showed no relationship between group care facilities & property values. **Oakland, CA, study showed group homes did depress property values.**	Careful planning regarding sting of group homes needed to reduce threat to property owners and to preserve the chracter and quality of residential communities.

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
18	Hopperton, R.J.	Zoning for community homes: A handbook for local legislative change	Law reform project handbook	1975	Columbus, OH	Mentally Retarded, Developmentally Disturbed	To provide a guide to local legislative change to create a favorable zoning treatment for community homes serving the DD & MR.	Handbook provides assistance on policy, legal and procedural issues useful to advocates of legislative change.	The author advocates for a "special exemption" for group homes in residential zones & introduces a model ordinance and a check list of actions to build a broad base of support for proposed amendments.	Community-based residential facilities for MR & DD have social value. Thorough, logical approach required to achieve.
19	Human Services Research Institute	Becoming a neighbor: an examination of the placement of people with mental retardation in Connecticut communities	Comprehensive research study using various instruments	1988	State of CT	Mentally Retarded	Determine impact of deinstitutionalization on communities in which people with mental retardation reside and the factors which influence community acceptance, ... more	Six major activities undertaken: Comprehensive literature review; Description of formal system of planning, residential development & QA; 6 CT case studies; Related media content; Retrospective study of 12 individual placements; Phone survey of providers.	Lit review shows group homes have no impact on property values, selling time or property turnover rates & no adverse impact on the character of the neighborhood or crime rate.	A firm programmatic foundation has been laid in the community and the basic needs of people are being met.
20	Iglhaut, D.M.	The impact of group homes on residential property values	Impact Study	1988	Prince George's County, MD	Mentally Ill, Developmentally Disabled, Troubled Youth	Not stated	Analyzes sales data associated with 54 group homes located in a wide variety of neighborhoods; 52 in SFR neighborhoods.	No significant difference between group home neighborhoods and controls.	Neighborhood stability continues after group homes enter.
21	Jaffe, M. & Smith, T.P.	Siting group homes for developmentally disabled persons	Comprehensive Research by APA	1986	General U.S.	Developmentally Disabled	Report on research literature, current zoning practices, recent legal decisions, siting in residential neighborhoods, & develop model zoning provisions to better regulate them	Chapters: Review of recent literature; State & local policies; Legal framework; Proper zoning treatment; and Model zoning & fair housing provisions.	Comprehensive report. Several key findings. There is very little interaction between community residences and the surrounding community, group home residents made little use of community resources and there was little interaction with neighbors. [**this finding questions the whole motiviation behind 'normalization'!**]	Best to address through state licensing rather than through local zoning.
22	Kanter, A.S.	Recent zoning cases uphold establishment of group homes for the mentally disabled	Mental health law project paper	1984	General	Mentally Disabled	Address exclusionary zoning laws as obstacle to development of group homes	This is a footnoted review and analysis of exclusionary ordinances, constitutional challenges, and pertinent court decisions.	Courts generally supportive of group homes in SFRNs for MD persons.	States need to adopt statutes & communities need to learn to live with MD persons.
23	Knowles, E.S., et al.	The social impact of group homes: A study of small residential service programs in first residential areas	Impact Study	1973	Green Bay, WI	Disadvantaged children; teenagers under court commitment; convicts on work or study release programs	Provide pertinent information about group homes, their social impact, their effects on property vaules, the climate of public opinion, & summary of zoning regulations used to govern them.	Interviews; assessor's data; contacts with planning agencies re their zoning laws governing group homes.	Half of residents were aware of group homes; 20% of immediate neighbors disapproved of the home; Property values of only one home was appropriate for study.	No drastic change in number of homes sold. No conclusions regarding property values can be drawn.
24	Kressel, L.	Exclusionary zoning: The unseen threat.	Position Paper	1981	General U.S.	Mentally Disabled	Review land use controls to devise strategies for breaking down unreasonable zoning barriors.	Provides analysis of zoning system; Provides judicial review of cases challenging constitutionality of restrictive zoning, ...more	Courts generally ruled favorably in residential care facility zoning cases. Need for education of all involved.	Carefully crafted preemtive state legislation may be necessary.
25	Lauber, D.	Impacts of group homes on the surrounding neighborhood: An evaluation of research.	Evaluation of existing research	1981	General	Developmentally Disabled, Mentally Ill, **Alcohol and drug abusers**, prison pre-parolees	To provide a factual basis for discussing the effects of group homes for persons with developmental disabilitieson property vaules, crime, & neighborhood opinions.	Reviews 9 existing impact studies (which?). 8 examine group home impacts on property values; 2 examine crime; 2 examine neighbor opinions. 5 deal with group homes for DD; 4 deal with **alcohol & drug abusers**, prison pre-parolees and the mentally ill.	All 9 studies report group homes have **no effect on property values**, selling prices, rates of turnover, or crime. Establishing a group home does not increase traffic volume or parking demand in the area of the home. Generally, group homes looked just like other homes on the block and often were better maintained than neighboring properties.	Report provides data for municipal officials faced with planning for group homes to allow them to make more informed decisions [this is also clearly an advocacy paper].

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
11	Farber, S.	Market segmentation and the effects of group homes for the handicapped on residential property values	Impact Study	1986	Shreveport, LA	Mentally Retarded, Emotionally Disturbed	Determine whether group homes for MR or ED effects **property values.**	**9 group homes.** Homes sales for 24 mo before & 24 months after group home opening.	No significant price effect. **Increase in time-on-market in higher income areas** close to the group homes.	**Group homes have not significant effect on prices but may cause increase in time on market in higher income areas.**
12	Gale, D.E.	Group Homes for persons with mental retardation in the District of Columbia: Effects on single-family house sales and sales prices	Impact Study	1987	Washington, D.C.	Mentally Retarded	Determine whether group homes for the MR affect sales rate or sales prices	SFR neighborhood group home facilities for the MR were examined for sales rates & prices one year before & one year after opening.	**50 group homes**; number of sales declined around 15, rose around 19 & stayed same around 13. Prices rose in 2/3 of **23 neighborhoods**, 1/3 declined.	**Group homes for the MR do not affect home sale prices or rates.**
13	Gardner, P, et al.	Comjunity Acceptance of group homes in Ohio	Community attitude survey, literature review	1982	Columbus, OH	Developmentally Disabled	Test ADD Community Education Model & address unanswered questions about neighborhood attitudes & approaches.	Three survey techniques & questionaires used; 24 Group Home operators; 8 issues identified: property values, people reluctant to buy, adaptive renovations would stand out.	People remain concerned about property values.	Group home operators must address the issue of property value or invite substantial opposition.
14	GAO	An analysis of zoning and other problems affecting the establishment of group homes for the mentally disabled	National Survey	1983	Nationwide	Mentally Disturbed	Determine effects that zoning & other land-use policies and practices have on efforts to establish small group homes for mentally disabled.	Surveys sent to mental health directors in 50 states, 702 group home operators, 246 zoning officials in 99 mental health service areas.	82% said they were able to establish their group home in a residental area without too much difficulty.	State initiative (28) have helped facilitie group home development.
15	Glublak, P.G.	Local zoning and residental care facilities: conflicts and solutions.	Law paper for a seminar	1983	General	Formerly Institutionalized	Investigate conflict between Fed/state policy advocating community-based residential care facilities (RCFs) vs. local zoning ordinances responding to fears of local residents.	Review of judicial and legislative action throughout the country, citing pertinent existing studies.	Although fear of declining property values does not appear to be substantiated, "character of the neighborhood and maintenance of a customary quality of life" is a matter of legal significance, supported by the Supreme Court in Village of Belle Terre v. Borras. (Citation. 416 U.S. 1 (1974). Synopsis of Rule of Law. Regulation of household composition was permissible under the police power which encompasses health, safety and welfare and my strive to lay out "zones of family values," "quite seclusion" and "clean air.")	Solution to conflicting policies and interests lies in legislation at the state level.
16	Goodale, T., et al.	Group homes and property values in residential areas	Impact Study	1979	Ottawa, Canada	Dependent & neglected children; ex-offenders; **former drug addicts**; physically/mentall y handicapped	Determine effect of group homes on property values in residential zones.	38 residential-zone group homes.	Only group homes for chidren were found in the most restrictive residental zones (R-1 through R-4). Adult homes were in less restrictive zones. No significant differences found.	**Group homes for adults tend not to be located in the most restrictive residential zones. Property values & marketability of homes are not adversely affected by the presence of group homes.**
17	Hopperton, R.J.	A state legislative strategy for ending exclusionary zoning of community homes	Law paper	1980	Urban Law Annual, Vol 19:47	Developmentally Disabled	Discuss strategy for Ohio zoning regulation.	A review of: basic goals of normalization; frustrations; litigation; local and state legislative reforms; policy statements; stragety considerations; negotiations needed for state zoning statute for developmentally disabled persons.	Legislative efforts pit normalization against local control over zoning.	"good guys/bad guys" approach, based on emotion, are likely to fail.

Attachment [2]: Summary of studies from There Goes the Neighborhood...

No.	Author	Study Title	Type of Work	Study Date	Where?	Population	Purpose	Methodology	Findings	Conclusion
1	Baron, R.C.	Community Opposition to the Mentally Ill and the Stragegies that Respond	Research paper - presented at 5th An. Conf of Int. Assoc. of Psycho-Social Rehab. Services.	Jun-09	Philadelphia, PA	Mentally Ill	Address community attitudes & opposition & develop strategies	8 Community forums; documentary film; National Conference; Exchange perceptions.	Three major issues: Fear (danger, threat), Empathy (MI safer in institutions), Control (property values & oversaturation; Strategies: structural (courts) or collaborative.	A little public opposition is good; Solutions: collaboration is better than structural.
2	Boeckh, J., et al.	Property Values and Mental Health Facilities in Metropolitan Toronto	Impact Study	1980	Toronto, Canada	Mentally Ill	Systematic assessment of **property value effects** of a sample of mental health facilities in Toronto	**Five facilities** selected & control neighborhoods. Quarterly sales data for 2 years before and after facility startup. 400m impact area.	No evidence sales different than in control areas.	Intro of mental health facility has **little effect on property values**.
3	Breslow, S.	The Effect of Siting Group Homes on the Surrounding Environs	Impact Study / Feld Survey	Nov-76	White Planes, NY	Dev'ly & Mentally disabled; Veterans, Negl'd children, Elderly	Determine if community residential facilities for socially, physically and mentally handicapped people disrupt, harm or endanger neighbors & **impact on property values**	**16** out of 31 **residential care facilities** studied. 2 control areas. Field survey July 1976. Real estate data from 1964-1976.	Results inconclusive. **Property values neutral.** Increasing neighborhood turnover.	Communities can absorb limited no. of residential care facilities **w/o measurable property/transation effects.**
4	Caulkins, Z. et al.	The Impact of Residential Care Facilities in Decatur: A Study of Residential Care Facilities Located within the City of Decatur.	Impact Study/Telephone Survey	Dec-76	Decatur, IL	Geriatric, Mentally Handicapped, dev'ly disabled	Determine: (1) Neighborhood impacts, (2) Attitudes/opinions for neighbors, (3) How neighbor attitudes differ from other Decatur residents.	Telephone interviews; 25 people in each of 5 neighborhoods, plus 50 random persons.	2/3 approved locating residential facilities in SFRNs. Higher nearer facilities than farther away. Only facilities for ex-cons & parolees considered not appropriate for SFRNs.	Leaving near a facility helps alleviate some concerns. Persons who reported concerns about property values reported seen no such affect.
5	City of Lansing Planning Dept	The Influenceof Halfway Houses and Foster Care Facilities Upon Property Values	Impact Study (never published; in D.M. Lauber's collection)	Oct-76	Lansing, MI	Mentally retarded; Ex-offenders; Youth offenders; **Recovering alcoholics**	Ascertain what has happened to **neighborhood property values near previously established Special Use Facilities (SUFs).**	**Five** neighborhoods w/ "**special use facilities**"; Each with a similar control area; Selling prices compared (SUF to Control).	No evidence that SUFs impacted sales price.	**Strong evidence to contest assumption that SUFs will cause declining property values.**
6	Coleman, A.R.	The Effect of Group Homes on Residential Property Values in Stamford, CT	Impact Study	Aug-89	Stamford, CT	Mentally Ill; Mentally retarded; homless families; adolescent males; **recovering alcoholics**	Evaluate economic impact of group homes on their surrounding neighborhoods.	Property sales examined around **8 group homes** and 23 neighborhoods w/o group homes. 35 double sales (B4/after group home) & 163 double sales in control neighborhoods.	**Property values not significantly affected** by establishment of group home. Proximity to group home does not affect market value; Number of beds in group home not a factor.	Strong evidence that group homes in SFRNs have **no significant impact on property appreciation rates.**
7	Dear, M.	Impactof Mental Health Facilities on Property Values	Impact Study/Field Survey	1977	Philadelphia, PN	Mentally Ill	Determine **impact on property value** & property turnover near **small-scale outpatient facilities** for the Mentally Ill	**12 satellite mental health facilities** studied. Transactions analyzed B4 & after facility opened.	No decline in property value	**Results inconlusive.** Need larger data set. For this sample, no significant property value impact.
8	DoH&CD	The effects of subsidized and affordable housing on property values	Summary of Studies	1988	State of CA.	Low Income, Handicapped	Determine **effect of subsidized & manufactured housing on property values.**	Lists & summarizes 15 published papers from previous 10 years. 11 subsidized housing, three manufactured housing, **one group home for handicapped.**	**14 of 15 - no impact. One study showed adverse impact** on adjacent non-subsidized housing.	Public perceptions & attitudes unpredictable and sometimes resentful. Cooperative, rational approach needed.
9	DDP	An analysis of Minnesota property values of community intermediate care facilities for mentally retarded	Impact Study, Literature Review	1982	St. Paul, MN	Mentally Retarded	Determine effect of group homes for mentally retarded on **property values.**	**34 group homes with ≤6 residents,** each with comparable control neighborhood. Looked at sales prices & assessed values for year before & year after establishment.	**No significant differences in property values** between group home & control blocks.	**Property values not affected by group homes for Mentally Retarded.**
10	Dolan, L.W. & Wolpert, J.	Long term neighborhood property impacts of group homes for mentally retarded people	Impact Study	1982	NY State	Mentally Retarded	**Update the 1978 Wolpert study (#56 below),** To examine property sales in subsequent 5 years to determine impact on property values over the longer term.	Examined **32** of the original 42 **group homes** that were in the 1978 Wolpert study. Plus a 'windshield' study to assess properties visually.	**No significant effect on property values.** Few of the 32 group homes were conspicuous.	**Group homes for mentally retarded have no long term negative effects on property values or turnover rates.**

Attachment 1: Summary of Facility Types from There Goes the Neighborhood...

No.	Lead Author	#Studied	Impact Study?	Prop Vals?	Year	FI	MR	MI	MH	PH	MD	ED	DD	Vets	NegCh	EO	TY	AS	AM	RA	DA	HF	Eld	LIH	ADTFs
1	Baron	Research paper, 8 forums			1978			1																	
2	Boeckh	5 facilities	1	1	1980			1																	
3	Breslow	16 residential care facilities	1	1	1976						1		1	1	1								1		
4	Caulkins	Phone Survey	1	1	1976				1				1										1		
5	City of Lansing	5 "Special Use Facilities"	1	1	1976		1	This is Doc#4/Ref[9] in RPC letter								1				1					
6	Colman	8 group homes	1	1	1989		1	1											1	1		1			
7	Dear	12 small satellite outpatient facilities	1	1	1977			1																	
8	Dpt H&CDv	Summary of 15 published papers		1	1988																			1	
9	DevDisPgm	34 group homes with ≤6 residents	1	1	1982		1																		
10	Dolan	32 group homes	1	1	1982		1																		
11	Farber	9 group homes	1	1	1986		1					1													
12	Gale	50 group homes, 23 neighborhoods	1	1	1987		1																		
13	Gardner	Community survey & literature review			1982								1												
14	GAO	535 grp hms			1983						1														
15	Glubiak	Law paper for a seminar			1983	1																			
16	Goodale	38 group homes in Ottawa, Canada (see {53})	1	1	1979				1	1					1	1					1				
17	Hopperton	Law paper			1980								1												
18	Hopperton	Law handbk			1975		1						1												
19	HSRI	Research study using multiple instrmts		1	1988		1																		
20	Iglhaut	54 group homes; 52 in SFRNs	1	1	1988			1					1				1								
21	Jaffe & Smith	Research report			1986	This is Doc#3/Ref [8] in RPC letter							1												
22	Kanter	Law project paper			1984						1														
23	Knowles	Interviews; Assessors values; Planning agencies.	1		1973	1				1						1	1								
24	Kressel	Position paper			1981						1														
25	Lauber	Eval of Research		1	1981			1					1			1				1	1				
26	Lauber	14 group homes for DD	1	1	1986								1												
27	Lauber	Handbook			1974	1																			
28	LWV of Seattle	Case Studies			1984		1	1										1						1	
29	Levy	Position paper			1985			1																	
30	Lindauer	7 group homes for the MR	1	1	1980		1																		
31	Linowes	Summarizes 6 studies (from this list)		1	1983		1			1						1				1	1				
32	Lippincott	Position Paper			1979		1																		
33	Louisiana CIPI	Research Review		1	1981				1	Reviews findings from City of Lansing(#5); Dear(#7) & Wolpert (#56) studies in this report															
34	Lowinson	Research paper			1975																1				note "b"
35	Lubin	Mail Survey			1982		1						1												
36	Lubin	Mail Survey			1982								1												
37	Mambert	Opinion Survey of seven areas		1	1981		1																		
38	Muhlin	Telephone Survey of six areas			1984				1				1								1				note "a"
39	Pace University	17 group homes for Mentally Disabled (MD)	1	1	1988						1	Followup on 1978 Wolpert (#56) & Dolan (#10) and Wolpert 1982 studies; confirmed results													
40	Padavan	Eval of NY State law effectiveness (MD)			1986						1														
41	Perske	Opinion Paper/Hndbk			1980		1	This is an advocacy document.																	
42	Plasecki	National Survey			1975	"Facilities for adult offenders or delinquent children encountered substantial opposition..."																			
43	The Research Grp	Not indicated	1		1985		1	1																	
44	Ryan	13 group homes for the MR	1	1	1985		1																		
45	Ryan	"Windshield" visual survey of 52 group homes			1986		1						1												
46	Scott	Study of rental availability in New Jersey			1980	1																			
47	Seltzer	Community Survey of 43 MR facility operators			1984		1																		
48	Sigelman	Literature review (specifics not cited)			1979	1																			
49	Suffolk CC, Inc	7 group homes for MH, DD	1	1	1984				1				1												
50	Teplin	Research study			1985			1																	
51	Wagner	Updates 1979 study for 5 (of the 8) group homes	1	1	1980			1					1		1				1						
52	Wagner	8 group homes	1	1	1979			1					1		1				1						
53	Wikkware	38 residential-zone group homes, Ottawa, CA (16)	1	1	1980																				
54	Wiener	8 group homes w/ 7-12 residents	1	1	1982		1																		
55	Wolch	79 census tracts (# of grp hms not stated)	1	1	1983	"Service dependent populations".																			
56	Wolpert	42 group homes	1	1	1978		1																		
		Totals:	25	29		6	21	12	5	3	6	1	16	1	4	5	2	1	3	4	5	1	2	2	0
		#Studied	Impact Study?	Prop Vals?	Year	FI	MR	MI	MH	PH	MD	ED	DD	Vets	NegCh	EO	TY	AS	AM	RA	DA	HF	Eld	LIH	ADTFs

Notes:

a: "...only drug abuse treatment programs elicited opposition from a majority of residents."

b: This research paper did not address property values associated with drug treatment centers.

Column Headings: FI=Formerly Institutionalized; MR = Mental Retarded; MI =.Mental Illness; MH = Mental Health; PH = Physical Health

Column Headings: MD = Mentally Disabled; ED=Emotionally Disturbed; DD=Developmentally Disabled; Vets=Veterans; NegCh=Neglected Children

Column Headings: EO=Ex Offenders; TY=Troubled Youth; AS=Abused Spouses; AM=Adolescent Males; RA=Recovering Alcoholics

Column Headings: DA=Recovering Drug Addicts; HF=Homeless Families; Eld=Elderly; LIH= Low Income Handicapped;

References:

[1] LA County RPC, "Hearing Officer Package", 6 May 2010, http://planning.lacounty.gov/assets/upl/case/project_r2008-01555_ho-package.pdf

[2] *Eaton Canyon Treatment Center Supplement to CUP Application, CASE No. RCUP 200800131, Hearing Date May 19th, 2010, Supplemental Letters and Attachments*, contained in Reference [1] above.

[3] Bill Lockyer, *Letter to all California Mayors: Re. Adoption of a Reasonable Accommodation Procedure*, State of California, Office of the Attorney General, May 15, 2001, http://www.google.com/url?sa=t&source=web&cd=1&ved=0CBwQFjAA&url=http%3A%2F%2Fag.ca.gov%2Fcivilrights%2Fpdf%2Freasonab_1.pdf&rct=j&q=Letter+to+all+California+Mayors%3A+Re.+Adoption+of+a+Reasonable+Accommo&ei=4CwQTLyXOoXCNYnftdoM&usg=AFQjCNF5l9RJj3f3674g7G5q-0V69eLsKw

[4] *Policy Guide on Community Residences*, American Planning Association, September 1997, http://www.planning.org/policy/guides/adopted/commres.htm

[5] Lauber, A real LULU: Zoning for group homes and halfway houses under the Fair housing Amendments Act of 1988", (Winter 1996) 29 J. Marshall L. Rev. 369, 384-385 & fn. 50.

[6] Lauber, D.M., *A Representative Sample of the 50+ Studies on the Impacts of Group homes and Halfway Houses*, http://planningcommunications.com/ A list of 20 studies said to be representative of 50+ studies. Sixteen of these studies are taken from Ref [7] below.

[7] Council of Planning Librarians, There Goes the Neighborhood...A summary of studies addressing the most often expressed fears about the effects of group homes on neighborhoods in which they are placed. (Bibliography No. 259), April 1990, [available from the UCLA Young Research Library, Record ID: 3293512, Call Number: Z6677.2.R45 T48 1990].

[8] Jaffe, M., Smith, T., *Siting Group Homes for Developmentally Disabled Persons*, (American Planning Association, Planning Advisory Service Report No. 397 (October 1986), http://www.google.com/url?sa=t&source=web&cd=1&ved=0CBkQFjAA&url=http%3A%2F%2Fwww.mnddc.org%2Fparallels2%2Fpdf%2F86-SGM-APS.pdf&rct=j&q=%22Siting+Group+Homes+for+Developmentally+Disabled+Persons%22&ei=--kOTJDhFYX-NeDSzdgM&usg=AFQjCNFOTYMgPWJfXJtq2eU_-JILa962bw
This document is included in the studies examined in Ref [7] above.

[9] City of Lansing Planning Department, Influence of Halfway Houses and Foster Care Facilities Upon Property Values, (monograph October 1976) (unpublished manuscript, on file with D.M. Lauber but included in the studies examined in Ref [7] above).

[10] *The impact of group homes on residential property values in Baltimore County*, Maryland, Greater Baltimore Community Housing Resource Board, Inc., December 1993, http://www.gbchrb.org/grphomes.htm; Conducts its own study of 8 Mental Health residential rehabilitation group homes and 45 Developmental Disabilities group homes. Also provides a summary of the studies done in reference [7] above.

[11] Muhlin, G.L., Dreyfuss, A.E., *Community Reactions to Residential Mental Health Facilities in Westchester County*", January 1984, Scarsdale, NY: social Area Research, Inc. and the New York State Psychiatric Institute.

[12] Marr, J.C., Letter to the LA County Regional Planning Commission in care of Tyler Montgomery, June 6, 2010, discussing the unique impacts from a high throughput RADTF.

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community. However, only two of the 56 studies (none being from the set of 25 Impact Studies that looked at property value impacts) explicitly address RADTFs and these two do not discuss the impact of RADTFs on property values.

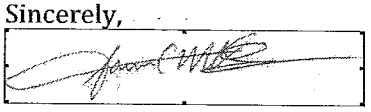
By referring to these studies, the ECTC is implicitly asserting that RADTFs like the ECTC are the same as long-term residential care facilities and therefore the conclusions drawn from these property value impact studies also apply to RADTFs. **This is an unsubstantiated claim.**

RADTFs are a unique type of Adult Residential Facility (ARF), having two distinguishing characteristics: (1) short-term residency with resulting high client throughput counts, and (2) high treatment failure rates (i.e., high relapse rates) with those failures/relapses presenting risks to the neighborhood due to known characteristics of actively-using addicts (feeding addiction through predatory behavior, including theft). No other type of ARF has similar characteristics. Unlike long term residential care facilities, like Group Homes, RADTFs have no ties to the local residential community (in fact avoiding such for reasons of anonymity), have no need for the 'normalization' that drives other types of community residential facilities to locate in SFR neighborhoods, and operate more like multi-family residential facilities or like hotels. There are no studies that consider the impact of RADTFs on property values.

One counter example to the ECTC claim arose during discussions with a Sierra Madre Villa Ave neighbor (Adrian & family) prior to the May 18th hearing. One family, now renting in the area and which has several young children, made an offer on what was then Jeff Blea's home at 3320 Fairpoint St., directly across the street from the ECTC. When this family learned of the ECTC across the street, they withdrew their offer and refused to re-engage even when Jeff Blea offered to lower his asking price significantly. Note that, in spite of considerable encouragement to come forth with their story, they refused to do so, fearing retaliation from ECTC owners or staff if their name/address became part of the public record. This story does, however, suggest that here was an outside buyer who would require a substantial price discount in order to stay engaged in buying a home adjacent to the ECTC. Indeed, why would any buyer, knowing addict relapse rates and the likely predatory criminal behavior of relapsed addicts, react any differently than current ECTC neighbors who have expressed their concerns about property value impacts resulting from the peculiar properties of having a large RADTF in the neighborhood.

In summary, ECTC has not met its burden of proof that approval of its CUP request for 20 residents will not impact property values in the neighborhood, since all of the studies referenced by ECTC are for long-term community residences that need active interaction with the neighborhood for normalization of their residents and do not have residents with high relapse rates followed by predatory behavior, as do RADTFs such as ECTC.

Sincerely,



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This document is a collection of summaries of documents of various types: 25 are impact studies; 11 are literature reviews or research projects; 10 are surveys on community reactions, public opinion, or housing availability; 5 are opinion or position papers, 3 are informational handbooks; and 2 are law papers.

The document is highly redundant with many studies studying other studies in the same document. This is mostly very difficult to track because the original papers are not included in the document and, for nearly all, are now almost impossible to obtain, making it difficult to look into the details regarding the facilities studied, what papers were reviewed, what the limitations of the study were, and what references the author used to support his/her research.

Out of the 25 that are listed as impact studies (see Attachment [1]), two address facilities for recovering alcoholics (numbers 5 & 6), one addresses facilities for recovering addicts (number 16). There isn't sufficient detail in the summaries of the original studies to tell whether these were short-term or long-term facilities or whether they were treatment or sober-living facilities.

Attachment [2] provides a brief summary of each of the 56 studies.

One paper in the document considered "drug abuse treatment programs", which may be equivalent to an ADTF like the ECTC. This paper, by Gregory Muhlin, et al[11] was a telephone survey in Westchester County, NY to assess community attitudes towards a range of facility types. The paper did not address property value impacts for this type of facility. One of the FINDINGS from this paper reads:

> **"Concerning neighborhood services, only drug abuse treatment programs elicited opposition from a majority of residents."**

Another research paper by Lowinson (#34 in Attachment [2]) also addressed the issues with getting drug treatment centers situated but did not address property value impact of such facilities either.

Thus, **only two documents out of the 56 in the <u>There Goes The Neighborhood</u>... that explicitly address RADTFs and neither were a survey of property value impacts of such facilities**. Thus, there appear to be no surveys that specifically look at the property value impacts of RADTFs.

A study done by Greater Baltimore Community Housing Resource Board, Inc., in December 1993[10] purports to provide a summary of the studies done in <u>There Goes the Neighborhood</u>...[7]. This paper doesn't get the statistics quite right and only lists some of the papers in <u>There goes the Neighborhood</u>....(those marked yellow in Attachment [1]).

<u>Summary of Studies and Conclusions regarding RADTFs</u>:

The ECTC Supplemental submittal[2] ultimately references four documents to support its claim that approval of the ECTC CUP for 20 residents will not affect property values. These four references ultimately point back to just a single reference (<u>There Goes the Neighborhood</u>...[7]) which contains 56 studies of long-term residential care facilities, 25 of which conclude that group homes do not affect property values in the surrounding

It should be noted that the second (Jaffe[8]) and third (City of Lansing[9]) documents referenced above are included among the 56 documents examined in the first document (There Goes...[7]). It is not clear why they are separately listed in these paragraphs.

Document #2: Jaffe, M., Smith, T., *Siting Group Homes...*[8], 1986.

This report is included in the studies examined in Document #4 below, There Goes the Neighborhood...[7].

This report explicitly states that it is **not applicable to RADTFs like the ECTC.**

> Chapter 1. Introduction: "This Planning Advisory Service report **examines the siting in residential neighborhoods of group homes for persons with developmental disabilities.** The report examines the research literature, current zoning practices, and some recent legal developments. Finally, the report offers some model zoning provisions, with commentary, to better regulate group homes for developmentally disabled people. **Other types of group homes, such as** homes for foster children and for mentally ill individuals, and **halfway houses for** ex-convicts or **substance abusers, are not addressed in this report.**"

Document #3: City of Lansing Planning Department, Influence of Halfway Houses...[9], 1976.

As seen at the end of Document #1[5] Footnote 50, this is listed as an **unpublished manuscript** on file with D.M. Lauber.

This paper is, however, one of those reviewed in There Goes the Neighborhood...[7], Document #4 below, This paper was an Impact Study done in Lansing, Michigan and published in October 1976. The Study Population was "Mentally retarded, adult ex-offenders, youth offenders, recovering alcoholics." The Purpose of the study was "to ascertain what happened to neighborhood property values near previously established halfway house/foster care home facilities ...". While this study concludes that property values aren't impacted, it is not possible to determine exactly how many of the five neighborhoods considered had a halfway house for alcoholics or what the nature of that halfway house was (long-term or short-term residency).

Since this study, like so many others, did not include short-term RADTFs, which differ from other community residential facilities as discussed in my June 5th letter and below, these results are not applicable to RADTFs such as the ECTC.

Document #4: Council of Planning Librarians, There Goes the Neighborhood...[7] 1990

Finally, we have the single document that amounts to the evidence presented by ECTC for no impact on property values.

Attachment [1] summarizes the types of facilities examined as part of this study. In the table, the column headings (except for ADTF) are names actually used in each of the 56 documents for the population being considered in that study. Note that the articles by Jaffe & Smith[8] and City of Lansing[9] are numbers 21 and 5, respectively, on the list in Attachment [1].

> *for Developmentally Disabled Persons* (Am. Plan. A. Plan. Advisory Serv. Rep. No. 397 (1986). See e.g., City of Lansing Planning Department, Influence of Halfway Houses and Foster Care Facilities Upon Property Values (monograph 1976) (found no negative impacts on selling price of houses near or adjacent to halfway houses for people with alcohol addictions, adult exoffenders, juvenile exoffenders)."

Referencing three documents as the source for its assertions regarding property values, one of which (There Goes the Neighborhood...) is the same as one of the two documents referenced in Bill Lockyer's letter to Mayors.

ECTC Supplemental referenced documents:

Thus, from the above references, there are four distinct documents[5][7][8][9] that purportedly serve as the basis for the claim that ECTC will not affect property values in the Sierra Madre Villa Ave area. Let's take a careful look at each of these four documents.

Document #1: D.M. Lauber, "A Real LULU: ..."[5] 1995-1996

This document refers the reader to the same three documents[7][8][9] as the APA Policy Guide...[4] thus providing no new information.

This law journal paper appears to have been a major source document for the 1997 APA *Policy Guide on Community Residences*[4]. Compare for example the text below and footnote 50 further below, both taken from Lauber's paper, with the APA text and APA reference 24 shown above. It's pretty clear that the APA *Policy Guide*...[4] has taken these words nearly unchanged from Lauber's paper.

From Lauber's paper Section V on page 384:

> "More than fifty studies have examined their impact on property values. All of them, despite differing methodologies, have discovered that group homes and halfway houses have no effect on property values, even for houses adjacent to community residences. Conversely, studies have shown that community residences are often the best maintained properties on the block."

This paragraph is followed on page 385 of Lauber's paper by footnote 50, which reads:

> "[50]For a comprehensive compilation of descriptions of over fifty of these studies, see Council of Planning Librarians, "There goes the neighborhood . . . A summary of studies addressing the most often expressed fears about the effects of group homes on neighborhoods in which they are placed (bibliography No. 259) (Apr. 1990); Martin Jaffe & Thomas P. Smith, *Siting group homes for developmentally disabled persons*, Am. Plan. Assoc. Plan. Advisory Serv. Rep. No 397 (1986). For an example of a study finding no negative impacts on selling price of houses near or adjacent to halfway houses for people with alcohol addictions, adult ex-offenders and juvenile ex-offenders, see City of Lansing Planning Department, The Influence of Halfway Houses and Foster Care Facilities upon property values (1976) **(unpublished manuscript, on file with author)."**

The ECTC Supplemental Letters and Attachments submittal[2]:

The Eaton Canyon Treatment Center (ECTC) Supplemental Letters and Attachments[2], submitted for the May 18th hearing before the Hearing Officer and included in the Hearing Officer Package[1], presents arguments suggesting that the approval of the ECTC Conditional Use Permit (CUP) for 20 residents will have no impact on property values in the Sierra Madre Villa Ave area. To wit, the top of page 5 includes a quote from then CA State Attorney General Bill Lockyer's May 2001 letter to All California Mayors[3] a modified copy of which was supplied as Attachment H to the ECTC Supplemental ("To: All California Mayors" was deleted for the copy in Attachment H):

> "...opposition to such housing is often grounded on ... unfounded concerns about the impact of such homes on surrounding property values".

And goes on to quote from footnote 9 at the bottom of the Lockyer letter:

> "Numerous studies support the conclusion that such concerns about property values are unplaced [sic]".

The actual footnote in Bill Lockyer's reads:

> "[9]Numerous studies support the conclusion that such concerns about property values are **mis**placed. (See Lauber, *A Real LULU: Zoning for Group Homes and Halfway Houses Under the Fair Housing Amendments Act of 1988* (Winter 1996) 29 J. Marshall L. Rev. 369, 384-385 & fn. 50 (reporting that there are more than fifty such studies, all of which found no effect on property values, even for homes immediately adjacent).) A compendium of these studies, many of which also document the lack of any foundation for other commonly expressed fears about housing for people with disabilities, is available. (See Council of Planning Librarians, There goes the Neighborhood . . . A summary of studies addressing the most often expressed Fears about the effects of group homes on neighborhoods in which they are placed (Bibliography No. 259)(Apr. 1990).)"

This footnote thus references two documents as the source for the assertion regarding property values.

On page 5 of the ECTC *Supplemental Letters and Attachments*[2], under a discussion of response to community concerns about property values, the following quote is provided (taken from page 5 of the American Planning Association (APA) *Policy Guide on Community Residences*[4]):

> "More than 50 studies have examined their impact on property values probably more than for any other small land use. Although they use a variety of methodologies, all researchers have discovered that group homes and halfway houses do not affect property values of even the house next door. They have no effect on how long it takes to sell neighboring property, including the house next door. They have learned that community residences are often the best maintained properties on the block."

In the APA *Policy Guide...* itself, this quote is followed by a reference 24 that reads:

> "For a comprehensive compilation of descriptions of over 50 of these studies, see Council of Planning Librarians, There Goes the Neighborhood: A Summary of Studies Addressing the Most Often Expressed Fears About the Effects of Group Homes on Neighborhoods in Which They Are Placed (CPL Bibliography No. 259, April 1990); M. Jaffe and T. Smith, *Siting Group Homes*

13 June 2010

Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery

Subject: Property values re. Project R2008-01555-(5); CUP 200800131; Environmental Assessment: 20090053, all regarding the Eaton Canyon Treatment Center (ECTC) at 3323 Fairpoint St., Pasadena, CA 91107.

Abstract

This letter provides an analysis of the ECTC burden of proof regarding the property value impact of the approval of the ECTC CUP for 20 residents.

The ECTC Supplemental submittal for the May 18th LA County Hearing Officer hearing provides a statement taken from the American Planning Association's (APA) *Policy Guide on Community Residences*[4] reporting that there are multiple studies showing that group homes do not impact property values and implying that these studies apply to the ECTC.

This paper reviews the references behind this statement and shows that these studies relate to what the APA refers to as Group Homes, which are long-term living arrangements for disabled persons in which ties to the surrounding residential neighborhood are important for normalization of the residents. The ECTC is instead a short-term residential (live-in) alcohol and drug treatment facility (RADTF) that is not similar to the Group Homes examined in these studies. The references behind the ECTC claim do not provide evidence that RADTFs do not impact property values.

RADTFs are a unique type of Adult Residential Facility (ARF), having two distinguishing characteristics: (1) short-term residency with resulting high client throughput counts, and (2) high treatment failure rates (i.e., high relapse rates) with those failures/relapses presenting risks to the neighborhood due to known characteristics of actively-using addicts (feeding addiction through predatory behavior, including theft). No other type of ARF has similar characteristics and there do not appear to be any studies that address property value impacts for this unique type of ARF.

Discussions with an individual who made an offer on a home adjacent to the ECTC, who withdrew that offer after learning of the ECTC, and refused to re-engage in an offer even after the seller offered to significantly lower his asking price suggest that property values are likely be impacted if the ECTC CUP is approved.

Further, there is no reason to suspect that other buyers will react any differently than current property owners to the danger arising from a large number of relapsing addicts resulting from the high throughput of ECTC clients, approximately half of whom will relapse and become a potential threat to the neighborhood[12].

Thus, it does not appear that the ECTC has met their burden-of-proof that property values will not be impacted by the approval of the ECTC CUP for 20 persons and thus the condition regarding valuation of property in LA Code 22.56.090 A2.b. is not satisfied beyond a reasonable doubt.

References:
[1] National Institute of Drug Abuse (NIDA), "NIDA Notes" at http://www.drugabues.gov/NIDA_Notes/NNVol13N4/Relapse.html
[2] Massaro, J., Pepper, B., "TAP11: Treatment of Alcohol and Other Drug Abuse: Opportunities for Coordination. Chapter 9- Relapse Prevention.", CSAT TAP Series, U.S. Dept. of Human Services, Publication No. (SMA) 94-2075, 1994, http://www.kap.samhsa.gov/products/manuals/taps/11.htm
[3] Anon, "Drug Addiction, Crime or Disease? – Interim and Final Reports of the Joint Committee of the American Bar Association and the American medical Association on Narcotic Drugs, Appendix A VIII. Drug Addiction in Relation to Crime", Indiana University, 1961, http://www.druglibrary.org/schaffer/library/studies/dacd/appendixa_9.htm
[4] Massaro, J., Pepper, B., "TAP11: Treatment of Alcohol and Other Drug Abuse: Opportunities for Coordination. Chapter 2- The Relationship of Addiction to Crime, Health, and Other Social Problems.", CSAT TAP Series, U.S. Dept. of Human Services, Publication No. (SMA) 94-2075, 1994, http://www.kap.samhsa.gov/products/manuals/taps/11.htm
[5] http://en.wikipedia.org/wiki/Los_Angeles_County,_California
[6] Private conversation with Lt. Sheila Sanchez, Detective Bureau Commander/Community Relations, 780 E. Altadena Dr., Altadena, CA 91001, ph 626-296-2198.
[7] LA County RPC, "Hearing Officer Package", 6 May 2010, http://planning.lacounty.gov/assets/upl/case/project_r2008-01555_ho-package.pdf

ADTFs, like the ECTC, are a unique type of Adult Residential Facility (ARF), having two distinguishing characteristics: (1) short-term residency with resulting high client throughput counts, and (2) high treatment failure rates (i.e., high relapse rates) with those failures/relapses presenting risks to the neighborhood due to known characteristics of actively-using addicts (feeding addiction through predatory behavior, including theft). No other type of ARF has similar characteristics and there do not appear to be any easily locatable studies that address these aspects of this unique type of ARF.

While LA County Code does not appear to consider ARF distinctions, it is important that the types of considerations described above be folded into the CUP approval considerations (22.56.090 A.2.a, b, & c) to ensure that the peace, comfort, welfare, health and safety of the neighborhood is not further compromised in the CUP approval process.

Sincerely,

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CC:
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- Paul Novak, Planning Deputy, 5th District (PNovak@lacbos.org)
- Mitch Glaser, AICP (mglaser @planning.lacounty.gov)
- Richard J. Bruckner, Director, LA Department of Regional Planning (RBruckner@planning.lacounty.gov)
- Supervisor Michael D. Antonovich (fifthdistrict@lacbos.org)

As shown in my June 2nd letter to the RPC, the ECTC is a short-term (30 days or less) treatment facility (as evidenced by web advertisements, former client letters, and former client list in ECTC Supplemental, Attachment D).

The ECTC at 6 clients (CUP denied), each staying for 30 days of treatment, results in (6 clients)*(365 day/yr)/(30 day) = 73 clients/year.

At 20 clients (CUP approved), again with each staying 30 days, this becomes (20 client's)*(365 d/yr)/(30 d) = 243 clients/year, more than triple the number of clients/year.

Let's assume that the ECTC is typical of most treatment centers and on average 50% of their clients relapse within six months of leaving treatment. Then, at a 6-client limit, we have 36 relapsing drug addicts every year that could potentially be seeking resources in the SMVA neighborhood to feed their habits. At a 20-client limit, there are 122 relapsing drug addicts/year seeking resources. In other words, granting the ECTC CUP more than *triples* the threat that some fraction of these relapsed addicts will seek resources from the SMVA neighborhood and it is this tripling of the threat that neighbors seek to avoid. Even if the fraction of relapsing addicts that actually seek resources in the SMVA area is small (but not likely to be zero), tripling of that threat is in fact a reasonable concern on the part of the residents.

Is this threat real?

As I pointed out in my letter of 2 June 2010, the Altadena/Pasadena area occupies less than 1% (1/100th) of the LA County surface area[5], holds 4.8% (~1/20th) of LA County's population, yet supports 31% (~1/3rd) of LA County's Residential (i.e., live-in) Alcohol and Drug Treatment Facilities (RADTFs) with 42% (approaching 1/2) of the total number of RADTF beds in LA County. That 42% amounts to 414 LA County beds, leading to treatment of (414 cl's)*(365 d/yr)/(30 d) = 5,037 clients per year, which at ~50% relapse rate yields potentially ~2,500 relapsing drug addicts per year who could seek resources to feed their habits in the Altadena/Pasadena area.

During a verbal interview[6] with LT. Sheila Sanchez (LA County Detective Bureau Commander/Community Relations, LA Sherriff's Dept., Altadena) on May 7, 2010, she remarked that Type 1 crimes were rising in the Altadena/Pasadena area while falling throughout the rest of LA County. A large number of relapsing drug addicts in the Altadena/Pasadena area as compared to the rest of LA County is perhaps a plausible explanation for this unexplained increase in Type 1 crimes observed by the LA Sherriff's Department.

Again, for emphasis, it is the behavior of relapsed drug addicts (not a protected class) but who where introduced to the SMVA neighborhood by their stay at the ECTC, that directly concerns the SMVA neighborhood and is the source of the not-so-unfounded fears for their peace, comfort, welfare, health and safety. By opposing the ECTC CUP, they hope to avoid tripling the threat from the relapsed addicts *after* they have left the ECTC, whatever its magnitude.

6 June 2010

Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery

Subject: Project R2008-01555-(5); CUP 200800131; Environmental Assessment: 20090053, all regarding the Eaton Canyon Treatment Center (ECTC) at 3323 Fairpoint St., Pasadena, CA 91107.

This brief letter discusses what appears to be a misunderstanding regarding the ECTC neighbors' peace, comfort, welfare, health and safety concerns arising from the possible granting of the ECTC CUP allowing 20 residents. These health and safety concerns do not arise from the ECTC residents during their 30-day stays for treatment at the ECTC. These concerns arise instead from the known fact that statistically 22% to 75% of those leaving ECTC after completing (or not) their treatment will relapse within six months of leaving treatment[1][2][&others]. Once these persons relapse, they are no longer a protected class of persons with disabilities, they are active drug users, and we are free to consider and discuss the impacts of their likely behavior.

The behaviors of relapsed, active drug addicts are not "stereotypical assumptions"; they are well-documented behaviors of drug addicts in general: they will lie, cheat, steal or worse to obtain resources needed to acquire their drug of choice. For example, the Joint Final Report of the Joint Committee of the American Bar Association and the American Medical Association on Narcotic Drugs, Appendix A, Section VIII Addiction in Relation to Crime[3] states: "*For most narcotic addicts, predatory crime (larceny, shoplifting, sneak thievery, burglary, embezzlement, robbery, etc.), is a necessary way of life. ... Almost without exception addicts resort to theft to obtain money for the purchase of the drugs.*" In Los Angeles, statistics[4] for one period showed that 67% of female and 62% of male arrestees (for any crime) tested positive for at least one drug.

Many Sierra Madre Villa Ave (SMVA) area residents have first-hand experience with addict behavior, as they testified in their letters submitted to the Hearing Officer. It is *this criminal* behavior of *relapsed* drug addicts that residents surrounding ECTC are concerned about.

So, what does this have to do with the ECTC CUP? A lot. Stays at ECTC introduce the clients to a secluded, single-access-street neighborhood that they are unlikely to otherwise have known about. How many are introduced?

2), you will see that under Residential Uses there are two classifications, one is Residential Care, Limited and the other is Residential Care, General. Residential Care, Limited is defined as six or less. Residential Care, General is seven or more.

Residential Care Facilities.
1. Residential Care, General (land use). *Any State licensed facility, place, or structure that is maintained and operated to provide nonmedical residential care, day treatment, or foster agency services for seven or more adults, children, or adults and children as defined in Article 1 of Chapter 3 of the California Health and Safety Code, Section 1500 et seq. This use includes the administration of limited medical assistance (e.g., dispensing of prescribed medications).*
2. Residential Care, Limited (land use). *Any State licensed facility, place, or structure that is maintained and operated to provide nonmedical residential care, day treatment, or foster agency services for six or fewer adults, children, or adults and children as defined in Article 1 of Chapter 3 of the California Health and Safety Code, Section 1500 et seq. This use includes the administration of limited medical assistance (e.g., dispensing of prescribed medications).*
Residential Care, Limited is permitted (P) in all residential districts. Residential Care, General is Conditionally Permitted in RM-16, RM-32 and RM-48.
Denver

From: Marr, James C (7030) [mailto:james.c.marr@jpl.nasa.gov]
Sent: Wednesday, April 28, 2010 6:39 PM
To: Miller, Denver
Subject: Re: City of Pasadena Code question.
Denver,
Thanks for talking with me this afternoon. I'd like to confirm what I took away from our conversation. I understand that the City of Pasadena will not allow a CA State licensed residential alcohol and drug treatment facility for more than six residents in any of residential zones RS-1 through RS-6 under any circumstances. Is this correct?
TIA—Jim

Attachment-4: Email Exchange between Denver Miller, Principal Planner, Current Planning/Zoning, City of Pasadena

Subject: RE: City of Pasadena Code question.
Date: Thursday, April 29, 2010 10:10 AM
From: Miller, Denver <dmiller@cityofpasadena.net>
To: James Marr <james.c.marr@jpl.nasa.gov>
A quick look shows that there was a use permit granted back in 1970 under a very old zoning code.
Denver

From: Marr, James C (7030) [mailto:james.c.marr@jpl.nasa.gov]
Sent: Thursday, April 29, 2010 10:06 AM
To: Miller, Denver
Subject: Re: City of Pasadena Code question.
Thanks, Denver. --Jim
On 4/29/10 10:03 AM, "Miller, Denver" dmiller@cityofpasadena.net wrote:
There could be several reasons, and it would take some time to figure this one out. But here are some possibilities. The Zoning Designation may have changed. We did a number of zone changes back in the 1990's. Most of these downzoned properties. If a use is established legally and the zone changes, the use simply becomes a nonconforming use. The site on Marengo may have been given a special variance and was approved prior to 1985 when the Zoning Code was revised. Entitlements run with the land regardless of changes within the Zoning Code.
Denver

From: Marr, James C (7030) [mailto:james.c.marr@jpl.nasa.gov]
Sent: Thursday, April 29, 2010 9:59 AM
To: Miller, Denver
Subject: Re: City of Pasadena Code question.
Thanks, Denver.
Given this, I have a question about a facility in Pasadena that appears to be CA-licensed but in an RS-6 zone.
The CA State ADP listing of state-licensed facilities at http://www.adp.state.ca.us/Licensing/pdf/Status_Report.pdf shows the Marengo Facility (1230 N Marengo Ave, Pasadena, CA 91103, 626.797.1124) as a CA State licensed residential (live-in) Alcohol and Drug Treatment facility licensed for 16 residents. When I called them, I was told that they currently have 14 residents undergoing treatment. If I read the City of Pasadena zoning map at http://ww2.cityofpasadena.net/planning/deptorg/curplng/pdfs/Zoning_Map_Citywide.pdf and http://maps.google.com correctly, this facility appears to be zoned RS-6 LD-2.
If my map reads are correct, how can this be? TIA--Jim

On 4/29/10 7:54 AM, "Miller, Denver" <dmiller@cityofpasadena.net> wrote:
That is correct. If you look at the land use tables in the on-line zoning code (Table 2-

Attachment-3: Excerpts from the American Planning Association (APA) Policy Guide on Community Residences, 1997.

LA Code does not appear to distinguish between different types of ARFs. The American Planning Association (APA), in their Policy Guide on Community Residences[1] distinguishes between (1) Group Homes and (2) Halfway Houses or Recovery Community.

A few excerpts from the Guide's **definition of a <u>Group Home</u>** are:

*"A dwelling unit occupied as a single housekeeping unit in a family-like environment by up to approximately **12 to 15 persons** with disabilities plus support staff. ...*

*A group home imposes no time limit on how long an individual can reside in the group home. **A group home is a relatively permanent living arrangement where tenancy is measured in years.** ...*

***The intention is for group home residents**, like members of a biological family, **to develop ties in the community**. Like people without disabilities, these individuals attend schools, work, and may receive other support services in the community. ...*

***It is not a clinic where treatment is the principal or essential service provided.** ...*

***Any treatment received at home is incidental to the group home's primary purpose.** ...*

Recovery homes for people with drug or alcohol addictions** are another type of group home. **Occupants typically sign an annual lease and can live in a recovery home for years."

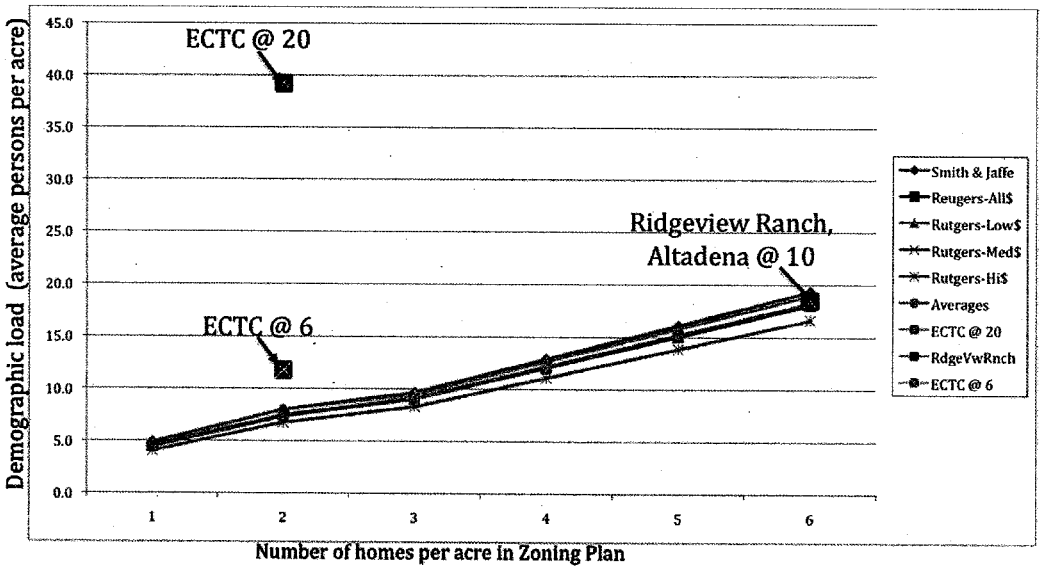
A few excerpts from the Guide's **definition of a <u>Halfway House or Recovery Community</u>** are:

*"**A temporary residential living arrangement** for ... persons who are receiving therapy and counseling from support staff who are present when residents are present, for the following purposes: (a) to help them recuperate from the effects of drug or alcohol addiction (a disability); ...*

***Residency is limited to a specific number of weeks or months.** ...*

*Treatment usually consists of an initial withdrawal period followed by intensive counseling and support both through treatment programs and through residential living arrangements. **Such community residences are based on the group home model <u>with some significant differences with implications for proper zoning regulation</u>.** ...*

***Unlike a group home, the halfway house aims to place all its residents into independent living situations upon graduation.** For both therapeutic and financial reasons, most halfway houses need 10 to 15 residents to be successful. **Because the number of residents in a halfway house is greater than in a group home and their length of tenancy shorter, halfway houses more closely resemble multiple family housing than single-family residences** ..."*

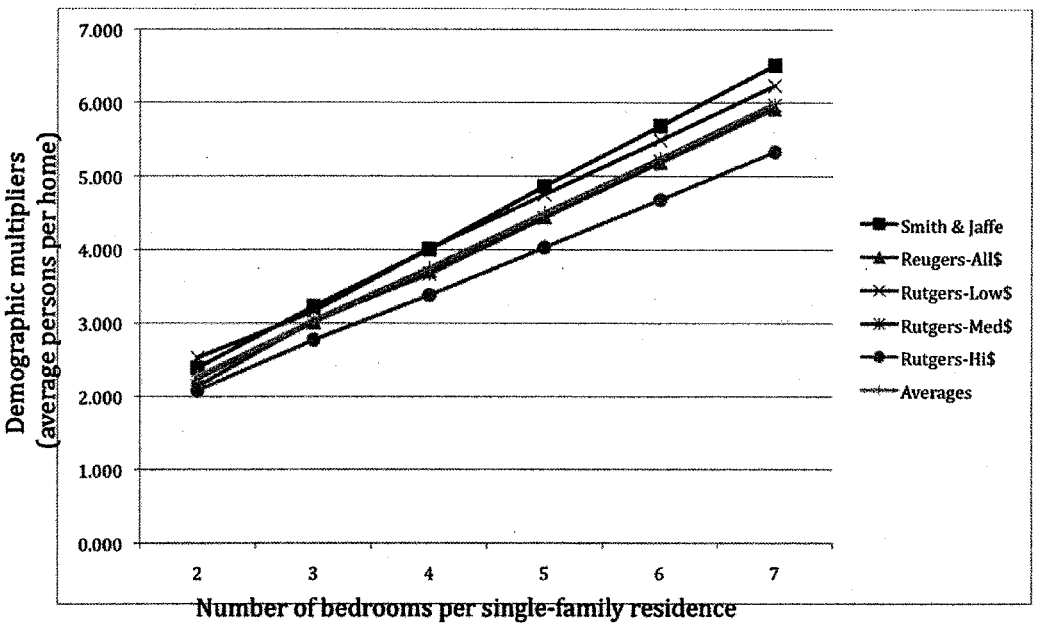


Homes/Acre	BR/Home	Smith & Jaffe	Reugers-All $	Rutgers-Low$	Rutgers-Med$	Rutgers-Hi$	Averages	ECTC @ 20	ECTC @ 6	RdgeVwRnch
1	5	4.9	4.4	4.8	4.4	4.0	4.5			
2	4	8.0	7.4	8.0	7.3	6.8	7.5	39.2	11.8	
3	3	9.7	9.0	9.5	9.1	8.3	9.1			
4	3	12.9	12.0	12.6	12.2	11.1	12.2			
5	3	16.1	15.1	15.8	15.2	13.9	15.2			
6	3	19.4	18.1	19.0	18.2	16.6	18.2			18.5

Figure 2: Demographic load as a function of single-family residential zone classification

Thus, the ECTC has an occupancy load of (39.2/7.5) equals 5.2 times the average occupancy load for the surrounding neighborhood. ECTC is plotted in Figure-2 and clearly stands out from the other data.

Note also that at the permit-free level of 6 individuals, the ECTC has an occupancy load calculated as: (6 persons/0.51 acres) or 11.8 persons/acre, which is still above the average occupancy load of 7.5 persons/acre.



SFR # BRs	Smith & Jaffe	Reugers-All$	Rutgers-Low$	Rutgers-Med$	Rutgers-Hi$	Averages
2	2.390	2.240	2.530	2.140	2.080	2.276
3	3.225	3.010	3.160	3.040	2.770	3.041
4	4.006	3.710	4.010	3.670	3.380	3.755
5	4.861	*4.445*	*4.750*	*4.435*	*4.030*	*4.504*
6	*5.685*	*5.180*	*5.490*	*5.200*	*4.680*	*5.247*
7	*6.508*	*5.915*	*6.230*	*5.965*	*5.330*	*5.990*

Note: Values in red/italics are extrapolations from the values in black using first differences.

Figure 1: Demographic multipliers vs. number of bedrooms from various studies.

Ranch, 3085 Ridgeview Dr., Altadena, CA 91001). This facility is licensed by the CA ADP for 10 individuals and is located in an R-1-7,500 LA County zone (six homes/acre). Note that it is located on a 0.54 acre lot, adjacent to horse stables on two sides (South & East) and the Arroyo Seco canyon on the West, in an area of homes with predominantly 3 bedrooms. Calculating the persons/acre load for this zone, we have:

For the Zone: (6 homes/acre)*(3.041 persons/3BRhome) = 18.3 persons/acre.

While the load for Ridgeview Ranch itself can be calculated as: (10 persons)/0.54 acres = 18.5 persons/acre.

As can be seen from Figure-2, Ridgeview Ranch fits very nicely with the total load (persons/acre) associated with R-1-7,500 zone.

ECTC, on the other hand, is located in an R-1-20,000 zone (two homes/acre) in an area with predominantly 4 bedroom homes. Performing the same calculations for the ECTC:

For the Zone: (2 homes/acre)*(3.755 persons/4BRhome) = 7.5 persons/acre.

For ECTC: (20 persons)/(0.51 acres) = 39.2 persons/acre.

Attachment-2: Analysis of Demographic Occupancy for the two LA County SFR ADFTs with >6 residents using National Demographic Multipliers

Smith & Jaffe[2] provide, in Chapter 5, a mechanism for rationally assessing whether a Group Home fits regional zoning standards.

First, this document distinguishes between Small Community Residential Facilities (CRFs), 15 or less, and large CRFs, more than 15. The authors claim that this is driven by the Life Safety Code (LSC) of the National Fire Protection Association NFPA that defines a "board and care" facility for up to 15 individuals as a residence, but facilities for over 15 individuals are considered "institutions" [Ref 2 pg 30]. The 2009 NFPA LSC[3] increases this dividing line from 15 to 16 individuals.

For Large CRFs, *"if the zoning ordinance uses a dwelling unit per acre density standard"* (Ref 2, pg 30), which LA County does use, Smith & Jaffe recommend using National Demographic Multipliers (NDMs) to determine household equivalency for zoning density purposes and for determining whether the proposed facility conforms to the district's zoning standards. One set of data for 1980 is provided in Table-4 (Ref 2, pg 30). More recent NDMs, from 2006, are available from the Rutgers University, Center for Urban Policy Research[4]. While these data aren't specifically for Los Angeles County or even California, the fact that they are as close as they are to each other suggests that if such data were available for LA County that they wouldn't be significantly different from these data.

Figure-1 shows the average single-family home occupancy from these two sources plotted for family homes from 2 bedrooms up to 7 bedrooms. Note that values for 5 to 7 bedrooms are estimated using first differences from the values for fewer numbers of bedrooms.

A couple of observations can be made from Figure-1. First, the 1980 Smith & Jaffe data is slightly higher than any of the 2006 Rutgers University data. Second, the Rutgers University data shows that as the price of the homes in a neighborhood goes up, the average occupancy goes down. A possible hypothesis for this might be that more affluent neighborhoods are occupied predominantly by older families many of whose children are grown and on their own.

Figure-2 provides a way to translate the LA County zoning plan into a persons/acre load on the property. This is done by multiplying the zoning plan homes/acre by the average occupancy rate per home. To accomplish this, one needs to estimate the number of bedrooms the homes in a particular area have. This is done by looking at the number of bedrooms listed by Zillow.com[5] or the LA County Tax Collector Parcel Viewer[10], recognizing that some numbers may not be accurate (e.g., 3323 Fairpoint is listed as having 2 bedrooms, when it actually has 7 bedrooms according to the plans in the Hearing Officer's file).

When these calculations are done, the resulting load (persons/acre) resulting for each number of homes/acre shows a smooth increase from roughly 5 persons/acre for R-1-40,000 to between 17 & 20 persons/acre for R-1-7,500 zones.

As a sanity check on this, according to the CA State ADP web site[6], there is one other LA County Residential (live-in) Alcohol and Drug Treatment Center (RADTF) operating in the Single Family Residential area of Altadena (Ridgeview

Attachment-1: List of all 35 CA ADP state-licensed residential (live-in) alcohol and drug treatment facilities (ADTFs) located within the boundaries of LA County.

No.	Name	Addr	CA ADP Cap	Zoning	Type	SFR?	>6 persons?
7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
8	Marengo Facility	1230 N. Marengo Ave, Pasadena, CA 91103	16	RS-6 (permitted in 1970 before downzoning)	Male Only	Y	Y
29	Ridgeview Drive Ranch LLC	3085 Ridgeview Dr, Altadena, CA 91001	10	R1-7,500 (6 lots/acre)	Coed	Y	Y
1	Atlantic Recovery Services	1415A E. 9th St, Long Beach, CA 90813	4	Sngl Fam	Dual Diag	Y	N
2	Atlantic Recovery Services	1417 E. 9th St, Long Beach, CA 90813	4	Sngl Fam	Dual Diag	Y	N
11	Grasshopper House, LLC	6439 Sycamore Meadows Ct, Malibu, CA 90265	6	RR2 (Rural Res, 1unit/2acres)	Coed	Y	N
12	Grasshopper House, LLC	6447 Sycamore Meadows Ct, Malibu, CA 90265	6	RR2 (Rural Res, 1unit/2acres)	Coed	Y	N
13	Grasshopper House, LLC	6380 Meadows Court, Malibu, CA 90265	6	RR2 (Rural Res, 1unit/2acres)	Coed	Y	N
19	Primal2, Inc	20723 Rockcroft Dr, Malibu, CA 90265	6	RR-1 (Rural Res, 1unit/acre	Coed	Y	N
20	Primal4, Inc	20729 Rockcroft Dr, Malibu, CA 90265	6	RR-1 (Rural Res, 1unit/acre	Coed	Y	N
22	The Center for Recovery from Compulsivities, Inc.	14100 Glengyle Stl, Whittier, CA 90604	6	Sngl Fam	Male Only	Y	N
23	The Center for Recovery from Compulsivities, Inc.	14101 & 1/2 Glengyle Stl, Whittier, CA 90604	6	Sngl Fam	Male Only	Y	N
24	The Center for Recovery from Compulsivities, Inc.	14102 & 1/4 Glengyle Stl, Whittier, CA 90604	6	Sngl Fam	Male Only	Y	N
26	Alcohol and Substance Abuse Program, Inc.	1092 New York Ave, Altadena, CA 91001	6	County residential	Coed	Y	N
30	La Ventana: Extended Care Center	31341 Mulholland Hwy, Malibu, CA 90265	6	RR-2.5 (Rural Res, 1 lot/2.5 acres)	Women only	Y	N
28	America Support Group, Inc.	15222 S. Ertel Ave, Gardena, CA 90249	6	Residential	Women only	Y	N
3	Aurora Charter Oak, LLC	1161 E. Covina Blvd, Bldg C, Covina, CA 91724	12	Commercial	Coed		
4	Aurora Las Encinas, LLC	2900 E. Del Mar Blvd, Pasadena, CA 91107	38	PS (Public)	Coed		
5	Casa De Las Amigas	160 N. El Molino Ave, Pasadena, CA 91101	37	CD-3 (Cmrcl)	Women only		
6	Chabad of California	5675 W. Olympic Blovd, Los Angeles, CA 90036	44	R3-1-0 (mult dwel)	Male Only		
9	Grandview Foundation, Inc	126 North Avenue 57, Los Angeles, CA 90042	12	C4-2D (commercial)	Male Only		
10	Grandview Foundation, Inc	225 Grandview St., Pasadena, CA 91104	22	RM-16 (multi-family)	Male Only		
14	Pacific Forensic Psychology Associates, Inc	834 Pacific Ave, Long Beach, CA 90813	37	Large appartments or Commercial	Coed		
15	Palm House, Inc.	2515 E. Jefferson St., Carson, CA 90810	18	High-density residential, 5BR/3B, 0.12acres	Male Only		
16	Pasadena Recovery Center, Inc.	1811 N. Raymond Ave, Pasadena, CA 91103	88	RM-12 (multi-family residential)	Coed		
17	Principles, Inc	1680 N. Fair Oaks Ave, Pasadena, CVA 91103	130	RM-12 (multi-family residential)	Coed		
18	Principles, Inc	2659 & 2661 Nina St., Pasadena, CA 91107	21	EPSP-D1-IG (conditional use)	Women only		
21	Prototypes	831 E. Arrow Highway, Pomona, CA 91767	143	Commercial	Women/Cldrn		
25	The Gooden Center	191 N. El Molino Ave, Pasadena, CA 91001	26	CD-3 (commercial)	Male Only		
27	Alcoholism Center for Women, Inc	1135 S. Alvarado St., Los Angeles, CA 90006	32	C2-1 (commercial)	Women only		
31	Menlo House Residential	1731 S. Menlo Ave, Los Angeles, CA 90006	30	RD-1.5-1 (Rest'd Density, multiple dwellings)	Women only		
32	Phoenix Houses of CA	11015 Bloomfield Ave, Santa Fe Springs, CA 90670	60	Commercial	Women/Cldrn		
33	Phoenix Houses of CA	345 W. Foothill Blvd, Monrovia, CA 91016	35	Commercial	Women/Cldrn		
34	Phoenix House - Venice	503 Ocean Front Walk, Venice, CA 90291	53	Large appartments or commercial	Women only		
35	Glendale Adventist Alcohol & Drug Services	335 Mission Rd., Glendale, CA 91205	24	Multi-family	Coed		

"No." is the numerical order in which these facilities are listed on the CA ADP list of licensed facilities[6].

Green indicates that the facility is located in a SFR neighborhood and properly fit there (by CA State Law or by Demographic Loading).

Yellow indicates that the facility doesn't fit current zoning practices but was permitted under obsolete 1970 zoning code prior to City of Pasadena 'downzoning' the property to SFR.

Red indicates the current ECTC CUP, which has not yet been granted

References:

[1] American Planning Association, "Policy Guide on Community Residences", 9/22/1997, http://www.planning.org/policy/guides/adopted/commres.htm.
[2] Smith, T.P., Jaffe, M., "Siting Group Homes for Developmentally Disabled Persons", Especially chapter 5 "The Proper Zoning Treatment", Governer's Planning Council on Developmental Disabilities, Minnesota State Planning Agency, 1986, http://www.mnddc.org/parallels2/pdf/86-SGM-APS.pdf
[3] National Fire Protection Association online viewer, http://www.nfpa.org.
[4] Burchell, R.W., et al., "Residential Demographic Multipliers, Estimates of the Occupants of New Housing", Rutgers University, Center for Urban Policy Research, June 2006, http://www.housingdata.org/resources/multipliers.pdf
[5] http://www.zillow.com/homes/
[6] CA ADP http://www.adp.state.ca.us/Licensing/reports.shtml
[7] http://www.addict-help.com/rehabcaliforniatreatment.asp
[8] http://alcoholism.about.com/od/tx_ca/qt/ecrs.htm
[9] http://planning.lacounty.gov/assets/upl/case/project_r2008-01555_ho-package.pdf
[10] http://assessormap.co.la.ca.us/mapping/viewer.asp
[11] DRP, "Notice of Public Hearing, Notice of Intent to Adopt a Negative Declaration, Project Number R2008-01555-(5), Conditional Use Permit No. 200800131, Environmental Assessment No. 200900053", no date.
[12] Private conversation with Lt. Sheila Sanchez, Detective Bureau Commander/Community Relations, 780 E. Altadena Dr., Altadena, CA 91001, ph 626-296-2198.
[13] http://en.wikipedia.org/wiki/Los_Angeles_County,_California

result from such a large mismatch (factor of 5) between the demographic loading of the ECTC at 20 residents and the surrounding R-1-20,000 community. This has been avoided elsewhere in LA County and should be avoided here as well.

All of this strongly suggests that LA County Code 22.56.090 A.1. "*That the proposed use will be consistent with the adopted general plan for the area.*" is not satisfied for this Conditional Use Permit.

Sincerely,

James C. Marr
1484 Old House Road
Pasadena
CA 91107
(818) 687-9810

CC:
- Rhonda Stone, Field Representative, District 4, Pasadena City Council (rstone@cityofpasadena.net)
- Tyler Montgomery, Regional Planning Assistant II, Zoning Permits II Section (TMontgomery@planning.lacounty.gov)
- Paul Novak, Planning Deputy, 5th District (PNovak@lacbos.org)
- Mitch Glaser, AICP (mglaser @planning.lacounty.gov)
- Richard J. Bruckner, Director, LA Department of Regional Planning (RBruckner@planning.lacounty.gov)
- Supervisor Michael D. Antonovich (fifthdistrict@lacbos.org)

with only 1/20th of the County's population would end up with 8/20th of the CA ADP-licensed RADTF beds, while the majority of locales in the County have none.

This concentration also seems curiously correlated with an observation that Lt. Sheila Sanchez (Detective Bureau Commander/Community Relations, LA Sherriff's Dept, Altadena) made during a May 7th interview[12] with the author and one other person about crime trends in the vicinity of the ECTC. She remarked that there was an unexplained general increasing Type 1 crime trend in the Altadena/Pasadena area over the past 5 years while the rest of LA County was showing a decreasing Type 1 crime trend but which she could not directly correlate with the growth of the ECTC. When asked whether her answer would be different if she looked at the past 15 years rather than just the past 5 years, she answered that her answer would be the same.

Table 2: RADTF statistics for AltaPas vs LA County

Locale	Area (sqmi)	Population	# RADTFs	#RADTF beds
LA County	4752	4065585	35	982
Pasadena	23.2	151346	8	378
Altadena	8.7	42610	3	36
AltaPas	31.9	193956	11	414
AltaPas/LAC	0.7%	4.8%	31.4%	42.2%

Summary

This paper shows that fifteen of the sixteen CA ADP-licensed Residential (live-in) Alcohol and Drug Treatment Facilities (RADTFs) throughout LA County that are located in single-family residential neighborhoods are either licensed at or below the permit free capacity of six residents (13 of them), match the demographic loading of their surrounding neighborhood (1 of them), or were permitted in a multi-family zone prior to downzoning into a single-family residential zone (one of them).

Calculations using Demographic Multipliers also shows that the ECTC at 20 residents would have 5 times higher persons/acre than its surrounding R-1-20,000 zone and **would make the ECTC the *only* SFR RADTF in the entire LA county that is inconsistent with demographic loading for its zone.**

This paper also argues that, by American Planning Association (APA) guidelines, the ECTC, a short term treatment center, at the 20 person level fits the APA guidelines for a Recovery Community, which more closely resembles multiple family housing than single family housing and is much less suitable for SFR siting than are Group Homes.

While the Environmental Impact Negative Declaration may address some aspects of siting a facility like the ECTC, it does not address them all, as evidenced by Ms. Jane McReynolds May 18th testimony regarding noise. Other aspects are also likely to

Negative Declaration

The RPC Hearing Notice[11] states that the County intends to adopt a Negative Declaration to the effect that *"the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of no significance."*

While the environmental impact analysis behind this negative declaration addresses some important questions about the effects of siting a facility the size of the ECTC at 20 persons (plus staff) regardless of where it is, it does not address all of the impacts that result from a large mismatch between the average occupancy in one property and that of adjacent properties.

Consider, for example, the May 18th testimony of Ms. Jane McReynolds, the ECTC neighbor on the other side of the ECTC back fence (North). She testified that the noise from the ECTC drove her husband to leave their home regularly. Obviously, the presence and operation of the 20-person ECTC was significantly impacting the McReynolds peace and enjoyment of their home. Other testimony already submitted to the Hearing Officer suggests that there are other impacts that are also not addressed by the Negative Declaration.

As another example, LA County Regional Planning "Initial Study R2008-01555...Other Factors 3. Land Use" correctly indicates that ADFs are allowed with a CUP, however it says nothing about the reasoning behind how the determination is made as to whether to grant/deny such a CUP application.

RADTF Distribution in LA County

A curious observation about the distribution of RADTFs within LA County erupted from the research for this paper.

LA County occupies 4,752 square miles (mi^2), has a population of 4,065,585 persons[13], and has a total of 35 CA ADP-licensed RADTFs with 982 licensed bed capacity (Attachment 1). The City of Pasadena occupies 23.2 mi^2, has a population of 151,346 persons and has a total of 8 RADTFs with a total of 378 licensed beds. Similarly, Altadena, occupies 8.7 mi^2, has a population of 42,610, and has 3 RADTFs with 36 licensed beds. Together, Pasadena and Altadena occupy 31.9 mi^2, have a population of 193,956 people, and have 11 RADTFs with a total of 414 licensed beds.

Comparing Altadena & Pasadena together (AltaPas) with LA County shows that: AltaPas occupies 0.7% (< 1/100th) of LA County, contains 4.8% (< 1/20th) of LA County's population, and has 31% (~ 1/3) of LA County's RADTFs with 42% (8/20th) of their licensed beds. While there doesn't appear to be anything to legally prevent this kind of concentration from occurring, it seems rather odd that a locale

siting within SFR neighborhoods to enable participation in and building of relationships within that SFR community (this is the primary argument for locating them within SFR communities). Halfway Houses or Recovery Community Homes are short-term living arrangements (limited to weeks or months) during which the residents undergo continuous treatment and, to maintain anonymity, specifically have no contact with the local community. For some relevant excerpts from the APA definitions of these two groupings, see Attachment-3.

Table 1: Suitability for SFR location per APA distinctions. Green= Yes; Yellow=maybe.

Group Home	Half-way House or Recovery Community
Long-term living (years). Siting in single-family residential important for client assimilation into neighborhood.	Short-term (weeks, months) living. More like multi-family residential than SFR. Avoids interaction with neighborhood.

Eaton Canyon Treatment Center (ECTC)

Multiple web sites indicate that the ECTC is a short-term Recovery Community facility with residencies lasting roughly 30 days. For example, one site reports ECTC is "*considered 'residential', 30 days or less of in-patient drug and alcohol rehab treatment programs. These are where a person lives full time and participates in drug alcohol treatment all day, every day*[7]." And another states that the type of care provided by the ECTC is "*Residential short-term treatment (30 days or less), Outpatient, Partial hospitalization/day treatment*[8]."

This is substantiated by letters from former ECTC clients that were submitted in the ECTC Supplemental included in the Hearing Officer Package[9] who reported stays of 30 days (some multiple stays).

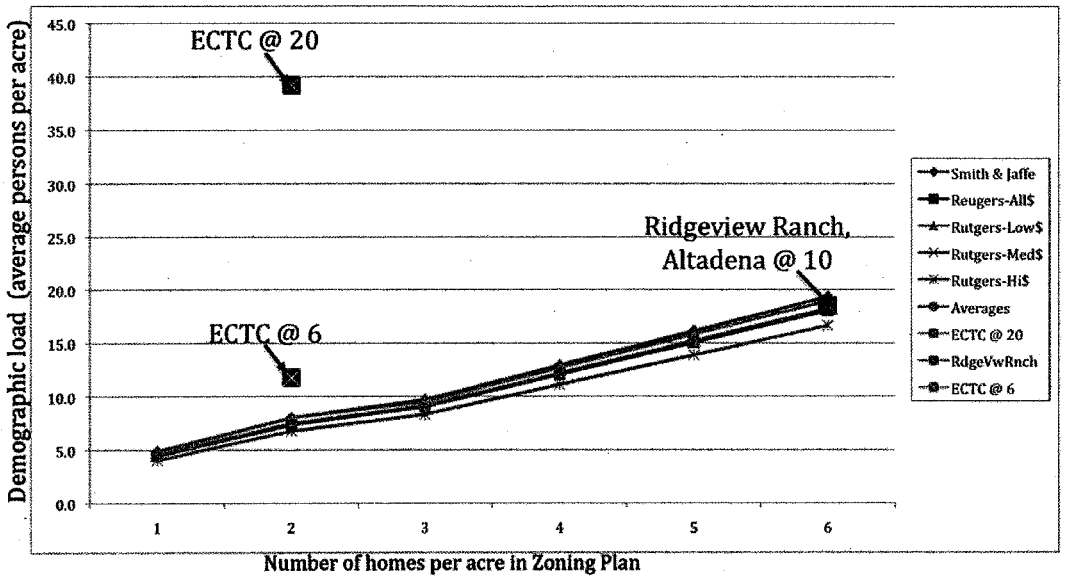
This is also substantiated by the list of former clients contained in the same ECTC Supplemental, Attachment D, which shows the ECTC has had an average of 209 clients per year (range 190 to 217 over five years, total of 1,043 clients in those five years, not including 2010). In order for the ECTC to stay below their CA State ADP license of 20 persons, the average stay of these 209 clients per year must be around 30 days [(365 days/year)/(209 clients/year)*(20 clients) = 35 days]. Indeed, if one were to assume an average stay of 30 days, then that suggests that the ECTC had an average occupancy of 17 clients at any given time throughout those 5 years (2005-2009).

Thus, ECTC is not a Group Home, in the APA sense, where residents live long-term within the residential community in order to build relationships with that community. Indeed, to preserve the anonymity of ECTC clients, ECTC strives to keep clients from interacting with the local community (although from some testimony provided to the Hearing Officer, this may not have always been successful).

Referring to Table-1, at 20 residents (CUP approval), ECTC falls into the right half of the table where there is little justification for locating the facility in a SFR neighborhood.

Attachment-2 goes through these calculations for Ridgeview Ranch and shows that Ridgeview Ranch, at 10 residents, fits very nicely with the average occupancy per acre for the SFR neighborhood in which it resides (Figure-1, below, which is the same as Attachment-2, Figure-2).

The last of the fifteen SFR RADTFs is the ECTC itself. Going through the same calculations for the ECTC as was done for Ridgeview Ranch (also done in Attachment-2), shows that ***granting the CUP for the ECTC would result in an average occupancy of more than 5 times the number of persons/acre for a 2-lot/acre SFR neighborhood, unlike any other SFR RADTF in the entire LA County.***



Homes/Acre	BR/home	Smith & Jaffe	Reugers-All $	Rutgers-Low$	Rutgers-Med$	Rutgers-Hi$	Averages	ECTC @ 20	ECTC @ 6	RdgeVwRnch
1	5	4.9	4.4	4.8	4.4	4.0	4.5			
2	4	8.0	7.4	8.0	7.3	6.8	7.5	39.2	11.8	
3	3	9.7	9.0	9.5	9.1	8.3	9.1			
4	3	12.9	12.0	12.6	12.2	11.1	12.2			
5	3	16.1	15.1	15.8	15.2	13.9	15.2			
6	3	19.4	18.1	19.0	18.2	16.6	18.2			18.5

Figure 1: Demographic Load vs. Homes/Acre from Attachment-2

ADFTs vs. Other Adult Residential Facilities (ARFs)

LA County Code appears to contain only one distinction for Adult Residential Facilities (ARFs): six or fewer residents or more than seven residents. The American Planning Association (APA) provides other distinctions worth taking a look at.

The APA[1] distinguishes between two types of ARFs: "Group Homes" and "Halfway Houses or Recovery Community Homes." Group Homes are long-term living arrangements (residency typically many years, with no time limit) that warrant

Characteristics of Current LA County ADTFs

Attachment-1 is a listing of all CA Alcohol and Drug Program (**ADP**) state-licensed Residential (live-in) Alcohol and Drug Treatment Facilities (**RADTFs**) that are located anywhere within the boundaries of LA County, as obtained from the CA ADP web site[6].

There are only thirty-five (35) of these RADTFs, ranging in size from small (4 residents) to large (143 residents).

Sixteen (16) of these are located in Single-Family Residential (**SFR**) neighborhoods, varying in CA State ADP-licensed capacity from 4 to 20. Fully 13 of these are CA ADP licensed at the permit-free level of six (6) persons or fewer (two are licensed for only four residents). That means that four out of every five LA County SFR RADTFs are limited to six or fewer persons, no matter where in LA County they are located.

This leaves three SFR RADTFs that warrant closer scrutiny (one of which is the ECTC, the subject of CUP 200800131).

One facility (the Marengo Facility, in Pasadena, No. 8 & colored yellow in Attachment-1) is licensed for 16 males and is located in a SFR 6-lots/acre zone. According to Denver Miller, Principal Planner, Current Planning/Zoning, City of Pasadena [Attachment-4], this facility was granted a use permit "*back in 1970 under a very old zoning code. ... We did a number of zone changes back in the 1990's. Most of these downzoned properties. If a use is established legally and the zone changes, the use simply becomes a nonconforming use. ... Entitlements run with the land regardless of changes within the Zoning Code.*" Thus, Marengo Facility does not set a precedent, as it was originally permitted for a multi-family residential zone.

The other SFR RADTF (besides ECTC) is the Ridgeview Ranch in Northwest Altadena which is CA ADP licensed for 10 coed residents and is located in a predominantly 3 bedroom R-1-7,500 (6 lots/acre) zone. Ridgeview Ranch is located on a pair of lots that constitute 0.54 acres located at the end of a cul-de-sac. It is bordered on the South and East by horse stables and on the West by the Arroyo Seco canyon East of the NASA Jet Propulsion Laboratory.

How does one go about deciding whether Ridgeview Ranch is an appropriate fit for this particular SFR neighborhood?

Smith and Jaffe[2] provide an appropriate method using National Demographic Multipliers (**NDMs**). This method provides the average number of persons per residence as a function of the number of bedrooms in the residence (larger for a larger number of bedrooms, as one would suspect). Using an average number of bedrooms for the homes in the area under investigation, multiplied by the NDM for the number of persons per bedroom, multiplied by the number of homes per acre, yields the average number of persons per acre for that area, or "average occupancy".

2 June 2010

Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery

Subject: Project R2008-01555-(5); CUP 200800131; Environmental Assessment: 20090053, all regarding the Eaton Canyon Treatment Center (ECTC) at 3323 Fairpoint St., Pasadena, CA 91107.

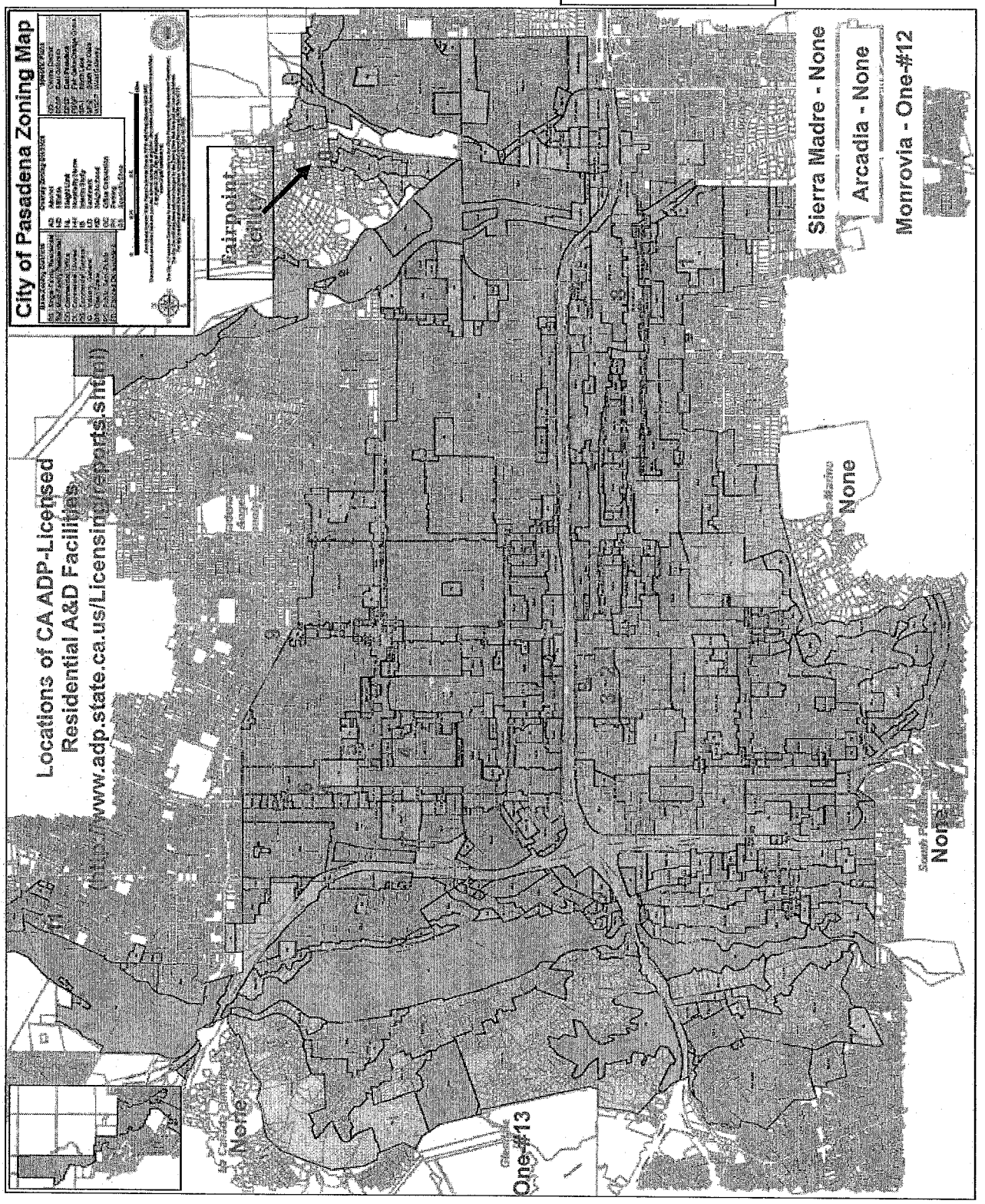
Abstract

This paper demonstrates that granting of CUP 200800131 for the ECTC is inconsistent with both prior practices for all communities within LA County and with current urban planning demographic densities for single-family residential (**SFR**) neighborhoods. There are thirty-five (35) CA ADP-licensed adult Residential (live-in) alcohol and drug treatment facilities (**RADTFs**) located in all of LA County. Sixteen of these are located in SFR neighborhoods. Thirteen of these sixteen are licensed at the permit-fee level of 6 persons or less (that's 4 out of every 5). One (Marengo Facility, Pasadena) is licensed for 16 persons in what is now a SFR 6-lots/acre zone but was permitted in 1970 prior to downzoning the area to SFR in the 1990's. One other (Ridgeview Ranch, NW Altadena) is licensed for 10 persons in a SFR 6-lots/acre zone. This paper shows that this last unit is consistent with demographic loading/acre for its 6-lots/acre zone. This paper also shows that approval of the ECTC CUP for 20 persons would place it at more than 5 times higher than the demographic loading for the SFR 2-lots/acre neighborhood in which it is located, and **would make it the *only one* out of the sixteen SFR RADTFs in LA County not fitting surrounding neighborhood demographic densities.**

Secondly, the paper shows that, while LA County doesn't appear to distinguish between different types of adult residential facilities (ADFs), the American Planning Association (APA) does distinguish between Group Homes with long-term living arrangements that properly belong in SFR neighborhoods and Recovery Communities, such as the ECTC, that are short-term (time-limited) living arrangements that do not benefit from interaction with the SFR neighborhood (indeed, specifically avoiding such interactions) and thus lack a compelling reason to be located there.

Finally, it is curious to note that, while the Pasadena/Altadena area occupies less than 1% of LA County and houses only 4.8% (less than 1/20th) of LA County's population[13], 31% (just about 1/3) of the CA ADP-licensed RADTFs in the all of LA County happen to be located in these two communities, as are 42% of the total RADTF beds. Could this possibly be a contributor to Lt. Sheila Sanchez' (LA County Detective Bureau Commander/ Community Relations, LA Sherriff's Dept., Altadena) observation on 7 May 2010[12] that Type 1 crimes appeared to be rising in the Pasadena/Altadena area while going down elsewhere in LA County?

Attachment [2]



9	Alcohol and Substance Abuse Program, Inc. 1092 New York Ave, Altadena, CA 91001 (*Adjacent to the Lake St commercial corridor*) 818.421.7890	6/TBD	Coed, FP	R-3 Limited multiple residence
10	Eaton Canyon Treatment Center 3323 East Fairpoint St, Pasadena, CA 91107 (*Deep in a low-density residential area*)	20/TBD	Coed, FP	LA County R-1-20,000 2 lots per acre
11	Ridgeview Ranch 3085 Ridgeview Dr, Altadena, CA 91001 (*East edge medium-density residential area*) 626.482.3478	10/7	Coed, FP	LA County R-1-7,500 Six lots per acre
12	Phoenix Houses of California 345 W Foothill Blvd, Monrovia, CA 91016 (Adjacent to the Foothill Blvd commercial corridor) 626.357.8612	35/10	Women/ Children NP	TBD but is on Foothill blvd in commercial sector.
13	Glendale Adventist Alcohol and Drug Services 335 Mission Road, Glendale, CA 91205 (In leisure community adjacent to Forest Lawn cemetery) 818.242.3116	24/TBD	Coed, NP	TBD but is in an area with other large residential facilities.
	There are no ADP licensed Residential facilities in the adjacent communities of: Arcadia, La Canada, La Crescenta, Sierra Madre, San Marino, or South Pasadena.			

NP = Non-Profit; FP = For-Profit; TBD = To Be Determined

Attachment [1]: Table of Pasadena-area Licensed Residential Alcohol & Drug Facilities
Data from: http://www.adp.state.ca.us/Licensing/reports.shtml

	Facility Name & Addr	Licensed Capacity/ Current residents	Type	Zoning
1	The Villa at Las Encinas, 2900 E Del Mar Bvd, Pasadena, 91107 626.356.2650	38/TBD	Coed, FP	PS (Public, Semi-Public Institutional)
2	Casa de las Amigas, 160 N El Molino Ave, Pasadena, 91101 (*Adjacent to the Walnut St commercial corridor*) 626.792.2770	37/34	Women only, NP	CD-3 Central District, Walnut Street Urban Village subdistrict
3	The Bishop Gooden Home 191 N El Molino Ave, Pasadena, CA 91101 (*Adjacent to the Walnut St commercial corridor*) 626.356.0078	26/13	Men only, NP	CD-3 Central District, Walnut Street Urban Village subdistrict
4	Marengo Facility 1230 N Marengo Ave, Pasadena, CA 91103 (*Adjacent to the Fair Oaks Ave corridor*) 626.797.1124	16/14	Men only, NP	RS-6, LD-2 Res'-6 lots per acre, Landmark district
5	Grandview House 225 Grandview St., Pasadena, CA 91104 (*Adjacent to the Fair Oaks Ave corridor*) 626.797.1124 (same as #4)	22/22	Men only, NP	RM-16 Multi-Family Residential
6	Pasadena Recovery Center 1811 N Raymond Ave, Pasadena, CA 91103 (*Adjacent to the Fair Oaks Ave corridor*) 626.345.9992	88/~44	Coed, FP	RM-12 Res' with 6 lots per acre, with 2 units per lot
7	Impact Drug & Alcohol Treatment Center 1680 N Fair Oaks Ave, Pasadena, CA 91103 (*Adjacent to the Fair Oaks Ave corridor*) 626.798.0884	130/90	Coed, NP	RM-12 Res' with 6 lots per acre, with 2 units per lot
8	Impact Transitional Living Facility 2659 & 2661 Nina St., Pasadena, CA 91107 (*Adjacent to the Walnut St commercial corridor*) 626.798.0884 (same as #7)	21/ included in #7 above	Women only, NP	EPSP-d1-IG East Foothill Industrial District

References:

[1] *Notice of Pubic Hearing, Notice of intent to adopt a negative declaration*, Project Number R2008-01555-(5), Conditional Use Permit No. 200800131, Environmental Assessment No. 200900053, as posted at http://planning.lacounty.gov/case.
[2] *Factual Materials*, Project Number R2008-01555-(5), Conditional Use Permit No. 200800131, Environmental Assessment No. 200900053, as posted at http://planning.lacounty.gov/case.
[3] Private telephone conversation with Tyler Montgomery at 5:00 PM 13 April 2010.
[4] CA ADP http://www.adp.state.ca.us/Licensing/reports.shtml
[5] City of Pasadena zoning plan and map:
http://ww2.cityofpasadena.net/zoning/P-2.html - 17.28.080
http://ww2.cityofpasadena.net/planning/deptorg/curplng/pdfs/Zoning_Map_Citywide.pdf
[6] City of Pasadena Central District General Plan:
(*http://ww2.cityofpasadena.net/planning/deptorg/commplng/GenPlan/centraldistrict/section4.pdf*)
[7] LA County zoning map for Altadena:
http://planning.lacounty.gov/assets/upl/data/map_z41-altadena-z.pdf
[8] CA State ADP Initial Licensing package:
http://www.adp.state.ca.us/Licensing/InitialLicenseApp.shtml
http://www.adp.state.ca.us/Licensing/pdf/Status_Report.pdf
[9] Zoning Permit Application for Assessor's Parcel Number 5860-020-019 dated 8-19-08 with Attachment A "Request for Discretionary Review, 3323 Fairpoint Street, Pasadena" dated August 2008.
[10] Connie Cheung, "Eaton Canyon Request for Reasonable Accommodation: Hypothetical Analysis", 1 October 2009.
[11] LA County, "Initial Study R2008-01555", 19 April 2010.
[12] Deleted.
[13] Ken Habaradas, DPH Hold R2008-01555, 10 July 2010.
[14] Partrick Nejadian, DPH Clearance R2008-01555, 2 March 2010.
[16] National Institute of Drug Abuse (NIDA), "NIDA Notes" at
http://www.drugabuse.gov/NIDA_Notes/NNVol13N4/Relapse.html
[17] Private communication with Ms. Jane McReynolds, 20 April 2010.
[18] Eaton Canyon Treatment Services, Inc., letter of incorporation, contained in the Hearing Officer's file for project R2008-01555-(5).
[19] LA County Code Section 22.20.020 'Home-based occupations – Regulations"
[20] Wikipedia, "California Proposition 36", at
http://en.wikipedia.org/wiki/California_Proposition_36_(2000)

Attachments:

[1] Listing of Residential Alcohol and Drug residential facilities in the Pasadena area taken from Ref [4]. This listing shows name, address, capacity, resident gender restrictions, and zoning classification.
[2] Map showing the location of 11 of the CA State licensed Alcohol and Drug Residential facilities (two are outside of the map boundaries).

"A.1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
A.2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
A.3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare."

In conclusion: The requested CUP allowing the Fairpoint project capacity to exceed the permit-free six residents should not be approved.

- The owner has not shown the need for the added capacity in the Pasadena vicinity. Indeed, more than one-third of the Pasadena vicinity's current ADF capacity sits vacant.
- Holding the facility to a capacity of six persons would have a negligible (3%) impact on the residential treatment capacity in the Pasadena area as shown above and would be consistent with the low-density residential area in which the Fairpoint project resides by providing one bedroom per resident and one spare.
- Allowing 7 to 8 employees is not consistent with LA Code 22.20.020.5 regarding home-based businesses.
- The owner has not upgraded the wastewater handling system to accommodate the larger capacity of 27 to 28 residents plus staff that he is requesting in this CUP application.
- The owner has not complied with LA County code for the past seven years in spite of being notified in his CA state ADP initial licensing package that he was required to do so demonstrating flagrant disregard for the LA County Code.
- The owner has misrepresented, in his CUP application, the sentiments of *at least* one of the four immediate adjoining properties.
- The owner has not followed the practices given in the ADP "Good Neighbor Guidelines" provided to him with his CA ADP initial licensing package.
- The owner and his staff reportedly continue to present a hostile posture to most Fairpoint facility neighbors and surrounding community, impacting their health, peace, comfort, welfare and enjoyment of their own homes, ample demonstration that the requirements of LA County code 22.56.040 have not been satisfied.

This CUP application needs to be denied.

Respectfully,

James C. and Michele M. Marr
1484 Old House Road, Pasadena, CA 91107
Ph: 626-794-9805; Email: jcmarr@earthlink.net

There is hearsay evidence that there are similar back-stories to the other three neighbor's letters contained in Ref [9], Attachment A, as well. Supporting material for these back-stories *is likely to* be presented at the hearing, as well.

Ms. McReynolds statement and the hearsay back-stories for the other three support letters in the CUP application suggest that the ECTC is not supported by immediately adjacent as Mr. Heard claims. Again, further details will be illuminated at the hearing.

9. In the CUP application material (Ref [9], Attachment A), the owner states: "many of these concerns, emanating from residents that re not immediately adjacent to the project site, are based upon unfounded assumptions and negative stereotypes about persons affected by drug and alcohol addictions." This is not the case. The concerns arise from the known relapse rates for persons with drug and alcohol dependencies, which according to the National Institute of Drug Abuse (NIDA) range from 22% to 75% within six months of leaving treatment (Ref [16]) and only 34% of persons statewide actually complete their residential program (Ref [20]). When these persons relapse, there is considerable concern that they will return to the neighborhoods where they received treatment in order to find resources that they need to support their addiction. Further, in the CUP application (Ref [9], Attachment A, pg 8), the owner states "The Applicant does not accept persons with criminal backgrounds and other anti-social behaviors, such as sex offenders, into its program." Given the Americans with Disabilities Act (ADA) it is not clear how the owner would accomplish this screening without running the risk of a discrimination lawsuit. Given these data, it is not unjustified for neighbors to have some concerns about the effects of the Eaton Canyon treatment program in the neighborhood, clearly affecting their peace and comfort.

10. The former owner and current CEO of the Eaten Canyon Treatment Center, James Heard, states in his CUP application (Ref [9]), Attachment A, page 9 that "there is no intention to expand the program on this site or any other site." James Heard has recently purchased a property that is immediately southeast of the Fairpoint project at address 1585 Sierra Madre Villa Ave (AIN 5860-023-012) and has been engaged in substantial upgrades to the property, including odd things like routing air conditioning ducts to the garage. The neighborhood is quite concerned that Mr. Heard plans to expand the Fairpoint project across the street to this property. Given Mr. Heard's disregard for LA County codes in the past, it is speculative but possible that he will be similarly cavalier with City of Pasadena code, which has similar provisions to LA County code. While this speculation is not the subject of the current hearing, you should be aware of this issue and be prepared to re-open the CUP if Mr. Heard does expand his facility across the street as it is suspected his intentions are.

11. Given the above, the applicant has not, contrary to his CUP application statement (Ref [9], Attachment A, pages 7 through 12 "Burden of Proof") demonstrated that he has met the requirements of LA County code 22.56.040 "Application—Burden of Proof" subsections A.1, A.2 or A.3. The reportedly hostile posture towards and threats made to ANY Fairpoint facility neighbors is certainly not consistent with substantiating to the satisfaction of the Hearing Officer that the requested use at the location will not:

In the event that the county does decide to proceed with approval (not recommended), any capacity beyond six residents should not be approved until solid evidence has been presented that the wastewater handling system has been upgraded to handle any approved additional resident and staff capacity.

6. The owner has operated the Fairpoint project facility since 2003 (seven years!) at a capacity exceeding the permit-free maximum capacity of 6 persons (Ref [2]) in violation of LA County code even though the applicant was given notice that compliance with county codes was required as part of his CA State ADP initial license application prior to CA State licensing (Ref [8]). This suggests that the owner is either careless towards code compliance or has deliberately tried to avoid compliance. Either way, the County should pay particular attention to the operation/compliance-posture of this facility regardless of whether the CUP is approved (not recommended) or denied (recommended).

7. The Fairpoint facility owner has failed to engage the local community as recommended in the ADP "Good Neighbor Guidelines" provided with the CA State initial license package (Ref [8]). Counter to the applicant's statements and letters from immediate neighbors provided with his CUP application (Ref [9]), the owner maintains a hostile posture towards most of the Fairpoint facility neighbors and local Sierra Madre Villa Association neighbors. For example, threats were made by a Fairpoint facility staff member to a local resident during a Victory Park town hall meeting regarding this facility. One individual associated with the Fairpoint facility told a neighbor who was expressing concerns about the facility that "you'd better watch your back"!

According to neighbors in the vicinity of the Fairpoint facility, the owner continues to be rude and arrogant towards neighbors of the Fairpoint facility, rebuffing neighbors raising issues regarding the facility. Further, he reportedly intimidates neighbors with his bravado regarding his wealth and power, essentially telling them that they have no say regarding anything to do with his facility or how he operates it.

LA County should not approve the current CUP and should not consider any future CUP application until the owner and his staff demonstrate to the Sierra Madre Villa community that he is willing to engage the community in accordance with the CA ADP "Good Neighbor Guidelines" for a minimum performance period, suggested to be five years, while operating within the six person permit-free maximum capacity.

8. The Eaton Canyon CUP application (Ref [9], Attachment A, "Burden of Proof" pg 12) states: "The neighbor to the north, who has lived at the same residence for 38 years, has also indicated that she has had no problems with the operation of Eaton Canyon Treatment Center and has a rapport with Mr. James Heard." The resident of this property, AIN 5860-020-014, Ms. Jane McReynolds **denies the validity of this statement** and will provide a sworn affidavit to that effect at the hearing. She claims (Ref [17]) that attorneys for Mr. Heard made two attempts to coerce her ('what can we do to get you to sign') into signing a letter similar to those obtained from the Fairpoint facilities east/west neighbors. She refused to sign the letter because she did not agree with the contents of the letter she was being asked to sign. Further, she says that she does not have a rapport with Mr. Heard. Further details of this will be presented at the hearing along with the signed sworn affidavit.

facilities) and would be consistent with the R-1-20,000 zoning in which the Fairpoint project is located. Additionally, six residents plus one or two staff would be consistent with a normal residential building personnel load in this area.

The impact of restricting the Fairpoint project to six persons would be a 3% reduction in the Residential Capacity in the Pasadena vicinity ((20-6=14)/473=3%), which is negligible. Additionally, the reduction in coed capacity is (20-6=14)/316=5%), also negligible.

The applicant has not presented justification of the need for a 3% expansion of the Pasadena vicinity Residential Capacity or the 5% expansion in the Pasadena vicinity coed capacity.

4. There is currently substantial available residential ADF capacity in the Pasadena vicinity.

Telephone calls to nine of the thirteen Pasadena residential treatment facilities requesting their current number of residents shows that there are *at least* 151 residential treatment facility beds available (Attachment [1]). Each of these facilities indicated that, while there is some fluctuation, the current levels are typical. That is "*at least*" because four of the facilities (having a total licensed capacity of 88 between them) didn't have anyone available who could or would provide their current resident count. These 151 vacant beds are out of a total capacity of 385 licensed beds for these nine facilities, so 39.2% of their capacity is currently vacant.

If all four of the other facilities are at similar occupancy rates, then there would be ~185 vacant beds out of the total 473 bed Pasadena residential ADF capacity.

Denying the Fairpoint project CUP would still leave (185-14)/(473-14) = 171 vacant beds or 171/459 = 37.3% of the available vacant Pasadena vicinity residential ADF capacity.

Conclusion: More than one-third (1/3) of the Pasadena residential ADF capacity is currently Vacant. The need for expanding the Fairpoint project capacity beyond a permit-free six residents is not justified at this time.

5. Wastewater handling:

The owner of the Fairpoint project facility has operated the facility since 2003 with a capacity exceeding six persons without an adequate wastewater handling system. Neighbors have observed that the existing septic tank has overflowed during periods of significant rainfall.

The LA County Department of Public Health (DPH) placed a hold on approval of the CUP application until the conditions of Attachment-1 of the DPH letter of 10 July 2009 (Ref [13]), none of which have yet been met. The Initial Study R2008-01555 makes this a condition for Negative Declaration (page 9, Ref [11]). While the DPH has issued a Clearance Letter (Ref [14]) in March 2010, this letter only stated that the DPH has no objection to the installation of a new waste handling system (Pasadena sewer hookup or proposed on-site wastewater handling system by A.V. Environmental Technologies). To the best of our knowledge, the installation of this system has not been approved by the Department of Public Works or the Building and Safety Division, and has not yet been installed.

persons not residing at the residence to work on the premises, clearly inconsistent with the intention of this regulation.

2. In spite of Air Quality Item "a." (page 10) of the Initial Study R2008-01555 (Ref [11]) that reads "an addition of only eight (8) on-site residents is sought, and no new floor area or employees will be added", Eaton Canyon is actually adding 14 residents from the permit-free level of six residents, plus seven to eight daytime employees (Ref [9], Attachment A,"Parking") most of whom would likely not be required for the permit-free level of six residents. Thus, the total *additional* load on the facility is more like twenty (20) persons (the 14 additional residents plus, say, 6 of the 7 to 8 daytime employees). These additional 20 persons on top of the six permit-free residents and one daytime employee, brings the total daytime load on the facility (e.g., the septic system) to 27 to 28 persons every single day of the year. This load is significantly above that which would be expected for any single-family residence in the Sierra Madre Villa community on a steady basis.

3. The requested CUP is inconsistent with the characteristics and locations of similar residential treatment facilities in the Pasadena vicinity.

There are 13 CA ADP licensed residential alcohol and drug recovery facilities (ADFs) in the Pasadena vicinity. Nine in Pasadena, two in Altadena, one in Monrovia and one in Glendale. Eight are non-profit and five are for-profit; Eaton Canyon is one of the for-profit ADFs. There are no such residential ADFs in the adjacent communities of Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena (Ref [4]).

Attachment [1] lists the name, address, telephone number, capacity, current resident count, resident gender-restrictions, non-profit (NP) or for-profit (FP) type, and zoning classification for each of the 13 CA ADP licensed residential facilities in the Pasadena area. Attachment [2] shows the locations of these facilities with numbered locations matching those in the left hand column of Attachment [1].

The Resident facilities listed in Attachment [1] provide a total capacity of 473 persons (including the Fairpoint project at 20 persons). Of this capacity, 316 are coed (including the Fairpoint project at 20 persons), 64 are male-only, and 93 are women-only.

Of the 13 residential facilities in the Pasadena vicinity, all except two are located in areas along major business corridors that minimize disruption to residential neighborhoods and provide convenient access to public transportation for facility staff. Only two are in low-medium density residential neighborhoods and both are located in LA County (Altadena & on Fairpoint). The Altadena facility is limited to a capacity of 10 residents, not too inconsistent with its surrounding neighborhood. There are no City of Pasadena residential facilities in low-density residential neighborhoods. The Monrovia facility is located along the Foothill Blvd commercial corridor and the Glendale facility is located in an area with other large residential facilities near the Forest Lawn cemetery (Attachments [1] & [2]).

The Fairpoint project is immediately adjacent to the City of Pasadena boundary (located across the street to the south) in a low-density residential neighborhood and does not have convenient access to public transportation.

Restricting the Fairpoint project to six residents would be consistent with prior LA County permitting of similar facilities in the Pasadena vicinity (the Altadena

17 April 2010

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012

Attn: Tyler Montgomery
Reference: Project Number R2008-01555-(5)

Dear Mr. Montgomery,

While we recognize the importance of authorizing residential Alcohol and Drug recovery programs to implement CA Proposition 36 that was passed in 2000, we also recognize the importance of maintaining the standards of local communities as intended in the LA County zoning code. We believe that granting the requested CUP for 3323 Fairpoint is not in the best interest of maintaining the standards of the Sierra Madre Villa foothill community, nor is this expansion needed to meet needs within the Pasadena community.

The purpose of this letter is to specifically request that the Conditional Use Permit (CUP) (References [1] & [2]) for Project Number R2008-01555-(5) be denied for the reasons described below.

1. The requested CUP is inconsistent with the intention of R-1-20,000 zoning in which the facility resides.

Twenty persons living in a single family dwelling of 5,648 sq feet (Ref [2]) is not similar to the use of the surrounding housing in the Sierra Madre Villa region. With seven bedrooms (Ref [9]) and 20 residents, three adults must share each bedroom, very unlike the use of any other homes in the area. Counter to Connie Chung's comments in Ref [10], you will not find, anywhere in this community, a family of 20 living in a home of this size and, even if there were one, you would have heard about it from this very vocal community. Constraining the facility to a maximum of six persons (by CUP denial) would be consistent with property usage in the vicinity of the Fairpoint facility, allowing one adult person per bedroom, and one spare bedroom for transitions (where one resident hasn't yet departed and another is arriving).

Further, the ECTC is a for-profit commercial activity (Ref [4]) that is also inconsistent with the use of a residential neighborhood. The articles of incorporation for ECTS, Inc., allow for any activity that it is legal for a CA corporation to engage in (Ref [18]). Thus, there are no constraints on the business activities that might be conducted from the premises of the ECTC. LA County places severe zoning constraints on business activities that may be conducted from personal residences (Ref [19]). A good example from Ref [19] is: "*5. The use shall be conducted only by persons residing within the dwelling unit, except that no more than one person not residing on the premises may be employed, either for pay or as a volunteer, to work on the premises as part of the home-based occupation carried on in the dwelling unit. One on-site standard sized parking space shall be provided for such employee or volunteer in addition to other required parking set forth in this Title 22.*" The proposed CUP would allow seven (7) to eight (8)

TYLER MONTGOMERY
3323 FAIRPOINT STREET – R2008-01555

Please see that the Hearing Officer receives a copy of this letter and that our objections are noted. Should you desire any additional input, please don't hesitate to contact me at 626-744-6936.

Sincerely,

Steve Mermell
Assistant City Manager

SM: ds

xc: Richard Bruckner, Director of Planning, Los Angeles County
Michael Beck, City Manager, City of Pasadena
Steve Haderlein, Councilmember, City of Pasadena

PLANNING AND DEVELOPMENT DEPARTMENT

May 5, 2010

Tyler Montgomery
County of Los Angeles
Department of Regional Planning
320 W. Temple St., Room 1346
Los Angeles, CA 90012

RE: May 18, 2010 Hearing Officer Hearing
Proposed Eaton Canyon Recovery Center at 3323 Fairpoint Street (R2008-01555)

Dear Mr. Montgomery:

This letter serves as notification that the City of Pasadena opposes the Eaton Canyon Recovery Center at 3323 Fairpoint Street in unincorporated Los Angeles County, adjacent to the City of Pasadena.

It is understood that this facility currently exists and was established without the appropriate reviews or permits. The application under consideration by the Hearing Officer would legalize the facility.

The City of Pasadena opposes the facility for the following reasons:

1) The facility would generate an inordinate amount of vehicle traffic and on-street parking for a single-family residential neighborhood;
2) The septic system is inadequate for a 20-bed facility, plus staff and visitors;
3) There is inadequate fire access to the rear of the structure; and
4) A facility of this size is inappropriate for a single-family neighborhood.

The fact that the facility has been in operation without first obtaining the required approvals should also be considered in making your determination.

The City of Pasadena understands the benefit recovery centers can provide to certain members of our community; however, it is vitally important that such facilities be located in areas with sufficient capacity to support their activity and given the reasons stated above, 3323 Fairpoint Street is not a suitable location.

175 North Garfield Avenue · Pasadena, CA 91101-1704
(626) 744-4650
www.cityofpasadena.net

As I stated in my earlier letter, the City of Pasadena agrees that recovery centers can benefit members of our community, but such facilities must be located in areas that can accommodate and support their activity. The neighborhood surrounding 3323 Fairpoint Street is not such an area, and for the reasons stated above we respectfully request that this Conditional Use Permit application be denied.

Please see that the Regional Planning Commission receives a copy of this letter and that our objections are noted. Should you desire any additional input, please contact me at 626-744-6936.

Sincerely,

Steve Mermell
Assistant City Manager

SM: ds

Enclosure: May 5, 2010 Letter to Hearing Officer

xc: Richard Bruckner, Director of Planning , Los Angeles County
Michael Beck, City Manager, City of Pasadena
Steve Haderlein, Councilmember, City of Pasadena

JUN 14 2010

OFFICE OF THE CITY MANAGER

June 8, 2010

Tyler Montgomery
Department of Regional Planning
320 W. Temple St., Room 1346
Los Angeles, CA 90012

RE: July 7, 2010 Regional Planning Commission Hearing
Proposed Eaton Canyon Recovery Center at 3323 Fairpoint Street (R2008-01555)

Dear Mr. Montgomery:

This letter is in response to statements made at the Hearing Officer meeting of May 18, 2010 concerning the possibility of connecting the existing 20-bed facility to an existing sewer system in order to alleviate any concerns of continuing to operate this facility on a septic system.

It is my understanding that a statement was made that there is a sewer system within 200 feet of the facility. This sewer system is within the City of Pasadena and our Public Works Department has previously been approached by the applicant to discuss the possibility of a sewer connection. The Public Works Department concluded that such a connection would not meet our minimum requirements and rejected the request.

Specifically, the City requires a minimum slope of two percent for sewer mains, with manholes that are at least six feet deep. Because of the topography of the area, the new sewer main would have a slope of less than one percent and the manhole would be less than four feet in depth. Such a shallow sewer main would have a much higher probability of sewer overflows/spills than if it were constructed to the City's minimum standards. It was for these reasons that the Public Works Department rejected the possibility of connecting to the City's sewer system.

The City of Pasadena reiterates our opposition as stated in our May 5, 2010 letter to the Hearing Officer (enclosed) based on the generation of a high amount of vehicle traffic and on-street parking, inadequate fire access to the rear of the structure, the inappropriateness of a facility of this size in a single-family neighborhood, and the lack of a sewer system to handle the sewage generation of a 20-bed facility, plus staff and visitors.

City Hall
100 N. Garfield Avenue, Room 229
Mailing Address: P.O. Box 7115 • Pasadena 91109-7215
(626) 744-6936 • Fax (626) 744-4774
smermell@cityofpasadena.net

OFFICE OF THE CITY ATTORNEY / CITY PROSECUTOR
CIVIL DIVISION

June 9, 2010

SENT VIA U.S. MAIL
KIM SAVAGE
POST OFFICE BOX 41580
LONG BEACH CA 90853

Re: *Public Records Act Request No. 190-10*

Dear Ms. Savage:

The City has no records responsive to your Public Records Act request, received on May 6, 2010, this location is out of our jurisdiction.

Thank you for your patience in this matter.

Very truly yours,

MICHELE BEAL BAGNERIS
City Attorney

Ann Sherwood Rider
Assistant City Attorney

ASR/ag/encl.

100 North Garfield Avenue, Suite N210 • P.O. Box 7115 • Pasadena, CA 91109-7215
(626) 744-4141 • Fax (626) 744-4190

Report RAPS 300
Regional Allocation of Police Services
Location Inquiry from 01/01/2005 To 12/31/2007

Incident Date: 03/22/2005

S	R	P	Location	Tag	Dispatch Text	Clearance Text
O	D	R	3323 FAIRPOINT ST,PAS	90	RE:WHODUNNIT TRASHCAN CAPER.	CONTACTED OWNERS AND GOT TRASH COMPANY INFO, RE:ABANDONDED ROLL AWAY ON MORADA.

Incident Date: 11/14/2005

S	R	P	Location	Tag	Dispatch Text	Clearance Text
E	D	R	3323 FAIRPOINT ST,ALD/SIERRA MADRE VILLA	169	"NO PARKING" SIGNS HAVE BEEN POSTED NEAR LOC. CK TO SEE IF SIGNS WERE PUT UP BY CITIZENS OR THE COUNTY. ADVISE DESK OF RESULTS.	REMOVED SIGNS FROM STREET POLES. DISCARDED APPROPRIATELY.

Incident Date: 06/23/2007

S	R	P	Location	Tag	Dispatch Text	Clearance Text
C	B	P	3323 FAIRPOINT ST,PAS EATON CANYON RECOVERY	81	[redacted]	
C	B	P	3323 FAIRPOINT ST,PAS EATON CANYON RECOVERY	81	[redacted]	ASST 73
C	B	P	3323 FAIRPOINT ST,PAS EATON CANYON RECOVERY	81	[redacted]	CONT [redacted] STAFF,ACCIDENTIAL ACTIVATION,LOC CHKD OK.

INCIDENT HISTORY REPORT
CRESCENTA/ALTADENA

Station: CVS **Incident Date:** 09/08/08 **Tag #:** 28 **Incident #:** CVS08252-0028

/0349 ENTRY (490160) INCIDENT,3323 E FAIRPOINT,PAS "EATON CANYON RECOVERY",,459A,,,,,,,POST 3,,[redacted],C/FRT DR,,R/UNK,,N/M,CB(626 798 0150),,,,,,CVS,,,,,SD10
/0350 ASSIGN/D (512900) 73/E #288557 REEDY #448625 BRUEMMER
/0356 NOACK () 73/E
/0357 ACK (150626) 73/E
/0358* ASSIST/S (466204) 71/E #466204 PRINCE #465624 EBE <000>
/0358* ASSIST/S (480711) 72/E #480711 WENGERT #439112 BINDER <000>
/0358* ACK (466204) 71/E <000>
/0358* ACK (480711) 72/E <000>
/0358* ENR (466204) 71/E <000>
/0359 CHGHDL (512900) 73/E->72/E
/0359* ENR (480711) 72/E <000>
/0405* 10/97 (466204) 71/E <000>
/0411* 10/97 (480711) 72/E <000>
/0413* 10/98 (480711) 72/E <000>
/0413* CLEAR (480711) 72/E,,,700,,,,,,UNABLE TO CK LOC DUE TO LARG.E SPIKED IRON GATE SURROUNDING L,OC,EXTERIOR APPEARS OK FROM DRI,VEWAY,NO EV OF 459,,0778,,, <000>
/0425* 10/98 (466204) 71/E <CCO>
/0425* CLEAR (466204) 71/E,,,780,,,,,,ASSISTED 72 AS NEEDED,,, <000>
/0536* ENR (288557) 73/E <000>
/0536* 10/97 (288557) 73/E <000>
/0536* 10/98 (288557) 73/E <000>
/0536* CLEAR (288557) 73/E,,,780,,,,,,HANDLED BY 72,, <000>
/0545 OKI (443560)

May 06 2010 12:50PM ECRS Inc. (626) 351-4265 p.7
Jun 14 10 10:27a Kim Savage 562-930-0003 p.10

INCIDENT HISTORY REPORT
CRESCENTA/ALTADENA

Station: CVS **Incident Date:** 09/15/08 **Tag #:** 135 **Incident #:** CVS08259-0135

/1427 ENTRY (173123) INCIDENT,3323 FAIRPOINT ST,PAS/ SIERRA MADRE
VILLA,,919,,,,,,,[redacted] IN CHEVY P/U ON SIERRA,MADREA VILLA S/O
OF FAIRPOINT,,INF NEEDS TO GO TO LOC IS SIGN,PAPAERS,FELLS EMPLOYER WILL VER,BALY HARASS
HER WHILE SHE'S THER,E,,CVS,,,,,ALD03
/1436 ASSIGN/D (287355) 73/P #480711 WENGERT #439112 BINDER
/1439* ACK (480711) 73/P <000>
/1441* ENR (480711) 73/P <000>
/1454* 10/97 (480711) 73/P <000>
/1530* 10/98 (480711) 73/P <000>
/1530* CLEAR (480711) 73/P,,,777,,,,,,ASST MELISSA BALDERAMA FH/02,2877 RE KEEP THE PEACE
WITH TERM,INATING EMPLOYMENT,,,0778,,, <000>
/2004 OKI (507735)

May 06 2010 12:50PM ECRS Inc. (626) 351-4265 p.6
Jun 14 10 10:27a Kim Savage 562-930-0003 p.9

Report Date: 04/29/10

INCIDENT HISTORY REPORT

CRESCENTA/ALTADENA

Station: CVS   Incident Date: 12/24/08   Tag #: 82   Incident #: CVS08359-0082

/0912 ENTRY (454763) INCIDENT,3323 E FAIRPOINT ST,PAS EATON CANYON RECOVERY,,459A,,,,,,,POST/21,,[redacted] C/EAST OFFICE DOOR,N/M,R/10,(626 798 0150),,,,,,CVS,,,,,SD06
/0920 ASSIGN/D (287355) 73/D #223371 STOKES
/0920 ASSIST/D (287355) 72/D #277197 CARTER JR
/0920* ACK (277197) 72/D <000>
/0922* ENR (277197) 72/D <000>
/0926 NOACK () 73/D
/0928 ACK (454763) 73/D
/0928* 10/97 (277197) 72/D <000>
/0957* ENR (223371) 73/D <000>
/1015* 10/97 (223371) 73/D <000>
/1018* 10/98 (223371) 73/D <000>
/1018* CLEAR (223371) 73/D,,,700,,,,,,CODE 4N LOC CKD BY 72 PRIOR,TO MY ARRIVAL,,,,,077S,, <000>
/1040* 10/98 (277197) 72/D <000>
/1306* CLEAR (277197) 72/D,,,780,,,,,,CONT RAYMOND JACKSON MB/A RE,ACCIDENTAL ACTIVATION,, <000>
/1407 OKI (401545)

May 06 2010 12:50PM ECRS Inc. (626) 351-4265 p.5
Jun 14 10 10:26a Kim Savage 562-930-0003 p.8

Report Date: 04/29/10

INCIDENT HISTORY REPORT
CRESCENTA/ALTADENA

Station: CVS Incident Date: 02/23/09 Tag #: 189 Incident #: CVS09054-0189

/1829 ENTRY (406451) INCIDENT,3323 FAIRPOINT,PAS X SIERRA MADRE VILLA,P,927H,,,,,,,,,,NO ANS ON CALLBACK,,,,,,,CVS,,,,,CVS01
/1830 ASSIGN/B (406451) 73/P #465624 EBE #466370 ABDULFATTAH
/1831* ACK (465624) 73/P <000>
/1835* ENR (465624) 73/P <000>
/1844* ASSIST/S (465726) 72/P #465726 RODRIGUEZ #288557 REEDY <000>
/1844 ACK (467482) 72/P
/1845* ENR (465726) 72/P <000>
/1847* 10/97 (465726) 72/P <000>
/1849* 10/97 (465624) 73/P <000>
/1854* 10/98 (465726) 72/P <000>
/1854* CLEAR (465726) 72/P,,,780,,,,,,C/[redacted] RE:,927H ACCIDENTAL ONLY,C-4,,, <000>
/1859* 10/98 (465624) 73/P <000>
/1859* CLEAR (465624) 73/P,,.212,,,,,,HANDLED BY 72,,,,,0778,,, <000>
/2114 OKI (443560)

May 06 2010 12:50PM ECRS Inc. (626) 351-4265 p.4
Jun 14 10 10:26a Kim Savage 562-930-0003 p.7

Report Date: 04/29/10

INCIDENT HISTORY REPORT

CRESCENTA/ALTADENA

Station: CVS Incident Date: 12/04/09 Tag #: 101 Incident #: CVS09338-0101

/1137 ENTRY (439007) INCIDENT,3323 E FAIRPOINT ST,PAS "EATON CANYON RECORVERY,,459A,,,,,,,POST ALARM 21,,[redacted],C/E PERIM R/10 NM (626 798 0,150),,,,,,CVS,,,,,SD05
/1143 CHGRMK3 (439007) ->**10-22 ALARM (21)**

/1147 ASSIGN/D (287355) 120D/D #244733 FORNEY #287355 PUPPE

/1147 10/98 (287355) 120D/D

/1147 CLEAR (287355)
120D/D,,,764,,,,,,,,,,,,0778,,,1137,1137,1137,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
/1430 OKI (287355)

May 06 2010 12:50PM ECRS Inc. (626) 351-4285 p.3
Jun 14 10 10:26a Kim Savage 562-930-0003 p.6

Report Date: 04/29/10

INCIDENT HISTORY REPORT

CRESCENTA/ALTADENA

Station: CVS Incident Date: 02/24/10 Tag #: 117 Incident #: CVS10055-0117

/1156 ENTRY (280694) INCIDENT,3323 FAIRPOINT ST,ALD.,415B,,,,,, [redacted], EATON CYN TREATMENT CENTER, STOLE HIS TOOLS AND ARE BECOMING,AGRESSIVE,,,,,CVS,,,,,ALDWD

/1202 ASSIGN/D (513928) 73/D #475334 JACKSON

/1202 ASSIST/D (513928) 72/D #223371 STOKES

/1202* ACK (223371) 72/D <000>

/1205* ENR (223371) 72/D <000>

/1205* ASSIST/S (293936) 71/D #293936 MANIER <000>

/1205* ACK (293936) 71/D <000>

/1206* ENR (223371) 72/D <000>

/1206* ENR (293936) 71/D <000>

/1208 NOACK () 73/D

/1217* 10/97 (293936) 71/D <000>

/1217 CHGHDL (513928) 73/D->72/D

/1218* ACK (475334) 73/D <000>

/1218* ENR (475334) 73/D <000>

/1219* HOLD (223371) 72/D -> CVS10055-0123 <000>

/1219* ASSIST/S (470677) 73A/D #470677 COVIAN JR <000>

/1219* HOLD (475334) 73/D -> CVS10055-0092 <000>

/1219* ACK (470677) 73A/D <000>

/1220* ENR (475334) 73/D <000>

/1221* ENR (470677) 73A/D <000>

/1227* 10/97 (470677) 73A/D <000>

/1228* 10/97 (475334) 73/D <000>

/1228* ENR (223371) 72/D <000>

/1228* 10/98 (470677) 73A/D <000>

/1228* CLEAR (470677) 73A/D,,,780,,,,,,X 72 AS NEEDED.,, <000>

/1229* 10/98 (475334) 73/D <000>

/1229* CLEAR (475334) 73/D,,,780,,,,,,C4 PTA,,, <000>

/1234* 10/97 (223371) 72/D <000>

/1235* 10/98 (223371) 72/D <000>

/1235* CLEAR (223371) 72/D,,,212,,,,,,CALL HDL BY 71 PRIOR TO XY 9,7 SE HIS LOG,,,,0778,,, <000>

/1247* 10/98 (293936) 71/D <000>

/1309* CLEAR (293936) 71/D,,,780,,,,,,CONT [redacted], WHO BELIEVES HE LFT TOOL AT LOC,YESTERDAY.CONT PROPERTY OWNER, [redacted] WHO SAID THAT,NO TOOL WAS LFT AT LOC.,, <000>

/2134 OKI (401546)

Montgomery, Tyler

From: Johnson, Roosevelt [R1Johnso@lasd.org]
Sent: Thursday, May 06, 2010 10:40 AM
To: Montgomery, Tyler
Subject: FW: Eaton Canyon Treatment Center

Follow Up Flag: Follow up
Flag Status: Completed

FYI. The first message returned undeliverable.

Roosevelt

From: Johnson, Roosevelt
Sent: Thursday, May 06, 2010 10:39 AM
To: 'Montgomery, Tyler '
Subject: Eaton Canyon Treatment Center

Mr. Tyler,

On behalf of Altadena Sheriff's Station, Captain Steven M. McLean, we are not in a position to support or oppose the renewal of the Conditional Use Permit #200800131 for Eaton Canyon Treatment Center, located at 3323 Fairpoint Street, Unincorporated Pasadena.

Our records over the past five years, 2005 though 2010, reflect there were nine (9) calls for service at this location. Four (4) calls were accidental activation of a burglary alarm. This does not represent an unusually high call volume to that particular address.

Should you have additional questions or require more information, feel free to contact me.

Thanks,

Roosevelt

Roosevelt Johnson, Lieutenant
Altadena Station
(626) 296-2102 Work
(661) 313-3436 Mobile
(323) 415-6303 FAX

application to the subject property. Access to and from the project site is from Sierra Madre Villa Avenue, where traffic is directed to the south to connect with other major streets and/or the 210 Freeway, thereby avoiding the numerous residential streets to the north, west and east of the project site, and thus minimizing any adverse impacts.

The proposed project site is adequately served by required public and private facilities. The proposed site is adequately served by two commercial septic tanks and water supply from Kinneloa Water District.

In sum, Eaton Canyon Treatment Center is located in a beautiful, quiet community which is conducive to the recovery process and it has instituted policies and programs to ensure and maintain the neighborhood tranquility. The successful implementation of these efforts to provide a high quality and secure facility is evident by the support given to the Applicant from the property's most immediate neighbors. Therefore, the project has not and will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. There is now a 12-year history of the substance abuse treatment center co-existing with the other residential properties in the neighborhood without detriment to the surrounding area.

area and driveway, allowing for sufficient parking to accommodate the number of employees on-site during the largest shift. Visually, the home is indistinguishable from other single family residences on the block.

The project adheres to the development standards required by the County Code for the R-1 Zone. The single family residence contains the type of roof and exterior wall construction required by code. The residential building does not exceed 26 feet in height, well below the 35-foot height restriction. The front, rear and side yard requirements are met. Adjacent land uses are all similar large single family residential buildings, which appear to meet the development standards required in the R-1 Zone. Parking on-site is accessed by the gated driveway fronting on Fairpoint Street and most of it is not visible from the street. The project site is the third residence to the west of Sierra Madre Villa Avenue, which is the primary connector road to the major streets to the south in Pasadena and the 210 Freeway. All traffic to the project site is by way of Sierra Madre Villa Avenue, thereby lessening any impact on the residential properties that adjoin to the west and east along Fairpoint Street. Traffic impacts are even further reduced as the residents are not permitted to maintain their own vehicles on-site. Employees typically enter and exit the property only once during their shift. Eaton Canyon does not allow any street parking.

That the proposed site is adequately served:

1. **By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and**
2. **By other public or private service facilities as are required.**

The project site is adequately served by Sierra Madre Villa Avenue, the primary access road that connects to downtown Pasadena and the 210 Freeway. In any event, the property does not generate significant traffic, because the twenty residents enrolled in the substance abuse treatment program do not have vehicles or other personal transportation. Residents leave the premises only when supervised by staff, and only then in extremely limited circumstances. Though considered a land use policy in regards to local commercial services, the 1980 General Plan proposes that "Access, egress and onsite parking should be provided in a manner which maximizes safety and convenience, and minimizes adverse impacts on surrounding neighborhood and community land use patterns." This policy has a useful

Goal LU-1 "Efficient and progressive smart growth land use policies that address the diverse needs of all County residents."

Policy LU 1.7 "Ensure that all community plans, zoning, and subsequent development meet all Federal and State fair housing laws and regulations,"

Policy LU 1.8 "Ensure universal accessibility in all planning endeavors to comply with the Americans with Disabilities Act."

Land use policies of the County of Los Angeles, as expressed in the Draft General Plan, clearly contemplate that the residential area of this neighborhood is an appropriate location for an adult residential facility. The Draft General Plan foresees that compliance with Federal and State fair housing laws and regulations must be ensured by the community plans and zoning. Allowing for "reasonable accommodation" to be provided for persons with disabilities is also contemplated by the recently adopted Los Angeles County 2008-2014 Housing Element. Providing for the special needs of persons disabled by drug and alcohol addictions does not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare. Indeed, the Applicant has instituted security measures to ensure that the project site is a good neighbor and does not constitute a menace to the public health, safety or general welfare. Furthermore, there are physical barriers, such as the fencing and locked gates, that separate the project site from its nearest neighbors.

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the surrounding area.

The 0.52 acre site is adequate in size and shape to accommodate the approximately 5,648square feet of floor area contained within the split-level single family residential building. The square footage of the single family building is roughly one-quarter of the property's lot area, while approximately 41% of the lot area is devoted to open space and landscaping, including the outdoor patios and numerous planters. A significant landscape feature of the existing site is the placement of planters throughout the property that serve as buffers to adjacent properties. In addition, planters, trees and lawn areas in the front yard buffer the single family residence from the adjoining street. Approximately one-third of the lot is devoted to the paved surface parking

A conditional use permit for Eaton Canyon to continue providing ADP for 20 residents will further the County's housing policies set forth in the recently adopted Los Angeles County 2008-2014 Housing Element. The Housing Element identifies persons with disabilities as a group with special housing needs, and the law recognizes that persons in recovery for substance abuse are "persons with disabilities."

Goal 1 "A wide range of housing types in sufficient supply to meet the needs of current and future residents, particularly persons with special needs, including but not limited to low-income households, seniors, persons with disabilities, single-parent households, the homeless and at-risk homeless, and farmworkers."

Policy 1.2 "Mitigate the impacts of government regulations and policies that constrain the provision and preservation of affordable housing and housing for persons with special needs."

Policy 1.3: "Coordinate with the private sector in the development of affordable and special needs housing for both rental and homeownership. Where appropriate, promote such development through incentives."

In the "Housing Analyses" contained in Chapter 3 of the 2008-2014 Housing Element, the County also acknowledges the importance of making housing opportunities available to people with disabilities because persons with special needs are recognized as those who "face greater challenges in finding available housing." This is true for persons suffering alcohol and drug addictions, as they are often stigmatized as unworthy individuals. The newly adopted Housing Element recognizes that persons with disabilities must be accommodated with protections. To further this important goal of increasing housing opportunities for people with disabilities, the County's Housing Element notes the following: "Under State and Federal laws, local governments are required to provide 'reasonable accommodation' to persons with disabilities when exercising planning and zoning powers. The County will adopt a reasonable accommodation ordinance to outline the scope and procedures for accommodation requests." Permitting the continued operation of the Eaton Canyon ADP is the type of "reasonable accommodation" that is contemplated by State and Federal laws.

The continued use of Eaton Canyon as an ADP for 20 residents is also consistent with the Los Angeles County Draft General Plan, under consideration by the Regional Planning Commission which proposes land use goals and policies for providing housing for persons with special needs:

assumptions and negative stereotypes about persons affected by drug and alcohol abuse.

Eaton Canyon Treatment Center operates a medical-model treatment program that addresses a person's individual needs. The Center provides therapeutic treatment, and does not operate as a hospital or half-way house. Residents at the facility address their disease and prepare for a return to a life of normalcy without drugs or alcohol, thus becoming sober, productive members of society. The peace, comfort and tranquility of the surrounding area are maintained through the effective security measures previously outlined, including resident and staff screening and premises controls.

Eaton Canyon Treatment Center is located in a beautiful, quiet community which is conducive to the recovery process, and as such, it has instituted policies and programs to ensure and maintain the neighborhood tranquility. The successful implementation of these efforts to provide a high quality and secure facility is evident by the support given to the Applicant from the property's most immediate neighbors to the east, west and south. Therefore, the project has not and will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. There is now a 12-year history of the substance abuse treatment center co-existing with the other residential properties in the neighborhood without detriment to the surrounding area. Based on a record of operating at these premises without any violations, the Applicant does not believe that the Eaton Canyon Treatment Center residents pose any legitimate safety concerns to the surrounding community. Instead, many of these concerns, emanating from residents that are not immediately adjacent to the project site, are based upon unfounded assumptions and negative stereotypes about persons affected by drug and alcohol addictions. The Applicant does not accept persons with criminal backgrounds and other anti-social behaviors, such as sex offenders, into its program. Careful to maintain a program that is conducted in a tranquil, peaceful environment, the Applicant's project is not materially detrimental to the use and enjoyment of the properties of other persons in the vicinity. Additionally, there is no evidence or showing that property values have been negatively impacted by the presence of the substance abuse treatment program that has operated on-site, in different forms, for a dozen years. Any recent reductions in property values can only be attributed to the overall downturn in the real estate market that affects all communities.

CONDITIONAL USE PERMIT
BURDEN OF PROOF

In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. That the requested use at the location proposed will not:

1. **Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or**
2. **Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or**
3. **Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The Applicant is requesting a conditional use permit for the continued operation of a state licensed residential alcohol and drug treatment program for twenty individuals in recovery in an R-1 Zone, pursuant to Section 22.56.010 of the Los Angeles County Code. The Zoning Code requires a conditional use permit in the R-1 Zone when seven or more persons are residing in an adult residential facility, pursuant to Section 22.20.100.

The proposed project has operated at the subject site continuously for more than 12 years without any record of law enforcement violations from Eaton Canyon residents or the facility, demonstrating that the continued use by Eaton Canyon will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area nor be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site. Letters of support from Eaton Canyon's contiguous neighbors to the south, east and west further substantiate that the use has no adverse impact on the surrounding neighborhood (Exhibit 15). The neighbor to the north, who has lived at the same residence for 38 years, has also indicated that she has had no problems with the operation of Eaton Canyon. Treatment Center and has a rapport with Mr. James Heard. Concerns, emanating from residents that are <u>not</u> immediately adjacent to the project site, are based upon unfounded

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

REGIONAL PLANNING COMMISSION ACTION:

1. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200800131 is **DENIED**.

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date:

1. c: Commission Services, Zoning Enforcement, Building and Safety, Fire, DPH—Environmental Hygiene.

MM:TM
06/24/10

26. The area is designated as and zoned for low density residential development, and as such, a facility serving 20 residents, with the associated employees, visitors, and other services necessary to operate such a facility is out of character with similarly situated residential properties and creates a burden on the surrounding neighborhood. The types, timing, and nature of traffic trips to the facility in order to provide services for 20 adults as proposed is sufficiently different from that associated with other low density residential development that the operation of the facility with the proposed number of residents would be materially detrimental to the use and enjoyment of other property in the surrounding vicinity.

27. Over 90 letters expressing concerns have been submitted to Regional Planning staff, many of which relate specific incidents that have occurred in association with ECTC. These incidents include, but are not limited to, vandalism, mail and trash can theft, increased traffic, patients allowed to wander outside facility grounds, and hostility and/or intimidation from the operator when he is approached about such issues. Although the applicant rebuts the assertions that such incidents have occurred, the information submitted to evidence the community's concerns supports a conclusion that operation of the facility at this location with the number of residents proposed has resulted in problems in the neighborhood. Therefore, it allowing the facility to continue operation at its current capacity would be likely to negatively affect the comfort and welfare of area residents

28. Staff also questions whether on-site parking facilities are adequate for the proposed use, as the eight (8) parking spaces on the property would accommodate a maximum of seven (7) employees at any given time, which may be less than the "seven to eight" employees stated as the largest shift in the project application. Based on the efforts of the applicant to restrict street parking in the neighborhood, it appears that facility is providing parking that is insufficient to meet the operational needs of the facility.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. The proposed use is not consistent with the adopted general plan for the area;

B. The requested use at the proposed location is likely to adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas and be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site;

C. The proposed site is not adequately served by highways or streets of sufficient width improved as necessary to carry the kind and quantity of traffic such use would generate.

did not represent a particularly high volume at that address, although he did not give a position for or against the project proposal.

21. The Pasadena Police Department was also consulted regarding the project proposal. The department provided a letter stating that the property fell outside of their jurisdiction.

22. The City of Pasadena Planning and Development Department was consulted as well, as its jurisdiction begins immediately across Fairpoint Street from the subject property. The department opposes the project for the following reasons:
    a. The facility would generate an inordinate amount of vehicle traffic and on-street parking for a single-family residential neighborhood;
    b. The septic system is inadequate for a 20-bed facility, plus staff and visitors (and the minimum requirements for a potential sewer connection cannot be met);
    c. There is inadequate fire access to the rear of the structure; and
    d. A facility of this size is inappropriate for a single-family neighborhood.

23. The subject property is located within the "1" (Low Density Residential) classification of the Los Angeles County Land Use Plan. This designation allows for primarily residential uses with a density range of one to six dwelling units per acre. Certain other non-residential uses are also allowed, such as public facilities and institutional uses, pending discretionary review. The project site is approximately one-half acre and is currently developed with one single-family dwelling unit (an approximately two unit per acre density). It is therefore consistent with the General Plan designation allowing for one to six dwelling units per acre.

24. Facilities in the R-1-20,000 zone are required to maintain minimum front yard setbacks of 20 feet (County Code Sec. 22.20.120). The existing facility has a front yard setback of 37 feet. The Code also requires interior side-yard setbacks of five (5) feet, while the facility's main structure has side yards of 6'7" and 20 feet, respectively. The structure also has a rear-yard setback of 13'9", which is less than the 15-foot setback that is required. This 1'3" reduction in setback was approved by the Department of Public Works, Building and Safety Division in 1999 through the retroactive building permit process, although no yard modification was ever approved by Regional Planning. There is also an 83-square-foot storage shed on the property's northwestern corner with side-yard and rear-yard setbacks close to zero. These reduced setbacks have not been approved.

25. An adult residential facility is allowed within the R-1-20,000 zone upon issuance of a conditional use permit. However, the proposal to provide services to 20 residents at the proposed facility would adversely impact the surrounding community and be inconsistent with the character of the surrounding neighborhood.

h. Residents of the facility have repeatedly been seen in front of the building or walking along Fairpoint Street, in violation of the facility's stated policy of allowing exit through arranged transportation only;
i. Arguments by the applicant in favor of the project do not adequately address the burden of proof—specifically, studies cited by the applicant as supporting the ineffectiveness of such facilities on property values relate only to small group homes;
j. The facility is unnecessary, as there are many other facilities in the Pasadena area with excess capacity for patients;
k. Such facilities are allowed by right in commercial zones, so it is not necessary for the County to allow them to locate in residential areas, and;
l. The applicant has acted in bad faith with respect to area residents, often harassing, intimidating, or threatening them for making complaints or using deceptive practices in order to gain "support" statements from adjacent residents.

17. The Los Angeles County Fire Department was consulted in July 2009 regarding the project proposal and the Initial Study. The department initially responded in August 2009, providing minimal comments on the Initial Study. After a period of 60 days, Regional Planning assumed that the department had no comments regarding the project proposal. However, on June 23, 2010, Regional Planning staff received comments from County Fire indicating that the project, as proposed, does not meet applicable Fire Department requirements..

18. The Los Angeles County Department of Public Works was consulted regarding the project in July 2009. The department responded with minimal comments on the Initial Study. After a period of 60 days, Regional Planning assumed that DPW had no comments regarding the project proposal. The Building and Safety Division of DPW had previously given retroactive building permits to all on-site structures—with the exception of a storage shed—in 1999 and 2000.

19. The Department of Public Health—Environmental Hygiene Division was consulted regarding the on-site septic system. DPH originally placed a hold on the project, requiring that the applicant either connect to the Pasadena City Sewer or submit a plan for construction of an adequate septic system. This project was later cleared for public hearing after being given a conceptual approval for the design of a new septic system.

20. The Altadena Station of the Los Angeles County Sheriff's Department was consulted in April 2010 regarding the project proposal and the relative crime rate of the vicinity over the last seven (7) years. This was done after several residents remarked on the increasing crime rate in the area since the opening of ECTC. Lieutenant Roosevelt Johnson responded that, from 2005 to 2010, there were nine (9) calls for service from the facility, four (4) of which were accidental activation of the burglar alarm. Lieutenant Johnson further stated that such a number of calls

the western edge of the property also varies in height from five (5) feet to seven (7) feet. However, a wooden fence has been added to the top of this structure for 57 feet of its length, extending this portion's total height to approximately 10 feet.

14. An earlier, duly noticed public hearing was held before a Hearing Officer on May 18, 2010 regarding the project proposal. Given that the applicant was informed of the recommendation that the matter be referred to the Regional Planning Commission, the applicant opted not to testify at the Hearing Officer proceedings. Six area residents attended the Hearing Officer proceedings and testified in opposition to the project. They raised several concerns about the proposed facility, which are described in more detail below. The Hearing Officer, Dennis Slavin, subsequently closed the public hearing and stated that, in his opinion, the case involved a major planning issue appropriate for consideration by the Regional Planning Commission. Therefore, the Hearing Officer referred the matter to this body.

15. A total of 176 public hearing notices were mailed out to property owners located within the 1,000-foot radius of the subject property and other interested parties on May 24, 2010 regarding the project proposal. The notice was published in the *Pasadena Star-News* and in *La Opinion* on May 28, 2010. Case-related materials were sent to the Hastings Branch Library in Pasadena and posted on the Regional Planning web site. The public hearing notice was posted at the project site on June 4, 2010.

16. A total of 95 letters were received in opposition to the project proposal. All concerns that were raised at the May 18, 2010 public hearing were restated, and several additional issues were raised. Concerns included the following contentions:
    a. The proposed facility is not appropriate for the existing residentially-zoned neighborhood and is not consistent with the County's General Plan;
    b. Such a use would not be permitted in the City of Pasadena, which is across the street from the subject property;
    c. Too many residents (20) would be living on a single property in a residential zone, which would create additional traffic on a narrow street and potentially overwhelm the existing septic system;
    d. The facility will change the character of the neighborhood, negatively influencing property values in the area;
    e. Because the facility has be operating for seven years without a County permit, allowing it to continue would be effectively rewarding bad behavior;
    f. There are no known examples of this type of use in a similar residential area within the County, and allowing the facility would set an undesirable precedent;
    g. Incidents of petty crime, such as vandalism and theft of mail, have increased dramatically on Fairpoint Street since the facility has been in operation;

facility to an adult residential facility, as ECTC now provided on-site treatment to its residents, consisting of certified counselors and other professionals. This change brought ECTC into the County's definition of an adult residential facility, which requires a CUP to operate within the R-1-20,000 zone if serving seven or more adults. However, the applicant did not seek or obtain the necessary permits and approvals from Regional Planning in order to operate in the R-1-20,000 zone as an adult residential facility. In 2007, again without seeking the necessary permits and approvals from Regional Planning, ECTC expanded the number of persons treated at the facility from 12 to 20 adults. ECTC obtained state licensing for this expansion, but did not obtain the required CUP.

11. In March 2008, after learning of ECTC's unauthorized operation of an adult residential facility, Regional Planning issued a notice of violation to ECTC to bring the facility into compliance. Regional Planning directed the ECTC either to cease the unpermitted operations or to seek the necessary approvals to continue its operation as an adult residential facility. As a result, the applicants have applied for a CUP in order to legalize the continued operation of ECTC as an adult residential facility providing drug and alcohol treatment for a maximum of 20 adults. Pursuant to Section 22.04.110 of the Zoning Code, the applicant sought and was granted a "Clean Hands Waiver," allowing the facility to continue operating pending the outcome of the CUP process.

12. The 5,650 square-foot adult residential facility is a single two-story structure that contains seven (7) bedrooms, eight (8) bathrooms, four (4) offices, a classroom, two (2) multi-purpose rooms, as well as a kitchen, a pantry, a dining room, and a laundry room on a 21,700 square-foot (0.5-acre) lot. There are also two (2) patios, an outdoor exercise area on the property's western edge, an 83-square-foot storage shed on the property's northwest corner, and approximately 5,000 square feet of landscaping dispersed throughout the project site. The maximum height of the structure is 26 feet. It is set back 37 feet from the front (south) property line and has minimum side-yard setbacks of 6'7" to the west and 20 feet to the east, respectively. Its minimum rear yard setback is 13'9"; however, the storage shed on the northeastern corner of the property has no setback from either the rear (north) or side (west) property lines.

13. A ten-space parking lot and trash enclosure currently exist on the northeastern portion of the property, accessed by a driveway from the south. As part of the project, the applicant proposes reconfiguring the parking spaces in order to meet County development standards, decreasing the total number to eight (8) spaces, one of which would be reserved for the handicapped. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. A metal fence near the south (front) edge of the property has a height of four (4) feet. The perimeter fence to the north would have a uniform height of eight (8) feet, while the eastern perimeter fence varies in height from six (6) feet to eight (8) feet. A block-wall fence along

May 11, 2010

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012
Attn: Mitch Glaser, AICP

Regarding: May 18, 2008 Public Hearing Agenda Item No. 4, Project No. R2008-01555-(5), Conditional Use Permit No. 200800131.

Dear Mr. Glaser,

This letter provides some analysis of the extensive information provided to you in the May 6th LAC Regional Planning Staff Report (Ref [1]) with the intent to aid you and your staff in connection with the May 18th public hearing regarding whether to grant or the deny the requested Conditional Use Permit (CUP) for the Eaton Canyon Treatment Center (ECTC) to operate an alcohol and drug treatment center for 20 residents and up to 8 staff in 6,000 sq ft R-1-20,000 single family residence located at 3323 Fairpoint St, Pasadena, CA 91107.

The LA County Regional Planning office **Notice of Public Hearing (Ref [3]) was sent to 167 addresses** in the immediate vicinity of the ECTC as shown by the "dots" located on properties on the map in Attachment 1. Only 160 of these were addresses that could provide responses, the rest were sent to owners of vacant land, the City for a City of Pasadena water reservoir, the ECTC itself, and an adjacent property owned by the applicant, Mr. James Heard (identified with the initials "JH" on the map. Note that 49 (28%) of these addresses are located within the Pasadena city limits, with the remaining 118 (72%) located in unincorporated LA County. Several (6) of the Notice mailing addresses are located in the Kinneloa Mesa area that is not accessible from the Sierra Madre Villa Ave (SMVA) due to a large canyon (which appears on the map as a line) which separates the SMVA region from the Kinneloa Mesa region to the West. The ECTC is located immediately (35 feet) to the Northwest of the City of Pasadena boundary.

There were **72 responses to the Notice**, 5 (7%) Consenting or Supporting and **67 (93%) Opposing** the granting of the ECTC CUP. Of the 72 total responses, 60 were from addresses on the Notice mailing list (Ref [4]) and 12 were from addresses outside of the mailing list but in the SMVA vicinity. Of the 60 returned from Notice mailing list addresses, 1 (2%) Supported, 1 (2%) Consented (but couldn't "vouch for the continued public health, safety, or general welfare of the community", and 58 (97%) Opposed granting the ECTC CUP. From these statistics, it is clear that the vast majority of homeowners in the SMVA area Oppose granting the ECTC CUP.

Note that on the map in Attachment 1, the location of eleven (11) of the Opposing letters could not be shown because the authors would not provide full name or address. A few of these letters cited the reason they would not give their full name or address as being that, after the threats that were made to SMVA area

residents during and following the March 26, 2008 town hall meeting regarding ECTC and other later intimidation tactics by ECTC staff or residents (all of which have been extensively discussed on the SMVA email exploder), that they feared retaliation from Mr. Heard or ECTC staff (an example of how SMVA homeowners feel is Mr. Changs letter in Attachment 3).

Supporting Letters:

The ECTC CUP applicant provided Exhibits with the original CUP application (Ref [5]) in August 2008 and provided a Supplement to the CUP application on May 3rd, 2010 that is included in the Planning Staff Report (Ref [1]). This Supplement package incorporated the original CUP Exhibits by reference.

Original CUP Exhibits:

The original ECTC CUP application "*Exhibits*" (Ref [5]) contained 15 documents as described below:

Five (5) were Congratulations & Best Wishes letters from politicians, none of whom were (or are) responsible for the SMVA area in which ECTC resides. These were and are **irrelevant** to the CUP proceedings.

Three (3) were from organizations (NAACP, Sentinel newspaper, & the Salvation Army) that support "continued" operation at 20 beds (demonstrating ignorance of what the CUP is all about) but, again, all are disinterested parties relative to whether the for-profit ECTC at 20 beds plus 8 staff is in fact appropriate for a single-family residential area. Again, these are **irrelevant** to the CUP proceedings.

One (1) is a June 2005 Certificate of Occupancy (signed Aug 2005 by Mike Garcia) for the 3551 sq ft addition that had been built by the previous owner without permits. This Certificate authorized the use of the structure for R-1 Residential, with the cover letter acknowledging that the facility would be used as a sober living facility for up to 12 occupants and that for such use no LA County CUP would be required. The Certificate also specified "*No change shall be made in the character of occupancy or use of the building or structure without approval of the Building Official*", yet **nowhere in the Planning Project File (R2008-01555-(5)) is there any evidence that the Certificate of Occupancy has been upgraded to allow for the intended CUP usage.**

One (1) CA State Department of Alcohol and Drug Programs (ADP) License and Certification for a coed 20 person alcohol and drug treatment facility (ADTF) that was issued on 4/1/06 and expired on 3/31/10. (Note that the ECTC CUP Supplement provides the renewed CA ADP license that now expires in 2012.)

Two (2) were a 5/1/08 letter from **ECTC requesting "reasonable accommodation"** to avoid the CUP hearing process, and a 5/23/08 letter from LA

County Counsel Tracey Swann, denying the request with explanation for the denial, giving ECTC 30 days to apply for the CUP, and allowing ECTC to continue operating during the CUP application process. Also note that the CUP application was not submitted until 8/19/08, nearly three months after the Swann letter and nearly two months beyond the deadline given there.

Two (2) were letters from the immediate East and West neighbors of the ECTC supporting the "continued" operation of the ECTC. **Both of these letters were** later **renounced in Declarations by the homeowner/authors** (see Declarations by Anthony Harold and Joseph Merdkhanian contained in Ref [1]) both of whom said that they were asked to sign letters prepared by Mr. James Heard for "renewal of a permit" but were not told the purpose of the CUP.

One (1) contained a copy of a transfer disclosure statement (TDS) from the former owner of the property immediately to the South of the ECTC property that was somehow obtained by Mr. Heard. The former owner, Mr. Jeff Blea, provided a Declaration through his attorney that is included in the Staff Report (Ref [1]) that states that the disclosure statement was confidential and that "The TDS was **not a letter of support or endorsement.**"

Supplemental Attachments:

On May 3, 2010, Mr. James Heard provided a "*Supplement to C.U.P Application, Case No. RCUP 200800131*" (part of Ref [1]). This Supplement contains 48 documents, as follows.

Twelve (12) letters are of Congratulations & Best Wishes, mostly from politicians, two from 2010 and the rest from 2008, and most from politicians who have no responsibility for the SMVA area in which ECTC is located. These letters do not comment on any aspect of the ECTC CUP proceedings and are thus **irrelevant.**

Five (5) letters are from SMVA area residents. Two (2) were on the Hearing Notice mailing list and three were not. One (1) of the letters (Ref [6]), the one from the resident closest to the ECTC, states that she has "*no objection to the continued operation of the Treatment Center at its current residential capacity. I make no attempt to vouch for the continued public health, safety or general welfare of the community.*" Two (2) express support for "*continued operation*" without making any reference to the CUP. One (1) supports the ECTC in hearing/zoning matter. And one (1) expresses explicit support for the CUP. **None of these five letters mentions that the CUP would authorize a capacity of 20 residents plus up to 8 staff in this single-family residence, suggesting that perhaps they are not aware of this fact, just as the two homeowners to the East and West were not aware of this fact when they signed letters prepared by Mr. Heard or his staff that were submitted with the CUP application and which both rescinded when they found out the facts regarding the CUP.**

Eleven (11) letters are from professional associates of the ECTC, none of whom are located in the SMVA area, attesting to the quality of service provided by the ECTC. It is clear from the 72 letters from SMVA area homeowners that the quality of service provided by ECTC is absolutely not at issue, making these letters **irrelevant** to the CUP application process. No one doubts that ECTC provides state-of-the-art treatment for its residents.

One of these aspects that is at issue is that state-of-the-art treatment is currently only partially successful, with high relapse rates (refer, for example, to the National Institute of Drug Abuse (NIDA) web site), leaving the SMVA neighborhood vulnerable to the large number of addicts who spent time at the ECTC. Attachment D to the ECTC Supplement package (Ref [1]) shows that **874 alcoholics or drug addicts have been treated at ECTC since 2005 alone** (with untold additional addicts treated between 1996 and 2005). **These 874 addicts, plus their enablers, plus their associates all now know of and about this quiet residential neighborhood. SMVA area residents are concerned that this has already and will lead in the future to additional theft and possibly significant crimes in the SMVA neighborhood.**

Twenty-one (21) letters are from former ECTC patients, attesting to how ECTC helped them. Again, no one doubts that ECTC can and does help patients who spend time at the facility, just as is the case for the other 12 Pasadena state-licensed alcohol and drug treatment facilities. Since these individuals have no stake in the CUP proceedings (other than to ensure that they have the ECTC to come back to when they relapse), these letters are **irrelevant** to the CUP proceedings.

- It is interesting, however, to note that several of these letters refer to 30-day treatments at the ECTC, a couple saying that they relapsed and returned for a second 30-day treatment. If one assumes that the normal stay for each resident is indeed 30 days as these letters suggest, then one can use the annual patient counts given in the ECTC Supplement Attachment D (included in Ref [1]) to estimate the average daily patient load for the ECTC for the years 2005 through 2009. Take 2005, for example, where adding up the number for each profession shows that 215 ECTC clients were treated in 2005. Then, assuming 30-day stays, the average daily residential treatment load is: ((215 clients/year)x(30 days/client)/(365 days/year) = 18 patients. Note also that, according to the ECTC Supplement Attachment A1 (contained in Ref [1]), ECTC was not licensed for 20 residents until 4/19/2006, **suggesting that ECTC was probably treating more patients in 2005 than it was licensed to treat** (it had a CA State license for 12 from 2003 until licensed for 20 in 2006).

- It is also interesting to look at residential loads for years 2006 through 2009 in exactly the same way. These are as follows: (1) 2006, 215 clients treated, average daily load is 18 patients; (2) 2007, 206 clients, average daily load is 17 patients; (3) 2008, 217 clients treated, average daily load is 18 patients; (4) 2009, 190 clients, average daily load is 16 clients. Thus, Mr. Heard appears to have been operating ECTC at roughly the same level in 2006 through 2008 that he was operating at during 2005.

- Note that if actual average residential stays are longer than the 30-day stays that the former ECTC clients have noted in their letters, then the average daily load numbers will be higher than those computed above and could easily go above even the 20 residents than the ECTC CA State ADP license authorizes.

Opposing Letters:

As discussed in the opening section of this letter, there were sixty-seven (67) letters submitted that Opposed granting the ECTC CUP. These 67 letters were reviewed to identify the reasons that these homeowners had for requesting that the ECTC CUP be denied. Forty (40) separate reasons for their Opposition were identified. These 40 Opposition reasons were then matched to one (and only one) of the Hearing Officer (HO) CUP approval criteria in LA County Code Section 22.56.090. These follow, along with more detailed descriptions of each Opposition reason.

22.56.090 A.1 *"That the proposed use will be consistent with the adopted general plan for the area."*

Six (6) concerns relative to this Section were raised by homeowners: (a) Fit, (b) Capacity, (c) Location, (d) 1585 SMVA property, (e) Profit., (f) Employees. Discussion of each of these topics follows:

(a) **Fit – means the "Not suitable for a residential neighborhood".**

This Opposition reason was **raised by 31 (46%)** of the responding property owners. These owners feel strongly that **a for-profit commercial facility with 20 full time resident patients and up to 8 daytime staff members does not belong in a low-density residential neighborhood such as the SMVA area.** Such a facility is unlike any other use of property in the SMVA area.

The LA County Regional Plan zones the LA County portion of the SMVA area as R-1-20,000 (single-family, 20,000 sq ft minimum lot size) and the City of Pasadena zones the City portion of the SMVA area as RS-1 or RS-2 (single-family residential, one or two lots per acre). A 28 person for-profit business does not belong in such a single-family residential neighborhood.

Research by Mr. Tyler Montgomery, LA County Regional Planning Assistant II of the Zoning Permits II Section, (Attachment 2) did a search for LA County CUPs issued other adult residential facilities, home-based businesses run by a person not living in the residence, and home-based businesses with more than one paid or unpaid employee. While Mr. Montgomery could not guarantee that his search was exhaustive, he was unable to find other CUPs in the SMVA area meeting any of these criteria.

Mr. Denver Miller, Principal Planner, Current Planning/Zoning, City of Pasadena (626-744-6733 or dmiller@cityofpasadena.net) was asked (Attachment 2) whether the City of Pasadena would grant a permit for a CA State licensed residential Alcohol and Drug treatment facility in the residential RS-2 zone. His answer was **that the City of Pasadena only allows such facilities with six or fewer residents in any single-family residential neighborhood (RS-1 through RS-6)** and even that requires a permit. Such

facilities with seven or more residents are not allowed in RS-1 through RS-6 neighborhoods within the City of Pasadena. (There is one CA State ADP licensed residential alcohol and drug treatment facility within a City of Pasadena RS-6 zone (single-family residential, 6 lots per acre) that Mr. Miller said was a "use permit granted back in 1970 under a very old zoning code. (Ref [7])").

The ECTC location is less than 100 feet from the City of Pasadena border. Should the County grant the ECTC CUP, it would be inconsistent with the City of Pasadena permitting practices immediately across the street. **Both Mr. Steve Haderlein, the City of Pasadena Councilman responsible for the portion of the SMVA area (~1/3) that is within the Pasadena City limits, and Mr. Steve Mermell, City of Pasadena Assistant Manager, submitted letters to the Hearing Officer (Ref [1]) Opposing the ECTC CUP.**

(b) **Capacity – Oppose increasing ECTC resident capacity from the permit-free six (6) to the ECTC CUP request for twenty (20).**

Thirty-three (33) homeowners strongly feel that operation of a six resident alcohol and drug treatment facility is far more consistent with the LA County and City of Pasadena zoning plans than the proposed ECTC CUP. While the homeowners are not entirely comfortable with even a six resident capacity, they realize that such use is considered a single-family residential use by State law, County code, and City code.

(c) **Location – The location of the ECTC is inconsistent with the location of other Pasadena vicinity residential alcohol and drug treatment facilities (ADTFs).**

Ten (10) homeowners recognized that the other twelve (12) large residential ADTFs, with CA State ADP licensed capacities ranging from 6 to 130 residents, are located along major commercial corridors instead of in low-density single-family residential neighborhoods. Many of these owners suggested that Mr. Heard move his facility to such a location, with one even suggesting that he move it to the large vacant building located at 245 Sierra Madre Blvd, Sierra Madre, CA, which at one time was both a medical clinic and then an adult residential facility and is located along the commercial corridor in Sierra Madre where it would be much more suitable.

Mr. Heard argues that the location is important to the success of the ECTC, yet there are Pasadena ADTFs that are much nicer and that provide individual rooms for residents (e.g., The Villa at Las Encinas), which the ECTC can do at the CUP-free level of 6 residents but not at the requested CUP level of 20 residents (7 bedrooms, three adults per bedroom). Plus, Mr. Heard asserts that the residents are inside undergoing treatment, so it is difficult to understand why a serene outdoor environment is important at all.

(d) **1585 SMVA – Home across the street from the ECTC may be used to expand the ECTC.**

Fifteen (15) homeowners expressed this concern that they believe that Mr. Heard plans to use this home as another ADTF or as a recreational facility for residents of the ECTC. Either use would be a contradiction of Mr. Heard's statement in his August 2008 CUP application Attachment A, in which he states categorically that he has no plans to expand the ECTC facility.

Mr. Heard owns the residence located at 1585 Sierra Madre Villa Ave (marked with the blue letters "JH" on the map in Attachment [1]), and has been making modifications to the home that are not consistent with his stated use as his own residence. Further, he has installed a gate at the Northwest corner of the property, about 30 feet from the front gate of the ECTC.

One neighbor wrote in his letter that he called the CA State Department of Alcohol and Drug Programs (ADP) back in early 2008 and was told that there was a license application on file for the 1585 residence. When he checked back with the ADP later, following the March 26, 2008 Victory Park town hall meeting regarding the ECTC facility, he says he was told that there was no application on file any more. This homeowner suspects that Mr. Heard withdrew the application following the Victory Park town hall meeting and would plan to submit it again after the ECTC CUP is approved.

Neighbors have observed that Mr. Heard has air-conditioned the garage and some claim that he has converted it into additional bedrooms.

Neighbors further state that much of the work on this home has been done without City of Pasadena permits, including removal of numerous protected trees.

(e) Profit – For-profit motive is driving ECTC's expansion.

Two (2) homeowners expressed their feelings that Mr. Heard's desire to expand the ECTC capacity is driven purely by the profit motive and because of that he has no concern for what his actions might do to the neighborhood. They feel that this for-profit motive is incompatible with the use of the neighborhood as a single-family residential community.

(f) Employees – More than one employee exceeds LA Code 2.2.20.020 allowable.

One (1) homeowner noted that ECTC's use of more than one employee (up to 8 per the CUP application) is incompatible with the intent of LA County Code 22.20.020 regarding home-based businesses located in a single-family residential community.

22.56.090 A.2a "*That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.*"

Twelve (12) concerns relative to this Section were raised by homeowners: (a) Safety, (b) Peace, (c) Children, (d) Truth, (e) Noise, (f) Threats, (g) Long Opposed, (h) Not Good Neighbor, (i) Relapse rate, (j) Not lock-in facility, (k) Experience with ADTF "incidents", (l) Known individuals as targets. Discussion of each of these twelve follows.

(a) Safety – Fear safety for self and for ECTC residents.

Thirty (30) residents raised safety as a concern, both for themselves, their children, and even for the residents of the ECTC. The source of their concern for safety comes from many directions associated with ECTC's presence, including fire access/egress, traffic, restricted access to Fairpoint Street, unknown ECTC

resident backgrounds, and the impact of having so many addicted people know about the SMVA area neighborhood. Several cite research that shows the high correlation between drug use and criminal activity. Couple that with others that show the high relapse rates (as high as 75%) and homeowners have reasonable rationale for their concerns for safety. ECTC claims that they screen residents for criminal background, yet one of the ECTC Supporting letters is from Adam Stull, a criminal lawyer, from Stull & Stull who says he visits the ECTC five to ten times per year; what reason would he have to do that?

(b) Peace – ECTC presence affects peace of mind.
Twenty (20) residents expressed concern that the presence of the ECTC affects their peace of mind. This derives from their concerns resulting from threats made by ECTC personnel, the large number of ECTC cameras watching the neighborhood, noise that periodically comes from the facility, and suspicious activities associated with the ECTC (one neighbor on the street immediately North of the ECTC remarked that he had seen people who appeared to be intoxicated park on Barhite and make their way to the back fence of the ECTC, presumably for the purpose of delivering drugs to residents of the facility.

(c) Children – Risk to children in the neighborhood.
Twenty (20) residents expressed concern that expansion of the ECTC increases risk to small children in the neighborhood. Some residents on Fairpoint have had to park their cars in their driveway entrance to prevent cars from using their driveway to turn around on narrow Fairpoint, which they did to protect their children playing in the driveway. Other residents no longer let their children play in the front yard unsupervised, a significant change from prior years. Some neighbors have expressed concern that studies have shown drug users to have lower levels of inhibitions and ECTC is not a lock-down facility, so increasing the number of ECTC residents increases the number of drug users who are familiar with Fairpoint Street, thus increasing the risk to their children.

(d) Truth – Mr. Heard has misrepresented neighbors.
Six (6) homeowners raised the concern that Mr. Heard misrepresents neighbors to forward his own interests. For example, in his CUP application Attachment A "Burden of Proof" page 7 (Ref [2] which is part of Ref [5]), Mr. Heard says: "The neighbor to the north, who has lived at the same residence for 38 years, has also indicated that she has had no problems with the operation of Eaton Canyon Treatment Center and has a rapport with Mr. James Heard." This neighbor, Jane McReynolds has submitted a Declaration that is included in the HO Package (Ref [1]) that refutes Mr. Heard's statement. Similarly, Mr. Heard did not represent the CUP facts truthfully to either neighbor to the East and West of him. Further, the evidence that neighbors see regarding work being done on the 1585 Sierra Madre Villa Ave is not consistent with Mr. Heard's assertion that he intends that home as his personal residence. These and other stories relayed in the letters express the neighbors concerns that Mr. Heard does not tell the truth, casting everything he says or writes into doubt.

(e) Noise – Facility has or will increase noise in the neighborhood.
Six (6) homeowners said that they had already experienced noise resulting from shouting/yelling at the ECTC and are concerned that this will increase if the ECTC CUP is granted. The neighbor immediately to the North of the ECTC, Ms. Jane McReynolds, for example, states in her April 27th Declaration (Ref [1]): "...my husband and I have had numerous problems with noise and related disturbances caused by residents of the ECTC over the years."

(f) Threats – ECTC aggressive staff behavior
Six (6) homeowners have expressed concern about aggressive/intimidating behavior from the ECTC owner and his staff. Several residents who observed the event have referred to threats made to one participant of the 3/26/08 Victory Park town hall in which an ECTC associate said "You'd better watch your back, old man" to a gentleman raising concerns about the ECTC CUP. Another homeowner just recently made the decision to come forward with the story of the confrontation that he had with Mr. Heard and staff members from the ECTC following the Victory Park town hall meeting about the ECTC CUP. That letter was submitted too late to make it into the HO Package so it is provided here as Attachment 3. Other homeowners have discussed classic intimidation techniques where, after taking a picture of the ECTC facility, staff or residents attempted to follow them to their home to find out where they live. These homeowners called the police on their cell phones and the followers returned to ECTC. Many of these stories remain untold due to fear of retaliation if they put their stories in writing. Attachment 3 is the first that has been willing to take that risk and you can read the concern that this individual has regarding coming forward with the story. Consider also the 13 homeowners who provided responses to the Hearing Notice yet refused to give their full names or addresses out of fear of retaliation from Mr. Heard or the ECTC. Thus, the threats and intimidation techniques used by Mr. Heard and other ECTC staff appears to have been fairly effective.

(g) Long Opposed – SMVA area residents have long apposed ECTC expansion.
Three (3) homeowners pointed out that the SMVA area has been opposing the expansion of the ECTC for nearly thirteen years (since 1997, immediately after ECTC began operating as a sober living facility) and that this CUP hearing is the first time that the expansion of this facility can be factually challenged. The Victory Park town hall meeting (3/26/08) with political leaders from LA County and the City of Pasadena is one example of the neighborhood speaking out. These homeowners emphasize the importance of the current ECTC CUP Hearing to express the voice of the neighborhood.

(h) Good Neighbor – Mr. Heard & ECTC do not follow the California Good Neighbor guidelines supplied with the CA State ADP license package.

Three (3) homeowners explicitly mentioned this, even though actions such as those described under Threats above clearly show that Mr. Heard and his staff at ECTC either haven't read those guidelines or simply don't care to implement them.

(i) Relapse – Risk of increased crime due to addict relapse.
Two (2) homeowners specifically mentioned high relapse rates as a source of concern to their health, peace, comfort and welfare. NIDA papers suggest that 22% to 75% of addicts relapse within six months of leaving treatment (females toward the lower end, males towards the upper end). As mentioned earlier, ECTC Supplement Attachment D shows that there have been 874 ECTC clients since 2005 (not including the 31 clients so far in 2010, which pushes the total over 900) and perhaps that many more between 1996 and 2005, which pushes the total number of addicts treated by the ECTC to nearly 2,000 so far. If the relapse rate is say only 50%, which leaves perhaps nearly 1,000 relapsed addicts who are familiar with the SMVA area and its upper middle class wealth that they would see as a source of potential income.

(j) No Lock – The ECTC is not a lock-down facility
Two (2) homeowners explicitly raised the concern that, contrary to Mr. Heard's assertions that ECTC residents do not leave the facility during their treatment stay, ECTC residents are capable of leaving the facility whenever they wish and several homeowners have reported seeing them do so on many occasions. While there may be a locked gate in the front, the back wall of the facility is short and there is an extension ladder on the ground directly below the wall, making it quite easy for ECTC residents to enter Ms. Jane McReynolds back yard and exit onto Barhite Street any time they wish. Coupled with the other concerns above, this leads homeowners to worry that a large number of residents at the ECTC will eventually lead to an "incident" that might be preventable if the County denies the ECTC CUP application.

(k) Experience – Experience with rehab facility "incidents"
Two (2) homeowners indicated that they work in the field with addict rehabilitation facilities and are familiar with "incidents" associated with those facilities. They worry that the likelihood of ECTC experiencing a similar "incident" increases with a larger number of residents and the longer that larger capacity exists.

(l) Known – "Known individuals" in the SMVA area may be larger crime targets.
Two (2)) homeowners expressed concern about "known individuals" being recognized and their becoming targets as a result. One of these is an LA County Superior Court Judge that is so concerned about being recognized by ECTC residents that he may have been responsible for sending there that he no longer walks in the vicinity for fear of retaliatory actions by ECTC residents. Another homeowner with some fame expressed concern that she and others of some

fame/wealth may become targets for relapsing addicts once they know the neighborhood. Neither of these individuals would fully identify themselves or their addresses.

22.56.090 A.2b "*That the requested use at the location proposed will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.*"

Seven (7) concerns relative to this Section were raised by homeowners: (a) Values, (b) Need, (c) Moved, (d) Trust, (e) Owner, (f) Disclosure, (g) Precedent. Discussion of each of these follows.

(a) Value – Impact on property values.

Thirty-seven (37) homeowners expressed concern that they would be required to disclose the presence of a 20 resident ADTF under CA Civil Code Section 1102 and that this would impact the price that they could ask for their home when it is time to sell. Since CA State law (and County and City Codes) treat a 6 person ADTF the same as a single-family residence, a disclosure for that facility should not be required. Many letters noted that a number of people have moved as a result of the presence of the ECTC and that more intend to sell if the ECTC CUP is approved. One individual now renting in the neighborhood said that he had made an offer on 3323 Fairpoint Street (the home immediately to the south of the ECTC) but withdrew the offer after learning of the presence of the ECTC. He refused to reconsider even after the owner offered to reduce the sales price. Mr. Heard claims that any reduction in home values is purely due to the downturn in the real estate market, yet events such as those described above suggest otherwise. .

(b) Need – There is not a need to expand the ECTC beyond the permit-free capacity.

Ten (10) homeowners indicated that there is sufficient residential ADTF vacant capacity (greater than 180 vacant beds) in the Pasadena vicinity and that there would be essentially no impact on availability of residential ADTF beds were the ECTC CUP to be denied. Given this, these residents do not accept Mr. Heard's and other's arguments that there is an urgent need for the expanded ECTC capacity.

(c) Moved – Neighbors moved because of the ECTC.

Nine (9) homeowners say that they know of people who have moved from the area as a direct result of the presence of the ECTC and the reportedly hostile posture that Mr. Heard and his staff present to vicinity homeowners as documented above. While none of these former homeowners have taken the time to write letters to the Hearing Officer, except for Mr. Jeff Blea (Ref [1]) who took the time to prepare a declaration that his Transfer Disclosure Statement, which Mr. Heard presented in his original CUP Burden of Proof (Ref [2]) as supporting the ECTC, "*was not a letter of support or an endorsement*" of the ECTC. Those who know Mr. Blea indicate that his reason for moving involved a dispute with Mr. Heard. Other homeowners said in their letters that they did not receive a disclosure regarding the ECTC when they

purchased their home and would not have purchased if they had known about the ECTC in advance.

(d) Trust – ECTC operating without CUP for 7 years is a violation of community trust.

Seven (7) homeowners said that Mr. Heard's operation of the ECTC as a residential ADTF without the consent of the community obtained via a CUP hearing is a significant violation of the implicit trust that all property owners share with each other when they buy into a community and agree to abide by the rules that govern that community. These homeowners expressed their opinion that Mr. Heard will continue to violate County Codes at every opportunity and specifically worry that if the CUP is granted that he will not make any improvements (e.g., the septic system) that may be required as a condition of the CUP. His re-submitted request for "reasonable accommodation" (Ref [1]), after previously being rejected by both LA County Council and the County Planning Department, is another example of his attempt to circumvent establishing trust with the SMVA area community.

(e) Owner – Mr. Heard's disregard for neighbors concerns.

Six (6) homeowners expressed their concern that Mr. Heard disregards their concerns related to the ECTC. This was discussed previously under the heading of Mr. Heard not adhering to the CA State ADP Good Neighbor Policy guidelines which recommends that ADTF owners/operators provide opportunities to meet with neighbors weekly and to resolve concerns raised as quickly as possible.

(f) Disclosure – Homeowner didn't know about ECTC when purchased home.

Five (5) homeowners said that they didn't receive a disclosure statement about the ECTC when they purchased their home and would not have purchased had they been given such a disclosure. They also expressed their concern that, when they go to sell, they will be required to provide a disclosure and that will dissuade others from buying their home, making it either difficult to sell or will require them to sell at a significantly lower price than they might otherwise have received (see discussion under Values above).

(g) Precedent – Granting the ECTC CUP would set a precedent for the neighborhood.

Five (5) homeowners expressed their concern that granting of the ECTC CUP would set a precedent that would allow Mr. Heard or others to create additional facilities in the neighborhood, especially since residential ADTFs are exempt from the State overcrowding regulations, thus allowing residential ADTFs to reside next door to each other. Homeowners do not want this precedent established.

22.56.090 A.2c *"That the requested use at the location proposed will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare."*

Four (4) concerns relative to this Section were raised by homeowners: (a) Crime, (b) Sex Offenders, (c) Theft, (d) Blind Curve. Discussion of each of these topics follows.

(a) Crime – Increased crime in neighborhood

Thirteen (13) homeowners expressed that it was their sense that crime in the SMVA area has already increased since the ECTC began operating in 1996 and they expressed their concern that, as larger and larger numbers of addicts go through the ECTC and become familiar with the neighborhood, crime from relapsing addicts is also likely to increase. Two homeowners visited the Altadena Sheriff's Station on May 7th and spoke with Lt. Sheila Sanchez, Detective Bureau Commander/ Community Relations, regarding crime in the SMVA area. She indicated that she had already responded to a request by Mr. Tyler Montgomery with the results of a five-year look at crime trends in the Altadena area, which she stated includes the LA County portion of the SMVA area. Her assessment was that Type 1 or violent crimes (taken to be similar to the FBI Part 1 crimes of Aggravated Assault, Forcible Rape, Murder, and Robbery) are on the rise in Altadena but declining elsewhere. She did not find any correlation with the presence of residential ADTFs, including the ECTC. When asked, she said that she did not believe that the results would be significantly different if the time period studied was extended to 15 years in order to cover the time since the start of the ECTC.

What Lt. Sanchez's study apparently didn't cover was Part II or property crimes (arson, burglary, larceny-theft, and motor vehicle theft) that are the crimes that dominate in the minds of SMVA area residents and the increase of which they associate with the presence of the ECTC. These types of crime will be discussed under "Theft" below.

(b) Sex Offenders – Increased risk from sex offender residents at the ECTC

Nine (9) homeowners expressed their concern that unregistered sex offenders could be residents of the ECTC in spite of Mr. Heard's latest assurances that ECTC residents are screened to avoid sex offenders and those with criminal backgrounds. At the Victory Park town hall meeting on 3/26/2008, Mr. Heard reportedly said that, because of ADA laws, he was unable to screen incoming clients for sex offender backgrounds and therefore the possibility existed that there could indeed be residents at the ECTC facility who had sexual offender backgrounds. Now, the residents are confused and concerned that ADA laws would still prevent Mr. Heard from screening for these types of persons. Thus, they are concerned that they and their children could be at risk from these types of persons staying at the ECTC, especially given known relapse rates (NIDA) and the large volume of clients that have gone and will go through the ECTC each year (roughly about 200/yr) should the CUP be granted. They feel that a sex related "incident" likelihood is directly related to the number of residents allowed to stay at the ECTC.

(c) Theft – Risk of increased theft due to relapse or from ECTC client associates

Seven (7) homeowners expressed concern that the likelihood of FBI Part II or Property crimes (arson, burglary, larceny-theft, and motor vehicle theft) from relapsing former ECTC residents who have become familiar with the neighborhood scales directly with the number of clients that come through the ECTC. The sense of these homeowners is that these types of property crimes, including mail theft, theft from the insides of cars, and from garages has already been steeply rising since the ECTC began operations in 1996 and they are concerned that if the ECTC CUP is granted, these types of property crimes will continue to increase. Already, most residents have installed locking mailboxes and no longer place outgoing mail in their mailboxes due to mail that has been taken from mailboxes. They also sense a steep rise in persons pretending to be neighbors and asking for money to help them with some objective of theirs. Most of these are tripped because of the close-knit nature of this neighborhood (who know that no such neighbor exists) and the email exploder that allows residents to warn others of these people's presence in the neighborhood. Homeowners have now taken to calling the Pasadena Police or LA County Sheriff when these people are canvassing the SMVA area. Still, the trend is clear and the perception of homeowners is that the traffic of people through the ECTC exposing the neighborhood to addicts, their friends and their enablers is largely to blame for this increase over the last 15 years and that causes them to believe that, should the ECTC CUP be approved, will continue to increase in the future.

(d) Blind Curve – Increased risk of accident due to SMVA blind curve

Three (3) homeowners expressed concern that the presence of extra traffic and visitor parking increases the risk of accidents at the intersection of Fairpoint Street and Sierra Madre Villa Avenue which is just below a downhill blind curve. **One of the letters specifically asked that the County hire a traffic engineer to do a traffic safety assessment of this intersection prior to considering whether or not to grant the ECTC CUP.** Such a study does not yet appear to have been completed but there should be time to do this before the recommended July 7th Regional Planning Commission hearing.

22.56.090 A.3 *"That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area."*

Three (3) concerns relative to this Section were raised by homeowners: (a) Code, (b) Site, (c) Load. Discussion of each of these topics follows.

(a) Code – ECTC's lack of compliance with LA County Code

Thirteen (13) homeowners pointed that ECTC has been in violation of LA County Code since it began operation as a residential ADTF in 2003. They further point out

that Mr. Heard deliberately pursued avoiding LAC Code compliance for nearly five years and continues to do so today through his latest request for reconsideration of granting the ECTC "reasonable accommodation". SMVA residents strongly agree with the County Council and Planning Office that a CUP hearing is the proper way to ensure that neighborhood homeowner concerns are properly addressed.

(b) Site – The ECTC site is not suitable for 20 residents plus up to 8 staff

Three (3) homeowners pointed out that with 7 bedroom and 6 baths and a septic system designed for a single family, the ECTC facility is not adequate for the 28 people that would be using the facility every day. Three adults would be required to share each bedroom (except for one bedroom that would only have two residents). Additionally the 6,000 sq ft facility provides only 214 sq ft per person, much less than the area per adult normal for this neighborhood.

(c) Load – Facility load relative to other SMVA area residences.

Two (2) homeowners expressed the concern that the 28 persons that would be using the facility every day would stress the facilities significantly beyond what would be usual for any other single-family residence of this size in this region. Their greatest concern, as for others, was the septic system which they have noted has overflowed in the past, presenting a health and safety issue for the neighborhood. While this is fixable and LAC Planning has reviewed a proposal for upgrading the ECTC waste handling facility, that has not yet been done.

22.56.090 A.4.a. *"That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate."*

Three (3) concerns relative to this Section were raised by homeowners: (a) Traffic, (b) Parking, and (c) Fire. Discussion of each of these topics follows.

(a) Traffic – Risk from more traffic onto Sierra Madre Villa Ave

Thirty-nine (39) homeowners (who are all very familiar with the intersection from narrow Fairpoint Street onto Sierra Madre Villa Ave directly below a downhill blind curve that is already dangerous) are concerned that increasing the number of people on Fairpoint Street by 50% will increase the risk of traffic accidents at this intersection. This 50% comes from considering that there are 12 other residences on West Fairpoint Street with an average of four residents per household, yielding 48 persons. Adding 22 additional ECTC personnel (residents and staff above that which would be required for a permit-free six resident facility) adds nearly 50% to the number of people that must enter and exit at this intersection.

(b) Parking – Visitors parking on Fairpoint and SMV Avenue create increased hazard

Twenty-two (22) homeowners are very concerned that increased weekend visitor parking will increase the risk of traffic accidents, block access in or out of Fairpoint Street for services (garbage, delivery, etc) and for rescue vehicles

(ambulances and fire trucks). These homeowners say that they have already seen this happening as a result of parking near the mouth of Fairpoint Street.

22.56.090 A.4.b. *"That the proposed site is adequately served by other public or private service facilities as are required."*

Two (2) concerns relative to this Section were raised by homeowners: (a) Transportation, and (b) Sewage. Discussion of each of these topics follows.

(a) Transportation – Access to public transportation for employees and visitors

Eight (8) homeowners noted that other Pasadena vicinity residential ADTFs are located near commercial corridors with adequate access to public transportation for staff and visitors, and that this is not the case for the ECTC, indicating that the SMVA area is not the appropriate location for a facility such as this.

(b) Sewage – Sewage, Septic tank overflow

Two (2) homeowners noted that they had observed overflow from the ECTC septic tank on multiple occasions due to insufficient capacity for the resident and staff load on the system since it has not been upgraded as stipulated by the LAC Health Department and Planning Office.

Summary:

The analysis provided in this letter demonstrates that the vast majority (93%) of SMVA area residents who responded to the Hearing Notice are opposed to granting the requested ECTC CUP (200800131) for forty (40) different reasons, as documented above. Some of these reasons fall into each of the criteria that must be satisfied in LAC Code Section 22.56.090. Support for granting the ECTC CUP is slim (7% of responses). It appears that the ECTC CUP is not supported by the SMVA area community.

Sincerely,

James C Marr
1484 Old House Road
Pasadena, CA 91107
818-687-9810

CC:

Rhonda Stone, Field Representative, District 4, Pasadena City Council (rstone @cityofpasadena.net)

Tyler Montgomery, Regional Planning Assistant II, Zoning Permits II Section (TMontgomery@planning.lacounty.gov)

Paul Novak, Planning Deputy, 5th District (PNovak@lacbos.org)

Mitch Glaser, AICP (mglaser@planning.lacounty.gov)

Richard J. Bruckner, Director, LA Department of Regional Planning (RBruckner@planning.lacounty.gov)

Supervisor Michael D. Antonovich (fifthdistrict@lacbos.org)

Attachments:

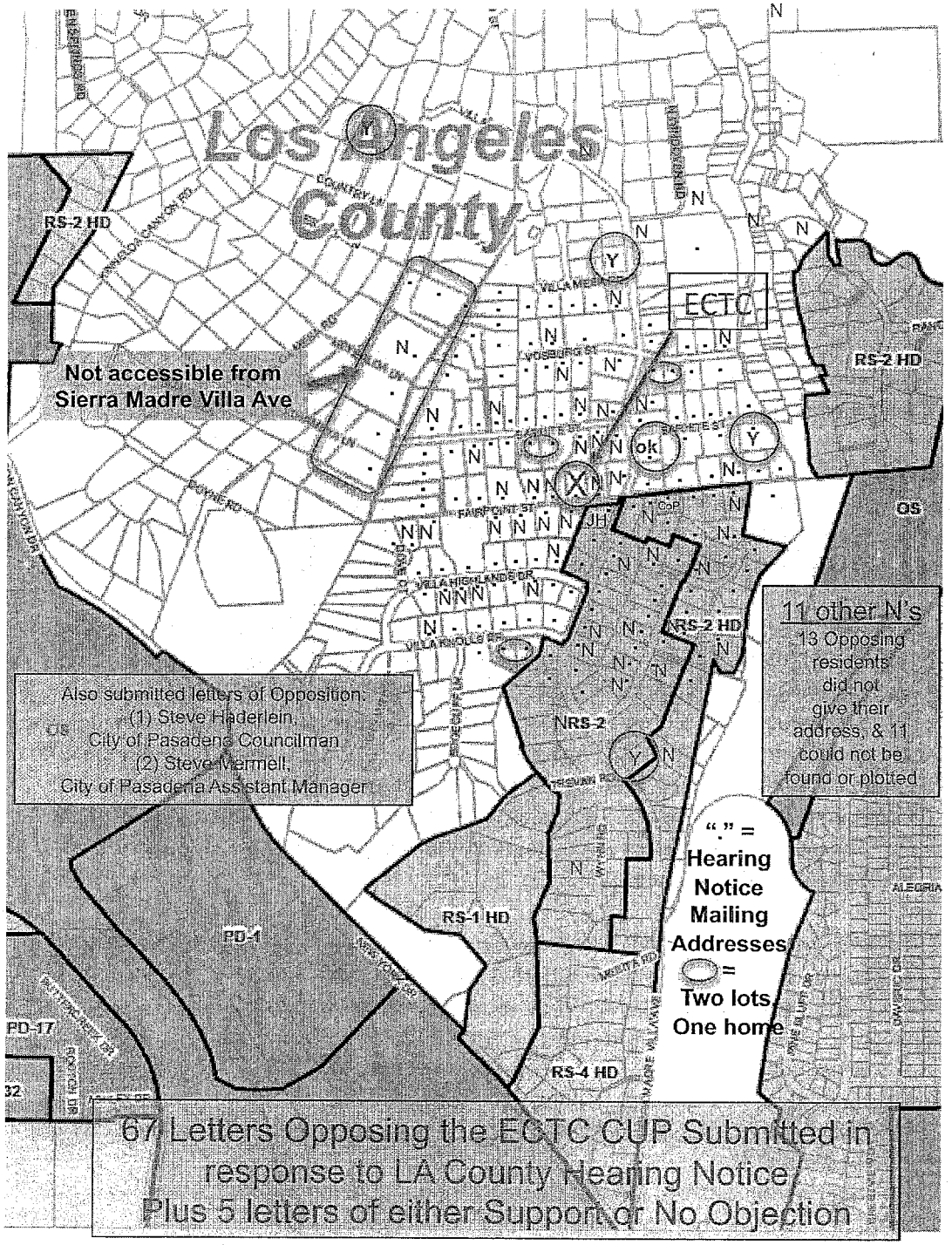
[1] Property map of the Sierra Madre Villa Ave area showing where Hearing Notices were distributed and noting responses received that Support (green Y's or ok's) and Opposing (red N's).
[2] 4/28/10 letter to Mr. Tyler Montgomery regarding Project R2008-01555-(5) that documents email exchanges between Marr and Montgomery, and Marr and Mr. Denver Miller, Principal Planner, Current Planning/Zoning, City of Pasadena regarding use/zoning for the SMVA area of LA County and City of Pasadena.
[3] Chang, Robert, 5/10/2010 email to Tyler Montgomery regarding his intimidation by "the owner and one of the employees of Eaton Canyon Treatment Center" following the March 26, 2008 Victory Park town-hall meeting regarding the ECTC.

References:

[1] Montgomery, Tyler, "*Project No. R2008-01555-(5), Conditional Use Permit No. 200800131, Environmental Assessment No. 200900053, May 18, 2010 Public Hearing, Agenda Item No. 4*", LA County Department of Regional Planning, May 6, 2010, URL: http://planning.lacounty.gov/assets/upl/case/project_r2008-01555_ho-package.pdf
[2] ECTC, "*Conditional Use Permit Burden of Proof, 3323 Fairpoint Street, Pasadena*", 12 pages, August 2008.
[3] LAC Department of Regional Planning, "Hearing Notice", not dated, URL: http://planning.lacounty.gov/assets/upl/case/project_r2008-01555_hearing-notice.pdf
[4] "Copy of Ownership List"
[5]" Zoning Permit Application, R2008-01555, RCMP 200800131", with Attachment A and Exhibits, 8/19/2008.
[6] Letter dated 4/30/10, from Katrina M. Campbell, Esq of 1646 Sierra Madre Villa Ave, Pasadena, CA 91107 (copy contained in Ref [1] above).
[7] Miller, Denver, Principal Planner, Current Planning/Zoning, City of Pasadena, Private communication (email, 4/29/10), stating that the single RS-6 zoned residential ADTF was permitted *"in 1970 under an old zoning code"*.

Attachment 1

Sierra Madre Villa Avenue area
Annotated with Hearing Notice distribution and Response letter locations



Attachment 2

Letter to Tyler Montgomery, regarding SMVA area zoning

28 April 2010

Tyler Montgomery
Regional Planning Assistant II
Zoning Permits II, Room 1346
L.A. County Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Reference: Project R2008-01555-(5)

Dear Tyler,

Over the past few days I have been trying to research whether or not there are facilities in the Kinneloa Mesa area similar to what is being requested in the Conditional Use Permit (CUP) for the Eaton Canyon Treatment Center (ECTC) facility (20 residents, 8 staff, business run by person not living there, more than one paid/unpaid employee).

As shown in Attachment [3], the Kinneloa Mesa area consists of single-family residential properties on large lots (one or two per acre) that are in either LA County (the majority) or the City of Pasadena. The ECTC property at 3323 Fairpoint St, Pasadena, CA sits just outside (less than 100 feet) of the City of Pasadena boundary.

I spoke with Mr. Denver Miller, Principal Planner, Current Planning/Zoning, City of Pasadena (626-744-6733 or dmiller@cityofpasadena.net) regarding whether the City of Pasadena would grant a permit for a CA State licensed residential Alcohol and Drug treatment facility with more than six residents in the residential RS-2 zone immediately across the street from the 3323 Fairpoint Street ECTC. His answer was that the City of Pasadena only allows such facilities with six or fewer residents in any single-family residential neighborhood (RS-1 through RS-6) and that even requires a permit. Such facilities with seven or more residents are not allowed in RS-1 through RS-6 neighborhoods. (Attachment [2]).

I also asked you (Attachment [1]) to help me determine whether there were any other residences in the Kinneloa Mesa area that were being used in any of the ways that the ECTC CUP proposes to use the 3323 Fairpoint residence. Specifically, I asked whether there were any other residences with current CUPs for:
1. Adult residential facilities for 7 or more persons (LAC 22.20.100),
2. Group homes for 7 or more persons (LAC 22.20.100),
3. Residential home-based business not run by person(s) residing in the dwelling unit (LAC 22.20.020.5),
4. Residential home-based business with more than one paid/unpaid employee (LAC 22.20.020.5).

Your reply to me (Attachment [1]) was that your search did not turn up any such properties in the Kinneloa Mesa area but that your search wasn't definitive in that such a permit might have been granted under an older permitting system and that the search tools you have are more for determining the permits associated with a particular property rather than finding properties that have a certain type of permit.

My conclusion from this little bit of research is that granting the requested CUP for the ECTC would be a significant departure from the use of the surrounding residential properties in both LA County and City of Pasadena, and would set a precedent that could possibly lead to other such facilities in the area and consequentially a substantial decline in the quality and desirability of other residences in the area, ultimately impacting property valuations. The City of Pasadena does not allow such facilities in residential zones and LA County should do similarly for the ECTC which is less than 100 feet outside of the City of Pasadena boundary.

Please deny this CUP application.

Sincerely,

James C Marr
1484 Old House Road
Pasadena, CA 91107
Cell: 818-687-9810

[Attachments to this letter not included here. See the original as submitted to Mr. Tyler Montgomery.]

Attachment 3

From: RNEWCOR@aol.com
Subject: 3323 Fairporint St., Cond use permit project no. R2008 01555
Date: May 10, 2010 9:36:56 PM PDT
To: TMontgomery@planning.lacounty.gov
Cc: PNovak@lacbos.org, ectchearing@me.com

Hearing Office
320 W. Temple Street
Los Angeles, CA 90012
Attn: Tyler Montgomery
213 974 6435

I am writing regarding 3323 Fairporint St., Cond use permit project no. R2008 01555. I understand they want to expand it usage. I am very much AGAINST this.

Two years ago I was at Victory Park for a meeting regarding this. At the end of the meeting the owner and one of the employees of EATON CANYON TREATMENT CENTER escorted me out of the meeting and wanted to fight because I was opposed to any expansion at the 3323 Fairpoint st location. There were many witnesses.
I find it troubling after reading about this project that they want to expand to treating 20 people in that little house. There is no parking on the little street Fairpoint. And as it is, the traffic in the area due to the many people living there is outrageous.
It would be a awful decision to grant any kind of an expanded use at above mention location.

I am sure writing this will result in more violent acts against me. However, I must voice my opinion and try to protect my neighbors even at my own expense.

Robert Chang
Resident
3240 Villa Highlands Drive
Pasadena, California 91107

Fax Message

To: MR RICHARD BRUCKNER - DIRECTOR Date: 5-11-2010

LA COUNTY REGIONAL PLANNING Fax No. 213 626 0434

From: Roger B. Hammock
Phone 626 398-0890; ~~Fax 626 398-5501~~

Subject: CUP APPLICATION 200800131 EATON CANYON RECOVERY

Total pages transmitted (6), including this page.

Roger B. Hammock
1247 Wynn Road
Pasadena, CA 91107
626 398-0890
rh@sanpasqualinvestors.com

May 10, 2010

Mr. Tyler Montgomery
Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012

Via Telefax 213.626.0434

Richard J. Bruckner, Director
Department of Regional Planning
1390 Hall of Records
320 West Temple Street
Los Angeles, CA 90012

Via Telefax 213.626.0434

RE: CUP application for Eaton Canyon Recovery Services/Eaton Canyon Treatment Center and or James Heard, 3323 Fairpoint Street, Pasadena, CA 91107
PROJECT NUMBER R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053

I live in the same neighborhood as the applicant in an area of Pasadena known as "Sierra Madre Villa. The neighborhood is in the foothills above the eastern edge of Pasadena and immediately adjacent to the Angelus National Forest.

WILD-FIRE RISK AND FIRE SAFETY SITUATION

Due to its location adjacent to the chaparral of the National Forest, the entire neighborhood is a very high-risk wild fire area. The subject property lies approximately 300 yards due east of an expanse of uninhabited natural chaparral and approximately 630 yards south-east of dense natural chaparral at the base of the San Gabriel Mountain Range. Neither of these areas has burned in decades and, in some cases for more than 50 years, yielding an abundance of fuel.

I have personally reviewed the fire situation with the crews at the local County Fire Station (Station 66). They have inspected the applicant's premises as per the request of the California Department of Alcohol and Drug Programs (ADP) in Sacramento using the

inspection format and form designated by ADP, but I was surprised to learn that the inspection only covered the fire safety situation inside and immediately adjacent to the building (exits properly marked and not blocked or locked from the inside, fire extinguishers in appropriate locations and properly charged, etc.), and not the situation involving evacuation of the residents of 3323 from the neighborhood and the impact of evacuation of the 3323 residents upon the ability of others in the neighborhood to also safely evacuate their neighborhood as well as upon the ability of fire crews and equipment to access the wild-fire areas as well as to protect structures. ADP is not concerned with the fire safety situation external to the walls of the facility and its driveway (essentially not beyond the property lines of the facility).

The subject facility lies on a dead-end street (Fairpoint St.) at the narrowest place on that street (approximately 20 ft wide). In the event of a wildfire, approximately 13 private residences (housing perhaps 20-30-40 persons depending upon time of day, holidays, etc.) would need to pass eastbound in front of 3323 in order to reach Sierra Madre Villa Ave. and thus be able to evacuate the area and possibly save their lives. Sierra Madre Villa Ave is the only way out of the neighborhood so being able to speedily reach it can be a matter of life or death to neighborhood residents. All the while, fire equipment would need to pass westbound in front of 3323 on the 20 ft wide road.

Due to the individual situations of the residents of 3323 (ambulatory or not; conscious or unconscious; in detox; cooperative or uncooperative) at any given hour of the day, some or many of them might not be ambulatory and would need to be evacuated by ambulance. All of this would have to happen at the same time fire engines were trying to go westbound on a very narrow Fairpoint St., past the choke point in front of 3323 and while residents were simultaneously trying to evacuate by going eastbound on Fairpoint towards Sierra Madre Villa Ave. Add to this the arrival of ambulances to assist in the evacuation of the 3323 residents and it is easy to see how chaos could ensue.

Last year when I phoned the ADP in Sacramento I learned that their position is that their licenses are issued subject to local inspection and approval of the fire safety situation and all responsibility and liability for fire safety lies with local authorities. In this case, that local authority is the County of Los Angeles and its Fire Department. The State of California takes no responsibility for any fire safety issues.

SANITARY SEWER SITUATION

The subject facility is located in an unincorporated area of Los Angeles County. It is not served by sewers. Instead, it must operate using septic tanks and leach fields. The original residence in which the 3323 facility is now located was a private single family residence. The septic system which services the current 3323 facility has no appearance of having been upgraded since it was originally designed and installed for that single

family. It appears that no tests of the suitability of the soil conditions for a septic system capable of handling 20-21 residents plus staff (12-13) plus visitors (there have been weekends where there were literally more than a dozen guests in addition to residents and staff) have ever been undertaken. All the while, the 3323 facility has increased more than 4x to 5x in the number of persons using the septic system. Immediate neighbors have, in the past, seen raw sewage overflowing from the facility onto the public street. This testifies to both the unsuitability of the present septic facilities to the purpose and the indifference of the operators of the facility to the health and safety of the neighbors.

COMPLIANCE WITH LOCAL CODES AND REQUIREMENTS

The applicant has been operating subject facility in knowing violation of LA County's requirement that he obtain a CUP from the County. To this date, it is my understanding that none of the modifications or expansions (such as several thousand square feet of additional bedrooms, bathrooms and living space) to the 3323 facility have ever been permitted by the County Building Department prior to commencing construction or during construction nor before occupancy was commenced. There were no plan checks, no engineering studies, etc. There was no check for compliance with local CC&Rs and the neighbors had absolutely no opportunity or chance to provide input into variance, density or similar. The facility was just built. Furthermore, the applicant began operation of his 20-21 person facility without even applying for a Conditional Use Permit.

Applicant is a bright and articulate man and has adequate and capable legal representation and thus, there is no excuse for failing to submit to the CUP process or any other permitting processes in a timely manner.

DENSITY ISSUE: NEW FACILITY BEING COMPLETED ACROSS THE STREET

Applicant is presently completing work on a residence he has purchased diagonally across the street from the 3323 Fairpoint facility. The address of this new facility is 1585 Sierra Madre Villa Ave. Applicant has apparently converted the garage to additional bedroom(s). The new residence is approximately 39 feet from the property line of the 3323 facility. I believe that Mr. Heard presently claims that the new facility will be used only as his residence, but there is nothing to keep him from using the facility for six or fewer residents or, failing inspection by authorities, for even more residents.

Several weeks ago, ADP acknowledged that there was an application in their office for licensing of the 1585 Sierra Madre Villa residence as an ADP facility. Within a few weeks of this inquiry about licensing status to ADP, ADP suddenly advised that there was, in fact, no license application. Hmmm . . .

How will density issues be resolved when the related facilities are only about 39 feet from each other but one is in unincorporated County and the other is in the City of Pasadena?

SUITABILITY TO NEIGHBORHOOD

While fire safety for both residents, staff of 3323 and neighbors of the 3323 facility is the greatest factor weighing against the granting of a CUP to the applicant, the "fit" of the 3323 facility, essentially a several thousand square foot commercial facility (if the CUP were approved) with a head "count" (of staff and paying residents) in the dozens into the surrounding neighborhood is not good. The surrounding neighborhood is composed of upscale (but not necessarily 'top-end') single family residences on between 1/3 to 1/2 acre, housing predominantly either retired couples or, alternatively, younger families with one or two or possibly three younger children. The typical neighborhood residence is in direct contrast to the 3323 facility which is presently housing about 20 or 21 substance abusers. While the front of the 3323 facility is well groomed, it literally bristles with surveillance cameras and part of the facility, several thousand additional square feet built on the hillside above the street, looks like a cheap apartment building. This facility was built without a building permit or County review and was subsequently permitted, after the fact, by the County. It is even questionable if the huge addition was ever included in the property tax valuation. The 3323 facility definitely does not "fit" in with the rest of the neighborhood. The roadways are inadequate to allow proper fire safety for all involved. The sewer facilities are grossly inadequate. And a large, institutional type facility just does not "fit" in with the character of surrounding residences and their inhabitants.

The staff of the 3323 facility are neither friendly nor neighborly. Walking by the facility and especially taking a photograph of either the 3323 facility or the facility across the street will bring out of the facilities one or two aggressive and confrontational people. On one day, the situation became especially confrontational when one staff member seemed intent on following my wife and I and our dog to our home. We did not intend to let this happen. We called the police on our cell phone and began to backtrack towards the man following us. I think only the presence of our German shepherd dog on its leash caused the man following us to turn back.

Neither the look of the 3323 facility nor the aggressiveness of its staff nor the constant coming and goings of the applicant's vans, with their heavy window tinting, up and down Sierra Madre Villa as well as between the facilities on the north and south side of Fairpoint nor the occasional flow of raw sewage complements our neighborhood. Nor does any of this raise property values. To the contrary.

In summary, I believe that the 3323 facility, if operated as an Alcohol and Drug Recovery Facility with an approved capacity of 20-21 persons plus 12-13 staff would "Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare." Furthermore, the 3323 facility is not adequately served "By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate", especially in the event of a life threatening wild fire as are typical for the subject neighborhood, especially in times of strong north easterly winds (Santa Ana winds).

Thank you for your consideration of these observations and comments in this matter and hopefully for your agreement that a project of this nature and size does not belong in the Sierra Madre Villa neighborhood.

Sincerely,

Roger B. Hammock

cc: Supervisor Michael D. Antonovich -
500 West Temple Street
Fifth District, Room 869
Los Angeles, CA 90012
Via Telefax 626.568.0159

Mr. Paul Novak
Via Telefax 213.974.1010

Montgomery, Tyler

From: RNEWCOR@aol.com
Sent: Monday, May 10, 2010 9:37 PM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org; ectchearing@me.com
Subject: 3323 Fairporint St., Cond use permit project no. R2008 01555

Hearing Office
320 W. Temple Street
Los Angeles, CA 90012
Attn: Tyler Montgomery
213 974 6435

I am writing regarding 3323 Fairporint St., Cond use permit project no. R2008 01555. I understand they want to expand it usage. I am very much AGAINST this.

Two years ago I was at Victory Park for a meeting regarding this. At the end of the meeting the owner and one of the employees of EATON CANYON TREATMENT CENTER escorted me out of the meeting and wanted to fight because I was opposed to any expansion at the 3323 Fairpoint st location. There were many witnesses.

I find it troubling after reading about this project that they want to expand to treating 20 people in that little house. There is no parking on the little street Fairpoint. And as it is, the traffic in the area due to the many people living there is outrageous.

It would be a awful decision to grant any kind of an expanded use at above mention location.

I am sure writing this will result in more violent acts against me. However, I must voice my opinion and try to protect my neighbors even at my own expense.

Robert Chang
Resident
3240 Villa Highlands Drive
Pasadena, California 91107

Montgomery, Tyler

From: Kimberly McClendon [kimberlym512@msn.com]
Sent: Sunday, May 09, 2010 5:12 PM
To: Montgomery, Tyler
Subject: Conditional Use Permit @ 3323 Fairpoint St., Pasadena, 91107

Importance: High

In response to your recent letter for additional occupants at the above mentioned address, our family is vehemently opposed to the decision. Thank you for your attention.

The McClendon Family
3220 Villa Highlands Drive
Pasadena, CA 91107

Montgomery, Tyler

From: Marcel Thibodeau [marcel@blvddesign.com]
Sent: Sunday, May 09, 2010 4:53 PM
To: Montgomery, Tyler
Subject: Eaton Canyon Treatment Services, Inc. 3323 Fairpoint St., Pasadena, CA 91107

Dear Mr. Montgomery,

I am a resident in the Eaton Canyon area of Pasadena, very close to the location of Eaton Canyon Treatment Services, Inc. and I want to strongly oppose a condition use permit to expand or allow its alcohol and drug treatment facility reciding at 3323 Fairpoint St., Pasadena, CA 91107. When we bought our home almost 8 years ago, we were not aware that this kind of element was part of our neighborhood. Expansion of this kind of facility really does affect the character of this neighborhood, and will impact our property values as well as raise questions about the safety of the neighborhood. Please do what you can with the powers that you have to deny any kind of approval for this facility to exist beyond 6 people. As far as we are concerned, 6 people are 6 to many as it is.

Marcel Thibodeau
1525 Dove Ct.
Pasadena, CA 91107
(626) 296-9610

Montgomery, Tyler

From: Stone, Rhonda [rstone@cityofpasadena.net]
Sent: Wednesday, May 05, 2010 12:09 PM
To: mantonovich@lacbos.org; Bruckner, Richard
Cc: Montgomery, Tyler; PNovak@lacbos.org; Beck, Michael; Steve Haderlein
Subject: 3223 Fairpoint (Project Number R2008-01555-(5)).Pasadena, CA 91107

Importance: High

Dear Supervisor Antonovich, and Planning Director Mr. Bruckner;

I am writing to express my personal opposition and my opposition on behalf of those that I represent to the proposed Eaton Canyon Recovery Center at 3223 Fairpoint (Project Number R2008-01555-(5)).

I am the Pasadena City Councilmember elected to represent the area of Pasadena immediately adjacent to the proposed project.

My opposition to the proposal is for the following reasons:

1. The location of the proposed twenty bed facility is accessed by a single residential road. In my opinion, the traffic load generated by a twenty bed facility is far greater than can be accommodated by this road. Further, the road is cul-de-sac thus limiting access to a single segment.

2. A facility of that size will generate many visitors and the site is not capable of handling the visitor load without negatively impacting the neighbors that I represent.

3. Parking issues for staff, visitors, and residents.

4. The sewer system is a septic tank system and is not designed for twenty people plus staff plus visitors.

5. I am concerned about the fire safety of a such a large facility. This area borders our National Forest and during the Station Fire this last year, this area faced evacuation. The single ingress and egress issue is very real for this quiet hillside neighborhood. Has the Pasadena Fire Chief been consulted?

For the reasons above, I respectfully request that you reject the requested Conditional Use Permit.

Respectfully,

Steve Haderlein

Pasadena City Councilmember

(hard copy sent U.S. Postal service forth coming)

DRP COPY
DO NOT REMOVE

Law Office of Kim Savage
Post Office Box 41580
Long Beach, California 90853
Telephone: (562) 930-1113
Facsimile: (562) 930-0003

May 5, 2010

Tyler Montgomery, Zoning Permits II
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Via Facsimile & Electronic Mail

Re: Eaton Canyon Treatment Center – Project No. R2008-01555-(5);
Case No. RCUP 200800131; RENV 200900053; Hearing Date: 5/18/2010

Dear Mr. Montgomery:

Eaton Canyon Treatment Center requests that the County of Los Angeles refrain from issuing a staff recommendation on the above-referenced application for a conditional use permit until the Sheriff's Department records have been produced in response to the attached Public Records Act Request. The April 29th faxed request by the County does not request the specific records that are vital for making a fair and fully informed decision on the conditional use permit application. The County represented to Eaton Canyon months ago that it would obtain the Sheriff's Department records but County' late request of April 29, 2010 does not request the necessary records and only seeks an opinion of the Sheriff's Department which is outside the authority of the law enforcement agency. Eaton Canyon relied on the County's representations that it would obtain the Sheriff's Department records and provide a copy to it.

Based on the foregoing, the County in order to issue a fully informed recommendation on this matter must first review and consider the Sheriff's Department records.

Sincerely,

Kim Savage

Kim Savage
Attorney At Law

Encl.

Law Office of Kim Savage
Post Office Box 41580
Long Beach, California 90853
Phone: (562) 930-1113
Facsimile: (562)930-0003

May 5, 2010

Captain Steven McLean
Altadena Sheriff's Station
780 E. Altadena Drive
Altadena, California 91001

Via Facsimile and First Class Mail

Re: California Public Records Act Request - 3323 Fairpoint Street, Unincorporated Pasadena

Dear Captain Mc Lean:

Pursuant to California Government Code §§ 6250 et seq., Eaton Canyon Treatment Center requests of the Los Angeles County Sheriff's Department, Altadena Sheriff's Station, copies of all records and writings within its possession related to 3323 Fairpoint Street, Unincorporated Pasadena, including, but not limited to: calls for assistance or service, reports and other information related to the property for the period of time commencing January 2005 to date and all records or writings of the disposition of all calls for service, reports and assistance for such property for the same time period. Gov't Code §§ 6252; 6254(f).

This request is made pursuant to Eaton Canyon Treatment Center's request for a conditional use permit, an administrative procedure, within the County of Los Angeles, Regional Planning Department. The public's interest in disclosure of the requested records far outweighs nondisclosure in that the information is necessary for a full and a fair review of Eaton Canyon Treatment Center by the County. The records can be produced without disclosing the names of any individuals who made calls to the Sheriff's Department through redaction if the Sheriff's Department finds this necessary.

We appreciate your responding to this request within the statutory ten-day period and, thereafter, making the above-described records promptly available pursuant to Gov't Code §6253(b), (c). Eaton Canyon is ready to pay the reasonable copying charges for the record. Please contact me at the above-number when the records are ready and if you have any questions.

Sincerely,

Kim Savage

Kim Savage
Attorney At Law

Montgomery, Tyler

From: TIGRAN ARAKELYAN [tigranarakelyan@sbcglobal.net]
Sent: Tuesday, May 04, 2010 5:59 PM
To: Montgomery, Tyler
Subject: I deny the CUP for the ECTC

I am a resident living off of Sierra Madre Villa for more than 6 years.

I would say there is no cause for LA county to grant ACTC (CUP) 20 full time residents undergoing treatment and up to eight daytime staff approval or a permit to use this address for ECTS. Because the existing residential ADF's in the Pasadena and vicinity numbering 13; nine of which is in Pasadena are more than sufficient for the area. if you consider the lack of such treatment services in all the neighboring cities including; Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. It almost looks like Pasadena has been targeted by a special interest group.

the 13 facilities provide 473 residential treatment beds, of which around 40% are currently vacant!

This neighborhood furthermore has been the target of many burglaries almost every family that has moved in within the last 5 years have been burglarized. that is a very alarming fact. the address 3323 Fairpoint st. Pasadena, Ca 91107 has been housing six full time addicts undergoing treatment for more than five years now. and the owner has enlarged his ownership by buying the house on the south west corner of Fairpoint and Sierra Madre Villa.

I know of two to three neighbors on Fairpoint and Sierra Madre Villa across from Fairpoint who sold their houses and moved out of the area after being harassed at the first hearing for the permission of this services! There is another treatment service center on Sierra Madre Villa a little to the north of the aforementioned Treatment service that is requesting to enlarge we often see cars parked in the driveway early mornings and have asked why are they there for some have been honest to say they have to be checked weekly for sobriety before they can go to work.

I think our neighborhood is overwhelmed and over saturated with such service homes already.

I deny the request strongly.

Respectfully,
Tigran Arakelyan
email address:tigranarakelyan@sbcglobal.net

Montgomery, Tyler

From: Alex Hansen [ahansen1@gmail.com]
Sent: Tuesday, May 04, 2010 10:41 AM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: PROJECT NUMBER R2008-01555-(5), CONDITIONAL USE PERMIT NO. 200800131, ENVIRONMENTAL ASSESSMENT NO. 200900053

County of Los Angeles
Tyler Montgomery, Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012,
Email: TMontgomery@planning.lacounty.gov
Phone: (213) 974-6435

CC:
Los Angeles County Board of Supervisors:
Paul Novak, Planning Deputy 5th District,
500 W. Temple St.
Los Angeles, CA 90012
Email: PNovak@lacbos.org
Phone: (213) 974-5555

Re: **PROJECT NUMBER R2008-01555-(5)**
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053
Public hearing on Tuesday, May 18, 2010
CONDITIONAL USE PERMIT REQUEST: To authorize the continued operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.
LOCATION: 3323 Fairpoint Street, in the Northeast Pasadena Zoned District of Los Angeles County

Eaton Canyon Treatment Services, Inc, (ECTS) operates a for-profit CA state licensed Alcohol and Drug treatment Facility (ADF), called the Eaton Canyon Treatment Center (ECTC) on the 3323 Fairpoint St site (see http://www.eatoncanyon.org/). ECTC has petitioned LA County to grant a Conditional Use Permit (CUP) to allow ECTC to increase from 6 to 20 full time residents undergoing treatment and allow up to 8 daytime staff (a total of 28 people), a growth of 22 persons on the site daily.

My understanding is that the same organization operates or is in the process of establishing a second, similar facility two blocks away, in the same community but within the Pasadena city limits. I also understand that there are currently 13 CA state-licensed ADFs in the Pasadena vicinity (including ECTC): nine in Pasadena, two in Altadena, one in Monrovia, and one in Glendale. There are none in Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. Of these, all except two are located near major commercial corridors (Colorado/Foothill, Fair Oaks, and Lake). These 13 facilities provide 473 residential treatment beds, of which ~40% are currently (and typically) vacant.

I live a couple of blocks from the facility at 3323 Fairpoint. The neighborhood is entirely residential, up a windy road on the side of the foothills above Pasadena. We are a diverse community of younger families with school-age children and elderly couples who have retired, including people from a variety of cultural and racial backgrounds. The neighborhood is quiet; it has a rural feeling. We have no sidewalks, street lights, sewers, but we do have coyotes, deer, bobcats and a neighborhood bear. Most people in the neighborhood live here for this environment. The value of our homes are tied to the relaxed atmosphere which the neighborhood affords, and for the community. We have a fair amount of neighborhood activity including a community organization, an annual picnic, even an active email communication system. My impression is that we have little crime; the main issue seems to be people speeding down the hill.

I am sympathetic to the need for community-based treatment centers; however, it seems that we already have more than our share.

Since current facility, limited to six individuals, was established, we have seem a noticeable increase in traffic on the single road coming into the community, to the point where the road is becoming congested. More than tripling the number of people, to 28, in what was originally built as a single family home, will only add to that problem.

Having a facility with six patients is already out of character with the single family homes in the area; increasing to 22 patients will change the neighborhood significantly. And if the second facility within the Pasadena city limits grows to 22 patients as well, that would negatively impact the environment.

Granting the permit to expand the number of individuals living in one home will adversely impact the peace, comfort and welfare of people in our neighborhood. I believe that it will devalue the property values of our homes.

The single road, with only one access point at the bottom of the hill, is narrow with little room for people who walk or bike along the side. It was not built to handle the traffic volume which this permit will bring.

As there seems to be more than sufficient capacity for patients in our community (as the facility currently have an average 40% vacancy rate), and as we already have one (and perhaps soon, two) of the facilities in the community, as we are a residential neighborhood (there are no other commercial establishments in the area to my knowledge) and as the existing infrastructure was not built to handle the extra traffic this will create, I urge to deny the permit request.

Alexander E Hansen
Renu Bhat-Hansen
3463 Vosburg Street
Pasadena, CA 91107-1245

Home: 626 791-3307
Work: 626 737-0382
Email ahansen1@gmail.com

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012
Attention: Tyler Montgomery

MAY 3 - 2010

Dear Mr. Montgomery, Hearing Officer and committee,

I am very opposed to granting the conditional use permit for the property located at 3323 E. Fairpoint Street in Los Angeles County (Pasadena address). The subject property is three (3) houses from my residence. The project number is R2008-01555-(5).

There are several reasons why I am opposed to this including the following:

1. I have live here since 1976 and ever since this facility has moved here, it has been very difficult for me to drive down our street to get to and from my home.
2. With the current use allowing six (6) at the site, there is already too much traffic and parking on a street that cannot support any additional parking. The street is only 23 feet wide. It is a non-incorporated street type with no curbs or sidewalk or street lights and the street is too small for any commercial or residential living facility with the requested number of 20. The additional cars would completely jam the street. The residents of the facility are not the only ones who park on the street. With 20 residents and 8 workers, the situation would exacerbate the already difficult time navigating down our small street without cars parked. At times, visitors come and park on both sides of the street making it impossible for any vehicle, especially ones the size of a fire truck or ambulance, to navigate down the street. On trash days, driving down the street would be virtually impossible. I am 72 years old and am very concerned that the street would be jammed which could prevent an emergency vehicle from reaching me or my family in the event of medical emergency, fire, or incident needing police. There have been several times when delivery trucks have parked outside the facility which have prevented me from getting to my home and I have had to wait for several minutes which is not only inconvenient, but a safety hazard.
3. We believe that this owner has had more than the 6 allowed at this facility for years. This could be proved and verified by the amount of utilities used at this home. With an increase allowed, who knows how many he would have at this site. Our street does not have any sewer hook-ups and having over 28 people in this facility each day could potentially cause an unsafe and unhealthy situation.
4. The person who owns this facility also owns the property located on the southwest corner of E. Fairpoint and Sierra Madre Villa (about 2 houses away). We believe that this "residence" will be also used as another residential facility. Either way this one facility has already severely reduced the property values on our street. We believe that it is the owner's aim is to purchase additional homes on our street and also convert them into additional residential facilities making it almost impossible for us to sell our homes in a normal residential competitive real estate climate. One of the new owners on our street told me that he would never have purchased his home on this street if he had known about the already existing facility with six (6) allowed. With the disclosure laws, all home sales would have to disclose this fact and would severely limit the buyers to our street. This will most definitely LOWER our property values.
5. There have been several incidences where residents and visitors have trespassed on our property. First of all, we used to have two beautiful white lions at the front of our home flanking our staircase. When the residential facility put lions at their location, we had on two

separate occasions people walk directly into the back of our home. One of the times it frightened my disabled bed ridden husband so badly that we had to remove the lions so that the people would not enter our home again by accident. Additionally, often times due to the narrow street, we have cars from their facility use our circular driveway as a way to turn their cars around. I have young grandchildren that play in my yard and I have had to stop this for their safety. Now I park a car there so that these cars can't use my driveway as a turn-around for the street.

6. Not only do we vehemently oppose this conditional use permit, but we also demand that your department monitor and enforce the laws on the books which allow the owner to only have 6 at this site which does not require a permit. A facility with 20 residents should be in an area with wide streets, ample parking and in a mixed use neighborhood. NONE of these apply to this situation. The owner has not demonstrated that he can keep the street clear of vehicles today without this extra permit and we believe that by approving this use, our peaceful neighborhood will lose its community flavor and turn into a place very different from its intended residential zoning.

We wholeheartedly want to declare that we **OPPOSE** the granting of a conditional use permit for this residential property. Please consider all of the above when making your decision. Our safety and way of life depend on your decision. Should you require further explanation or testimony under oath, I will be happy to provide either.

Sincerely,

Barbara J. Burlison

Barbara J. Burlison
3265 E. Fairpoint Street
Pasadena, CA 91107

May 3, 2010

Todd Hutton MD
Paige Seidel-Hutton
1797 Sierra Madre Villa Ave.
Pasadena, CA 91107
626-345-0844
thutton@earthlink.net
paigerama@earthlink.net

Mr. Tyler Montgomery
Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012
Via email: TMontgomery@planning.lacounty.gov

Re: Project Number R2008-015550(5) / Conditional Use Permit No: 200800131
3323 Fairpoint Street, Pasadena 91107

Dear Mr. Montgomery,

We are writing to you to request that you deny the CUP for the above mentioned project based on the impact that it will have on the neighborhood for safety, property value and security.

Over the past year while this facility has been operating in it's current status, we have had an increase in crime. Our cars were broken into within our carport (LA Sherriff case July 2, 2009) and in this particular incident, a trail of items taken were discarded along the route from our residence to Fairpoint St. In addition to this robbery incident, drug use paraphernalia has been found in our front yard.

We are already upset and concerned with the 6-bed facility currently being operated and have directly felt the negative impact that this has brought to our neighborhood and to us personally. To increase the capacity of this facility over 3 times is completely unacceptable as residents, property owners, and parents.

As a psychiatrist, I know that crime is often related to involvement in drugs. I have 3 children and strongly feel that the passing of this permit will only increase the danger in our neighborhood. In addition, passing this permit would set a negative precedent to possibly adding more of these facilities in a strictly residential area.

As property owners, parents, member of this community, we strongly request that you deny the CUP for 3323 Fairpoint St.

Best regards,
Todd Hutton, MD Paige Seidel-Hutton

Cc: Paul Novak
Planning Deputy 5th District
Kenneth Hahn Hall of Admin, Rm 869
500 W. Temple St
Los Angeles, CA 90012
Via email: PNovak@lacbos.org

Montgomery, Tyler

From: Marco Spagnoletto [MSpagnoletto@ttgcorp.com]
Sent: Monday, May 03, 2010 10:48 AM
To: Montgomery, Tyler
Subject: Project Number R2008-01555-(5) - Conditional Use Permit No. 200900053 - Enviromental Assessment No. 200900053

Dear Mr. Montgomery:

I am writing to present my concerns in regard to the conditional use permit request as noted above. I live on Vosburg Street, approximately 2 blocks from the site at 3323 Fairpoint.
My concerns because of the increased number of residents, daytime staff, families and visitors, are as follows:

- **Our single access road is not sufficient for the increased volume of traffic that will result is this CUP is approved. In addition, the road is already in a terrible state with urgent need of maintenance.**
- **The increased traffic will cause undue noise pollution and traffic congestion for our residential community.**
- **The additional traffic and pollutants from these vehicles will have an adverse affect on the health, peace, comfort and welfare of the people living in our residential community. A community made largely by children and senior citizens.**
- **Having an ADF of this size in our residential zone will impact the valuation of my personal property.**

I hope you take all these issues into consideration and not approve this CUP.

Sincerely,

Marco Spagnoletto
3326 Vosburg Street
Pasadena, CA 91107

Mr. Tyler Montgomery
Hearing Officer
Planning LA County
320 W. Temple St.
Los Angeles, CA 90012

Dear Mr. Montgomery:
I live one block away from Fairpoint street in Pasadena. I understand you are preparing a LA county Planning Department recommendation regarding CUP for 3235 Fairpoint St. in Pasadena. I would like to comment on this.
I have nothing against people genuinely trying to rehabilitate from alcohol and drugs. I am not in favor of granting this CUP. This is a purely residential area. I would be against an alcohol and drug rehabilitation center in a purely residential area. Increasing the number to 20 residents from 6 would be very detrimental to us. I believe such a center should be located near a commercial area.
We come late at night sometimes and would not be comfortable and feel safe with such a center in close vicinity. We like this area for its peace and safety. Even though the residents are trying to rehabilitate it is possible that harmful consequences to us could occur.
I hope that you would consider this and make a strong negative recommendation and deny the CUP
Thank you,
Sincerely,
A resident near Fairpoint Street. I am afraid to give my name

MAY 3 – 2010

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012
Attention: Tyler Montgomery

RECEIVED
MAY 3 - 2010

Dear Mr. Montgomery, Hearing Officer and committee,

I am very opposed to granting the conditional use permit for the property located at 3323 E. Fairpoint Street in Los Angeles County (Pasadena address). The subject property is three (3) houses from my residence. The project number is R2008-01555-(5).

There are several reasons why I am opposed to this including the following:

1. I have live here since 1976 and ever since this facility has moved here, it has been very difficult for me to drive down our street to get to and from my home.
2. With the current use allowing six (6) at the site, there is already too much traffic and parking on a street that cannot support any additional parking. The street is only 23 feet wide. It is a non-incorporated street type with no curbs or sidewalk or street lights and the street is too small for any commercial or residential living facility with the requested number of 20. The additional cars would completely jam the street. The residents of the facility are not the only ones who park on the street. With 20 residents and 8 workers, the situation would exacerbate the already difficult time navigating down our small street without cars parked. At times, visitors come and park on both sides of the street making it impossible for any vehicle, especially ones the size of a fire truck or ambulance, to navigate down the street. On trash days, driving down the street would be virtually impossible. I am 72 years old and am very concerned that the street would be jammed which could prevent an emergency vehicle from reaching me or my family in the event of medical emergency, fire, or incident needing police. There have been several times when delivery trucks have parked outside the facility which have prevented me from getting to my home and I have had to wait for several minutes which is not only inconvenient, but a safety hazard.
3. We believe that this owner has had more than the 6 allowed at this facility for years. This could be proved and verified by the amount of utilities used at this home. With an increase allowed, who knows how many he would have at this site. Our street does not have any sewer hook-ups and having over 28 people in this facility each day could potentially cause an unsafe and unhealthy situation.
4. The person who owns this facility also owns the property located on the southwest corner of E. Fairpoint and Sierra Madre Villa (about 2 houses away). We believe that this "residence" will be also used as another residential facility. Either way this one facility has already severely reduced the property values on our street. We believe that it is the owner's aim is to purchase additional homes on our street and also convert them into additional residential facilities making it almost impossible for us to sell our homes in a normal residential competitive real estate climate. One of the new owners on our street told me that he would never have purchased his home on this street if he had known about the already existing facility with six (6) allowed. With the disclosure laws, all home sales would have to disclose this fact and would severely limit the buyers to our street. This will most definitely LOWER our property values.
5. There have been several incidences where residents and visitors have trespassed on our property. First of all, we used to have two beautiful white lions at the front of our home flanking our staircase. When the residential facility put lions at their location, we had on two

separate occasions people walk directly into the back of our home. One of the times it frightened my disabled bed ridden husband so badly that we had to remove the lions so that the people would not enter our home again by accident. Additionally, often times due to the narrow street, we have cars from their facility use our circular driveway as a way to turn their cars around. I have young grandchildren that play in my yard and I have had to stop this for their safety. Now I park a car there so that these cars can't use my driveway as a turn-around for the street.

6. Not only do we vehemently oppose this conditional use permit, but we also demand that your department monitor and enforce the laws on the books which allow the owner to only have 6 at this site which does not require a permit. A facility with 20 residents should be in an area with wide streets, ample parking and in a mixed use neighborhood. NONE of these apply to this situation. The owner has not demonstrated that he can keep the street clear of vehicles today without this extra permit and we believe that by approving this use, our peaceful neighborhood will lose its community flavor and turn into a place very different from its intended residential zoning.

We wholeheartedly want to declare that we **OPPOSE** the granting of a conditional use permit for this residential property. Please consider all of the above when making your decision. Our safety and way of life depend on your decision. Should you require further explanation or testimony under oath, I will be happy to provide either.

Sincerely,

Barbara J. Burlison

Barbara J. Burlison
3265 E. Fairpoint Street
Pasadena, CA 91107

TELEPHONE (626) 792-5955
FACSIMILE (626) 793-4389
E-MAIL: RGPLAW@SBCGLOBAL.NET

OFFICE OF
ROBERT G. PETROVICH
ATTORNEY AT LAW

ST. EDMUND'S PROFESSIONAL BUILDING
2975 HUNTINGTON DRIVE, SUITE 201
SAN MARINO, CALIFORNIA 91108

FILE NO.
1160.01

May 3, 2010

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

Attn: Tyler Montgomery
Re: Conditional Use Permit (CUP)
Los Angeles County Project No. R2008-01555-(5)
My Clients: Jeff and Annie Blea

Dear Mr. Montgomery:

This office represents Jeff and Annie Blea, former residents of 3320 Fairpoint Street, which is across the street from the Eaton Canyon Treatment Center (ECTC).

My clients were made aware of statements and an exhibit attached to the CUP, specifically 15c, which purports to act as a "letter of recommendation or support" for the expansion of ECTC. Having seen the CUP, my clients wish to correctly portray what statements were attributed to them.

Enclosed for your consideration, please find a declaration from Jeff Blea which sets forth the correct record on the references made in the CUP.

If you have any questions, or wish to discuss the matter further, please do not hesitate to contact me.

Sincerely,

ROBERT G. PETROVICH
RGP/gsc
Enclosure
cc: Clients

MAY - 4 2010

Montgomery, Tyler

From: Makoto Yamasaki [makoto@prodigy.net]
Sent: Monday, May 03, 2010 3:11 AM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: Project No. R2008-01555-(5) / Conditional Use Permit 200800131 / Environmental Assessment 200900053

In your review of this project, please take into consideration the following:

1. This facility is located on a narrow road designed for low volume residential use. There are no curbs or sidewalks and, when a car is parked on the street, opposing traffic cannot simultaneously pass. The street is not designed for the traffic that might be expected from a property housing 20 residents and the staff necessary to treat such residents.

2. I understand this area of LA County is not currently connected to a sewer system but instead relies on septic systems. Please verify that the existing system is adequate to service the additional usage that would be generated by an increase to 20 residents, together with any increase in associated staff.

3. The owner of this facility is reputed to be the owner of another nearby location in Pasadena. That other property recently became newsworthy due to the owner's violation of several ordinances, including related to unpermitted destruction of protected trees. Please consider whether an owner with a demonstrated disregard for the law can be relied upon to operate an expanded facility in a manner which does not adversely affect the neighborhood.

----- Forwarded Message ----
From: Jim & Michele Marr <jcmarr@earthlink.net>
To: smva@yahoogroups.com
Sent: Fri, April 23, 2010 10:48:40 AM
Subject: Re: [smva] Fw: Group Home Hearing Letter (3323 Fairpoint)

This is important. Please read carefully.

Ten days ago, Carol Mispagel posted to SMVA a copy of the notice that some of us on the hill received from LA County about a May 18th hearing regarding a 'Negative Declaration' for 3323 Fairpoint St. This is 'LA County speak' for 'approve a Conditional Use Permit", or CUP for short. So what is this really about?

Eaton Canyon Treatment Services, Inc, (ECTS) operates a for-profit CA state licensed Alcohol and Drug treatment Facility (ADF), called the Eaton Canyon Treatment Center (ECTC) on the 3323 Fairpoint St site (see http://www.eatoncanyon.org/). Following the passage of CA Prop 36 in 2000 (see http://en.wikipedia.org/wiki/California_Proposition_36_(2000)) *anyone* can operate an ADF anywhere in CA without licensing or city/county permitting for up to and including six (6) residents. Seven or more residents requires a permit (CUP).

As further background information, there are currently 13 CA state-licensed ADFs in the Pasadena vicinity (including ECTC): nine in Pasadena, two in Altadena, one in Monrovia, and one in Glendale. There are none in Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. Of these, all except two are located near major commercial corridors (Colorado/Foothill, Fair Oaks, and Lake). These 13 facilities provide 473 residential treatment beds, of which ~40% are currently (and typically) vacant.

The May 18th hearing is to determine whether there is cause for LA County to grant ECTC a Conditional Use Permit (CUP) to allow ECTC to increase from 6 to 20 full time residents undergoing treatment and allow up to 8 daytime staff (a total of 28 people), a growth of 22 persons on the site daily. For a copy of the hearing notice and 'factual data' regarding this case, see http://planning. lacounty. gov/case/ view/project_ no. r2008- 01555-5 conditio nal use permit 200800131 environmenal ass/.

The Hearing Officer, Mr. Tyler Montgomery, is preparing an LA County Planning Department recommendation regarding whether to grant the requested CUP or not, called a "Staff Report". His report must be completed by May 4th, two weeks before the hearing, and will be posted to the same 'planning.lacounty. gov/case' web site as above. In order for him to prepare an informed report, he needs to hear our recommendations (for or against) granting this CUP in time for him to consider it in his report, which means that he needs them immediately. Ultimately, he must conclude from email, letters, and hearing testimony that certain specific conditions have or have not been met. These conditions are specified in LA County Code Section 22.56.090 (see http://search. municode. com/html/ 16274/index. htm). Your comments should be aimed directly at helping the Hearing Officer answer these specific questions, although any other comments you might have about the project could also be of assistance to the Hearing Officer.

22.56.090 Application- -Grant or denial--Findings and decision at public hearing.

A. The hearing officer shall approve an application for a conditional use permit where the information submitted by the applicant and/or presented at public hearing substantiates the following findings:

1. That the proposed use will be consistent with the adopted general plan for the area. Where no general plan has been adopted, this subsection shall not apply;

2. That the requested use at the location proposed will not:

a. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

b. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

c. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

4. That the proposed site is adequately served:

a. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and

b. By other public or private service facilities as are required.

B. The hearing officer shall deny the application where the information submitted by the applicant and/or presented at public hearing fails to substantiate such findings to the satisfaction of the hearing officer.(Ord. 85-0195 § 22, 1985; Ord. 85-0009 § 8, 1985; Ord. 82-0024 § 8 (part), 1982; Ord. 1494 Ch. 5 Art. 1 § 501.9, 1927.)

Please take a few moments of your time to send your comments relative to approval or denial of the Conditional Use Permit (CUP) for this project to:

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012,
Attn: Tyler Montgomery

or email to: TMontgomery@ planning. lacounty. gov
or call: (213) 974-6435

Please do this as soon as you possibly can.

Please encourage your neighbors to do the same.

If you wish, you can also send a copy to Paul Novak from the LA County Board of Supervisors:
Paul Novak, Planning Deputy 5th District,
Kenneth Hahn Hall of Admin., Rm. 869
500 W. Temple St.
Los Angeles, CA 90012
or email to: PNovak@lacbos. org
or call: (213) 974-5555

Montgomery, Tyler

From: Marco Spagnoletto [MSpagnoletto@ttgcorp.com]
Sent: Monday, May 03, 2010 10:48 AM
To: Montgomery, Tyler
Subject: Project Number R2008-01555-(5) - Conditional Use Permit No. 200900053 - Enviromental Assessment No. 200900053

Dear Mr. Montgomery:

I am writing to present my concerns in regard to the conditional use permit request as noted above. I live on Vosburg Street, approximately 2 blocks from the site at 3323 Fairpoint.
My concerns because of the increased number of residents, daytime staff, families and visitors, are as follows:

- **Our single access road is not sufficient for the increased volume of traffic that will result is this CUP is approved. In addition, the road is already in a terrible state with urgent need of maintenance.**
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- **Having an ADF of this size in our residential zone will impact the valuation of my personal property.**

I hope you take all these issues into consideration and not approve this CUP.

Sincerely,

Marco Spagnoletto
3326 Vosburg Street
Pasadena, CA 91107

Gene and Catherine Thomas
3232 Barhite Street
Pasadena, California 91107
(626) 798-3466 Fax (626) 798-5666
e-mail kateollie@earthlink.net

e-mail/ TMontgomery@planning.lacounty.gov
Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn.: Tyler Montgomery

Conditional Use Permit No. 200800131
Location: 3323 Fairpoint St./ Pasadena, CA 91107

Dear Mr. Tyler Montgomery.

This is concerning the use permit change to allow this property to house up to 20 adults and 8 staff members. This could translate up to 28 vehicles on property for parking. It is my understanding that while the patients are undergoing the treatment they must be employed. as there is no pubic transpiration in the area they would need their vehicles. I'm sure that there also would be visitors with cars.

The street in front of their address and the other adjacent properties are half the width of other nearby streets. The property to the east there is only 15 feet from edge of pavement to power pole and guy wires. Other portion of the street is up to 24 feet wide. One would have keep in mind that large commercial vehicles (emergency, refuse haulers etc. are 10 feet wide including the mirrors.

We think this is too many people occupying this piece of property and unfairly impacts the other residents nearby.

Please take this into consideration.

Eugene and Catherine Thomas

Montgomery, Tyler

From: Makoto Yamasaki [makoto@prodigy.net]
Sent: Monday, May 03, 2010 3:11 AM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: Project No. R2008-01555-(5) / Conditional Use Permit 200800131 / Environmental Assessment 200900053

In your review of this project, please take into consideration the following:

1. This facility is located on a narrow road designed for low volume residential use. There are no curbs or sidewalks and, when a car is parked on the street, opposing traffic cannot simultaneously pass. The street is not designed for the traffic that might be expected from a property housing 20 residents and the staff necessary to treat such residents.

2. I understand this area of LA County is not currently connected to a sewer system but instead relies on septic systems. Please verify that the existing system is adequate to service the additional usage that would be generated by an increase to 20 residents, together with any increase in associated staff.

3. The owner of this facility is reputed to be the owner of another nearby location in Pasadena. That other property recently became newsworthy due to the owner's violation of several ordinances, including related to unpermitted destruction of protected trees. Please consider whether an owner with a demonstrated disregard for the law can be relied upon to operate an expanded facility in a manner which does not adversely affect the neighborhood.

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To: smva@yahoogroups.com
Sent: Fri, April 23, 2010 10:48:40 AM
Subject: Re: [smva] Fw: Group Home Hearing Letter (3323 Fairpoint)

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The May 18th hearing is to determine whether there is cause for LA County to grant ECTC a Conditional Use Permit (CUP) to allow ECTC to increase from 6 to 20 full time residents undergoing treatment and allow up to 8 daytime staff (a total of 28 people), a growth of 22 persons on the site daily. For a copy of the hearing notice and 'factual data' regarding this case, see http://planning. lacounty. gov/case/ view/project_ no._ r2008- 01555-5_conditio nal_use_permit_ 200800131_ environmenal_ ass/.

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3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

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Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012,
Attn: Tyler Montgomery

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Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012,
Attn: Tyler Montgomery

or email to: TMontgomery@ planning. lacounty. gov
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Please do this as soon as you possibly can.

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Paul Novak, Planning Deputy 5th District,
Kenneth Hahn Hall of Admin., Rm. 869
500 W. Temple St.
Los Angeles, CA 90012
or email to: PNovak@lacbos. org
or call: (213) 974-5555

Mr. Tyler Montgomery
Hearing Officer
Planning LA County
320 W. Temple St.
Los Angeles, CA 90012

Dear Mr. Montgomery:
I live one block away from Fairpoint street in Pasadena. I understand you are preparing a LA county Planning Department recommendation regarding CUP for 3235 Fairpoint St. in Pasadena. I would like to comment on this.
I have nothing against people genuinely trying to rehabilitate from alcohol and drugs. I am not in favor of granting this CUP. This is a purely residential area. I would be against an alcohol and drug rehabilitation center in a purely residential area. Increasing the number to 20 residents from 6 would be very detrimental to us. I believe such a center should be located near a commercial area.
We come late at night sometimes and would not be comfortable and feel safe with such a center in close vicinity. We like this area for its peace and safety. Even though the residents are trying to rehabilitate it is possible that harmful consequences to us could occur.
I hope that you would consider this and make a strong negative recommendation and deny the CUP
Thank you,
Sincerely,
A resident near Fairpoint Street. I am afraid to give my name

MAY 3 - 2010

Montgomery, Tyler

From: thindocc@charter.net
Sent: Monday, May 03, 2010 7:56 AM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: CUP 3323 Fairpoint Street,Pasadena Ca 91107

RE: CUP # 200800131-I would like to register my oppostion to the proposed expansion of the Eaton Canyon Treatment Center at 3323 Fairpoint, Pasadena 91107. We have lived in this totally residential neighborhood for over 20 years.We object for two main reasons: that it is zoned as residential area,not commercial and a entirely commercial enterprise in this area is not consistent with the "enjoyment of or valuation of property" We have been advised that with a sale we would be required to disclose this facility to potential buyers having an estimated impact on property values of 10-15%.Secondly, there is only one exit to this area,down Sierra Madre Villa Ave which became completely clogged with evacuating residents trying to exit, and emergency vehicles trying to enter during the rapid evacuation in the Altadena fire in the late 1980's. More traffic,upwards of 30 cars on this narrow street, is creating a dangerous condition. We live at the mercy of fires and we learned how critical traffic density is during this rapid evacuation.

We hope you will take seriously our concerns for our peaceful neighborhood. There surely must be a more appropriate mixed commercial/residential area for this facility.

Montgomery, Tyler

From: Najera, Eric
Sent: Monday, May 03, 2010 7:25 AM
To: Hand, Gunnar; Nazar, Jeantine; Montgomery, Tyler
Cc: Tae, Susan; Masis, Maria
Subject: RPC Hearing - 5/5/10
Attachments: image001.gif

Good morning,

As you all may know we have been using the following format:

Left Screen: Land Use Map
Center Screen: Site Plans/Photosims/PowerPoint presentation
Right Screen: Zoning Map

However, if you would like a different arrangement just let me know so we can coordinate your presentation.

Please call me at 213.974.4005 or email me today at your earliest convenience, so we can discuss what you will be expecting to see on the screens. Even if you do not want anything displayed, please let me know.

Thank You,

Eric A. Najera
Systems Analysis Section
Regional Planning, L.A. County
enajera@planning.lacounty.gov
Office: 213)974-4005
Cell: 213)272-4321

TELEPHONE (626) 792-5955
FACSIMILE (626) 793-4389
E-MAIL: RGPLAW@SBCGLOBAL.NET

OFFICE OF
ROBERT G. PETROVICH
ATTORNEY AT LAW

ST. EDMUND'S PROFESSIONAL BUILDING
2975 HUNTINGTON DRIVE, SUITE 201
SAN MARINO, CALIFORNIA 91108

FILE NO.
1160.01

May 3, 2010

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

Attn: Tyler Montgomery
Re: Conditional Use Permit (CUP)
Los Angeles County Project No. R2008-01555-(5)
My Clients: Jeff and Annie Blea

Dear Mr. Montgomery:

This office represents Jeff and Annie Blea, former residents of 3320 Fairpoint Street, which is across the street from the Eaton Canyon Treatment Center (ECTC).

My clients were made aware of statements and an exhibit attached to the CUP, specifically 15c, which purports to act as a "letter of recommendation or support" for the expansion of ECTC. Having seen the CUP, my clients wish to correctly portray what statements were attributed to them.

Enclosed for your consideration, please find a declaration from Jeff Blea which sets forth the correct record on the references made in the CUP.

If you have any questions, or wish to discuss the matter further, please do not hesitate to contact me.

Sincerely,

ROBERT G. PETROVICH
RGP/gsc
Enclosure
cc: Clients

MAY - 4 2010

CHRISTOPHER E. FAENZA
3250 Fairpoint Street
Pasadena, California 91107
(626) 422-1217

Hearing Officer
COUNTY OF LOS ANGELES
320 W. Temple Street, Room 150
Los Angeles, California 90012
Attn: Tyler Montgomery

Re: 3323 Fairpoint Street; Conditional Use Permit
LA County Project No. R2008-01555-(5)

Dear Mr. Montgomery:

My name is Christopher Faenza and I have lived at 3250 Fairpoint Street with my wife and three children for 6 years. I am writing to express my sincere concern over the application for Conditional Use Permit (CUP) which was submitted for consideration by the Eaton Canyon Treatment Center (ECTC) and which will be the focus of an upcoming hearing and determination on May 18, 2010.

My home is located within 200 feet of the property currently occupied by ECTC and I am personally familiar with its history and with the persons who have lived and worked at that business over the past several years. My wife is sharing her concerns about the CUP with a separate letter to the hearing officer.

ECTC Cannot Meet Its Burden of Proof.

The persons who own and operate the business known as the Eaton Canyon Treatment Center have been operating their business venture for many years in our residential neighborhood. And while they deny that their business is "for profit" they make a very comfortable living by inviting persons who suffer from serious drug and alcohol addictions---many whom undoubtedly have criminal backgrounds----into our residential neighborhood.

As the hearing officer knows, the burden of meeting the Zoning Code requirements falls on the party seeking a conditional use permit. Thus, the reviewing agency must look to the application for evidence which supports the requirements of the applicable zoning requirement. In this case that is Section 22.56.090.

Section 22.56.090 has three prongs. The first prong requires proof that the zoning variance at the proposed location will not "**adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.**"

A review of the ECTC's application demonstrates no proof that the proposed operation of a 20 bed alcohol and drug abuse treatment facility will not adversely affect these interests in the surrounding area. The applicant has chosen to define "surrounding area" as his contiguous neighbors. But there is no evidence that the contiguous neighbors were intended by the drafters of the code section to define the surrounding area. Indeed, one would expect that if the drafter's of section 22.56.090 had intended such a meaning, they would have used such terms as "persons residing or working in immediately adjacent properties" or "persons residing in contiguous properties" rather than the terms which were actually chosen.

Even if the applicable Code Section were properly defined only by immediately adjacent property owners the CUP application still fails in that it does not include a declaration from the property owner with the longest contiguous boarder to the property (the neighbor to the North) and it further contains misrepresentations and falsehoods about not only that property owner, but other contiguous owners. The CUP application states that "The neighbor to the North, who has lived at the same residence for 38 years, has also indicated that she had no problem with the operation of Eaton Canyon Treatment Center and has a rapport with Mr. James Heard." But this representation is entirely false. Mrs. Jane McReynolds recently submitted a sworn declaration regarding the ECTC application and she expressly states that she does not want a 20-bed treatment facility immediately adjacent to her property and that she never told anyone that she had agreed to have such a business immediately adjacent to her property. She states further that she has no rapport with Mr. James Heard. Finally, Mrs. Jane McReynolds stated that lawyers representing ECTC had been to her property on prior occasions in an effort to secure a favorable statement from her and that she expressly refused to provide them with one based upon her unfavorable feelings toward the business. I submit that if the ECTC applicants have knowingly made such a glaring misrepresentation to the hearing officer on this significant point, their entire application must be reviewed with distrust and extreme caution.

ECTC seems to base its proof as to whether the expansion will adversely affect the area based upon the past in which they were allowed to have six beds. There have been crime issues in the area, however, nothing that can be directly tied to the center. The bigger issue is that even assuming that there has not been a rape, murder or other crime in the past, does not justify an expansion of the current size of the project by a factor of 3. Obviously, to fill that many beds greater risks will have to be taken on prospective addicts, all to the detriment of the neighborhood. Also, because of privacy laws the neighbors; 1) do not know who is currently in the home; 2) cannot check the backgrounds and sex offender status of the individuals and; 3) must rely upon ECTC to screen residents, when they have shown nothing but contempt for the

neighbors in the past. I am sure I speak for many of the area residents when I say I do not trust ECTC to screen for potential violent and criminal offenders. God forbid something should even happen to one of the area residents as a result of an addict's criminal act; however, one thing is for sure ECTC would deny any wrongdoing and simply say that the individual was responsible.

Less than one year ago a patient in a drug and alcohol treatment center, Charles Samuel murdered Lily Burk a 17 year-old after abducting her from her car and slashing her throat. He had been staying at a drug treatment center at the time of the attack and was allowed out to go to the DMV. This unfortunate event could happen again and we hope that by denying the expansion the chances are significantly less.

ECTC is currently permitted to board up to 6 adults in a property zoned R-1. It already has created a population density problem in the neighborhood by inviting several more than six adult guests to live and work on the property with additional persons attending the property to work as staff members. This is not a close call. I submit that the health, peace, comfort and welfare of the local community will suffer if the ECTC is permitted to more than triple in size in our residential neighborhood. No longer would residents feel safe in their homes knowing that up to twenty drug addicts and alcohol abusers were living within only a few feet of their residences.

If the ECTC were allowed to more than triple in size and become such a dominating influence in our neighborhood the other criteria set forth by Section 22.56.090 would also be greatly impacted. In particular, "**the use, enjoyment or valuation of property belonging to other persons located in the vicinity of the site**" would suffer greatly. I cannot impress enough upon the hearing officer how great the impact would be to the value of my property, and to other properties on Fairpoint Street and surrounding streets if a twenty-bed ADF were permitted at the location. Why would anyone buy a residential property in the community when an otherwise identical property could be purchased in a different neighborhood without drug addicts and alcoholics?

I would also like to address the argument submitted by the applicant that the ECTC is somehow fostering needed housing for persons with disabilities. The lawyer representing ECTC attempted to justify a complete waiver of the permitting requirement based upon her assertion that the expansion of the ADF is somehow compelled by Federal disabilities laws. But the CUP application nowhere establishes that the persons who might be treated at the facility would be without housing but for the expansion of the facility from six to twenty beds. Indeed, there is no proof from any source that one or more of the persons receiving treatment at ECTC relies upon

ECTC for his or her primary housing needs. Indeed, even if we were to assume for the sake of argument that the drug and alcohol addicts who currently reside at the facility could not find housing at any place other than a drug treatment facility, the facts still do not support the CUP in this case.

There are currently thirteen California state-licensed residential ADF facilities in the Pasadena vicinity (including ECTC): nine in Pasadena, two in Altadena, one in Monrovia and one in Glendale. These thirteen facilities provide 473 residential treatment beds of which approximately 40 percent are currently (and typically) vacant. It is clear therefore that ECTC's attempt to justify its expansion by claiming that it somehow meets the needs of a tight housing market for drug and alcohol addicted persons is yet another misrepresentation by the persons who own ECTC.

Rewarding Bad Behavior

The ECTC has a pattern of disregarding zoning and other rules as evidenced by the May 23, 2008 letter from the Office of County Counsel to applicant counsel Kim Savage. Starting with having unpermitted additions in prior to 1999 that required permits after the work had been completed. Then in 2003 the facility changed the use without notifying the Planning Department. Obviously, applicant knew of the requirement to have a CUP at the time, but instead went forward with its plan to invite more than six drug and alcohol addicted residents, all to the detriment of the neighbors. ECTC then put 20 people in the home without the CUP, showing tremendous arrogance and again a complete disregard for its neighbors. It also operated a home with one septic tank for 20 plus adults, which is obviously a public health risk. Further, the area in which ECTC is located is a high fire danger area, but no consultations or fire safety inspections were conducted by local fire officials until after ECTC was caught and forced to comply with such requirements. The persons who operate the ECTC have demonstrated an ongoing willingness to operate their facility with or without the approval of the required regulating agencies.

Shockingly to the community, and despite the pattern of non-compliance, the ECTC sought to deny its neighbors a right to be heard in seeking to bypass the CUP process. The fact that ECTC sought exemption because the public hearing would serve as a "lighting rod" is both incredulous and evidence of the arrogance and distain that Mr. Heard has for the more than three-hundred homeowners whose neighborhood ECTC uses in its advertizing to recruit people to their facility. I submit to the hearing officer that if the ECTC is so worthy, its owners should

relish the opportunity to show the neighbors how putting 20 adult drug and alcohol abusers is beneficial to each and every homeowner and their children.

One last troubling item is the inclusion of various letters, purportedly in support of the CUP, by various politicians and citizens unrelated to the Sierra Madre Villa area. There can be no reason for inclusion of letters wholly unrelated to the burden of proof for Zoning Code 22.56.090, other than to engage in a misguided and improper attempt to intimidate the hearing officer. The letters themselves mainly congratulate Mr. Heard on 10 years in business. What bearing that has on whether or not the residents should have to live near a home with 20 addicts and corresponding staff is a mystery. ECTC states in the application that the letters show that the facility contributes countywide to the betterment of the community. The letters by in large do not say that, and even if they did, that is not an element of the code that needs to be proven. The board should disregard the letters and view them as nothing more than an attempt to exercise improper influence over the board.

I look forward to attending the hearing that will be conducted by the board in the coming days. I will be pleased to further address any of the concerns that I discuss in this letter that the time of that hearing.

Sincerely,

CHRISTOPHER E. FAENZA

DECLARATION OF JOSEPH MERDKHANIAN

I, Joseph Merdkhanian, declare and state that:

1. I am over 18 years of age and if called upon to testify as a witness in this matter, I could and would competently do so as to the following facts.

2. I have lived at 3307 Fairpoint Street, Pasadena, California with my wife and children for almost 10 years.

3. My house is located immediately to the west and adjacent to the property known as the Eaton Canyon Treatment Center ("ECTC") on Fairpoint Street.

4. I previously was asked to sign a letter in August 2008 by James Heard in regard to ECTC, which was prepared by Mr. Heard or someone on his behalf. I was told that the letter was for a renewal of a permit. I was never told that the purpose of the CUP (Conditional Use Permit) was to expand the facility from 6 adults to 20 adults. Had I been told that information I would not have agreed to sign the letter.

5. I am extremely opposed to the expansion of ECTC and want the commission to disregard my August 2008 letter if it is being used in furtherance of the expansion of ECTC.

6. My concerns with the granting of the CUP is there will be increased traffic on our street, parking issues, safety for myself, my wife and my children. I am also concerned with the value of my property. I believe no property owner will lose more value in their home than me, because I am immediately next door and would have to disclose the nature and size of the facility to any prospective buyer.

7. My wife and I are steadfastly against any attempt by the ECTC to triple its size and to increase the number of drug and alcohol patients in our neighborhood. Our street, East Fairpoint is not designed to handle the traffic and parking which will be associated with such a large facility. It is very narrow and has no sidewalks. I do not believe that our neighborhood is a proper place for such a large drug and alcohol treatment facility and I strongly urge the planning commission to deny the requested CUP and not use any letter from me as a basis to grant the CUP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 29 day of April 2010, at Pasadena, California.

JOSEPH MERDKHANIAN, Declarant

DECLARATION OF JEFF A. BLEA

I, JEFF A. BLEA, declare as follows:

1. I am over the age of 18, and if called upon to testify as a witness in this matter, I could and would competently testify thereto. The matters set forth herein are based upon my personal knowledge. Any documents referenced herein are kept in the file I maintain on this matter.

2. I recently heard that the owner of the Eaton Canyon Treatment Center ("ECTC") wrote in his Conditional Use Permit ("CUP") that I had given a letter of support to the Center, and that a copy of the letter was attached as an exhibit.

3. I have been shown the "letter" which is marked as Exhibit 15c to the CUP. The quote was lifted from a transfer disclosure document ("TDS") prepared, as required by California law, specifically Civil Code Section 1102 et seq., and subsequently provided to any prospective buyer of the 3320 Fairpoint property I owned at the time the disclosure was made. The transaction which was pending in or about March, 2008 was not with ECTC or James Heard. I do not know how ECTC obtained a copy of the transfer disclosure statement.

4. The disclosure was required by California law because I had knowledge that there was an alcohol/drug treatment center across the street from 3320 Fairpoint. The TDS was not a letter of support or endorsement. It was a disclosure of information required by law.

5. I no longer live at 3320 Fairpoint. I moved away over a year ago.

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

Dated: May 2, 2010

JEFF A. BLEA
Declarant

DECLARATION OF MARY JANE McREYNOLDS

I, MARY JANE McREYNOLDS, aka JANE McREYNOLDS declare and state that:

1. I am over 18 years of age and if called upon to testify as a witness in this matter, I could and would competently do so as to the following facts.

2. I have lived at 3338 Barhite Street, Pasadena, California for 41 years. I lived in this residence with my husband for several years until he died and I continue to live here now.

3. I recently heard that the owner of the ECTC wrote in his Conditional Use Permit application that I did not object to the enlargement of his drug and alcohol treatment project and that I had no objections to its expansion. I want it to be known by the Hearing Officer and the Planning Department that is reviewing this matter that I have never agreed to an expansion of the ECTC operation and I am strongly against its expansion in our neighborhood. I have no rapport with Mr. James Heard and I have never supported his efforts to bring substantially more drug and alcohol abusers into our neighborhood.

4. My house is located immediately adjacent to the back wall of the property known as the Eaton Canyon Treatment Center ("ECTC") on Fairpoint Street. The treatment center has existed at that that location for approximately 12 years. The rear wall of my property shares a common wall with the ECTC which runs approximately 100 feet from wall to wall.

5. I have been opposed to the placement of a drug and alcohol treatment center in our neighborhood since it was first built at the residential site where it now resides. Over the years we have had problems with noise coming from the ECTC property on several occasions and my husband was frequently bothered by the loud disturbances coming from the residents of that property. On several occasions we would hear the voices of the residents at the treatment center yelling at one another in the backyard of the property. Those noises are easy to hear from my house and my husband asked the owner of the property to lower the noise on several occasions.

6. I was very upset to learn that the owner of the residential property behind my house was seeking to expand his alcohol and drug treatment facility from 6 beds to 20 beds. I do not believe that our residential neighborhood is a proper place for the operation of such a large commercial drug and alcohol treatment center.

7. Approximately a year ago the owner of the ECTC sent a representative to my house twice to discuss his future plans for his drug and alcohol treatment center. I told the representative at that time that I would not sign a document stating that I did not object to the enlargement of the drug and alcohol treatment center next to my house. Last Thursday another representative from the office representing the drug and alcohol treatment center returned to my house again and I told them again that I would not sign any document which stated that I agreed to the expansion of the ECTC project.

8. I believe that the health, peace, comfort and welfare of the residents of our neighborhood will be adversely affected if the CUP is granted and ECTC is allowed to more than triple the number of drug and alcohol abusing persons who reside in our neighborhood. As I mentioned above, my husband and I have had numerous problems with noise and related disturbances caused by the residents of the ECTC over the years. I believe that if the center is permitted to triple the number of beds on the property these problems will only get worse. By tripling the number of drug and alcohol treatment patients living at the residential property I believe that the property can only get noisier and more problematic as patient population becomes more densely packed in the neighborhood.

9. I also believe that the use, enjoyment and valuation of the properties in the neighborhood will be detrimentally impacted if the number of drug and alcohol treatment patients increases from 6 beds to 20 beds in the coming weeks. The neighborhood in which I reside was intended to house families in a quiet and residential setting. If the ECTC is permitted to triple the number of drug and alcohol treatment patients in the facility the number of persons living in the neighborhood will increase dramatically, as will the noise and the movement of cars along the road. Fairpoint is a very narrow street with very limited parking. The intersection at Fairpoint and Sierra

Madre Villa is uncontrolled and the curve in the road makes seeing cross traffic difficult. In case of emergency Sierra Madre Villa is the only street in and out.I am certain the enjoyment of the families in the neighborhood will be diminished markedly with this expansion and the property values will go down dramatically.

10. I am steadfastly against any attempt by the ECTC to triple its size and to increase the number of drug and alcohol patients in our neighborhood. I do not believe that our neighborhood is a proper place for such a large drug and alcohol treatment facility and I urge the planning commission to deny the requested CUP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 27th day of April 2010, at San Marino, California.

Mary Jane McReynolds

MARY JANE McREYNOLDS, Declarant

DECLARATION OF HAROLD ANTHONY

I, Harold Anthony, declare and state that:

1. I am over 18 years of age and if called upon to testify as a witness in this matter, I could and would competently do so as to the following facts.

2. I have lived at 3343 Fairpoint Street, Pasadena, California with my wife for 31 years.

3. My house is located immediately to the east adjacent to the property known as the Eaton Canyon Treatment Center ("ECTC") on Fairpoint Street the treatment center has existed at that that location for approximately 10 years.

4. I previously was asked to sign a letter in August 2008 by James Heard in regard to ECTC, which was prepared by them. I was told that the letter was for a renewal of a permit. I was never told that the purpose of the CUP (Conditional Use Permit) was to expand the facility from 6 adults to 20 adults. Had I been told that information I would not have agreed to sign the letter.

5. I am extremely opposed to the expansion of ECTC and want the commission to disregard my August 2008 letter if it is being used in furtherance of the expansion of ECTC.

6. My concerns with the granting of the CUP is there will be increased traffic on our street, parking issues, safety for myself and my wife and the value of my property. I have no doubt that having a 20 bed drug and alcohol rehabilitation facility immediately next door will decrease the value by thousands of dollars, if not one hundred thousand dollars or more.

7. My wife and I are steadfastly against any attempt by the ECTC to triple its size and to increase the number of drug and alcohol patients in our neighborhood. I do not believe that our neighborhood is a proper place for such a large drug and alcohol treatment facility and I urge the planning commission to deny the requested CUP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 29 day of April 2010, at Pasadena, California.

HAROLD ANTHONY, Declarant

MAY 2, 2010

HEARING OFFICER
320 W. TEMPLE ST.
LOS ANGELES CA. 90012
ATN. TYLER MONTGOMERY

SUBJECT: COUNTY CODE SECTION 22.56.090
CUP FOR 3323 FAIRPOINT ST PASADENA, CA

GENTLEMEN:

WE STRONGLY URGE YOU TO DENY THE APPROVAL OF THE SUBJECT CUP FOR THE FOLLOWING REASONS:

(a) IT WOULD ADVERSELY AFFECT OUR HEALTH, PEACE OF MIND AND WELFARE.

WE ARE IN OUR EIGHTIES AND HAVE RESIDED HERE FOR OVER FORTY YEARS. OUR HOUSE IS OUR PRINCIPLE ASSET FOR OUR LONGTERM FINANCIAL WELFARE

THE IDEA OF HAVING TO LIVE ACROSS THE STREET FROM TWENTY RECOVERING TRANSIENTS OF UNKNOWN BACKGROUNDS IS PARTICULARLY DISTURBING.

(b) THE STREET IS NOT CONDUCIVE FOR THE CUP. IT IS A NARROW SIXTEEN FEET WIDE CUL-DE-SAC LACKING STREET LIGHTS CURBS, SIDEWALKS AND SEWER LINES.

IT IS SEVERAL MILES FROM STORES AND NORMAL CONVENIENCES SUCH AS PUBLIC TRANSPORTATION ~~AL~~ ACCESS WOULD BE BY A MULTIPLICITY OF DARK

THE STREET IS ON THE MOUNTAINSIDE COUNTY DESIGNATED FIRE HAZARD ZONE.

INTRODUCTION OF THIS COMMERCIAL OPERATION WOULD VIOLATE OUR R-1 29,000 ZONING. AND DEPRESS PROPERTY VALUES AND WE WOULD MOVE FOR LOWER ASSESSMENTS..

TO OUR KNOWLEDE 3323 LIKE THE OTHER HOUSES HAS ONE SEPTICTANK ADDING MORE ON ONE LOT WOULD LEAD TO WATER TABLE CONTAMINATION

IN CONCLUSION WE JOIN ALL OUR NEIGHBORS IN DEMANDING A DENIAL OF THIS CUP.

VTY

WILLIAM L. QUIGLEY
3280 FAIRPOINT ST
PASADENA, CA. 91107

DECLARATION OF JEFF A. BLEA

I, JEFF A. BLEA, declare as follows:

1. I am over the age of 18, and if called upon to testify as a witness in this matter, I could and would competently testify thereto. The matters set forth herein are based upon my personal knowledge. Any documents referenced herein are kept in the file I maintain on this matter.

2. I recently heard that the owner of the Eaton Canyon Treatment Center ("ECTC") wrote in his Conditional Use Permit ("CUP") that I had given a letter of support to the Center, and that a copy of the letter was attached as an exhibit.

3. I have been shown the "letter" which is marked as Exhibit 15c to the CUP. The quote was lifted from a transfer disclosure document ("TDS") prepared, as required by California law, specifically Civil Code Section 1102 et seq., and subsequently provided to any prospective buyer of the 3320 Fairpoint property I owned at the time the disclosure was made. The transaction which was pending in or about March, 2008 was not with ECTC or James Heard. I do not know how ECTC obtained a copy of the transfer disclosure statement.

4. The disclosure was required by California law because I had knowledge that there was an alcohol/drug treatment center across the street from 3320 Fairpoint. The TDS was not a letter of support or endorsement. It was a disclosure of information required by law.

5. I no longer live at 3320 Fairpoint. I moved away over a year ago.

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

Dated: May 2, 2010

JEFF A. BLEA
Declarant

May 2, 2010

MAY - 5 2010

Tyler Montgomery
320 W. Temple Street
Los Angeles Ca. 90012

Re: Adult Treatment Facility
Project R2008-01555-5
Use Permit 200800131

Location: 3323 Fairpoint Street, Pasadena, Ca. 91107

Mr. Montgomery:

Thank you for the opportunity to provide community input surrounding the extension of services provided by the above referenced facility.

We the undersigned have maintained neutrality over the years. We gave our support to this worthwhile service but now find it necessary to reevaluate our position. Once high hopes for this community partnership has not produced desired outcomes.

Since the facility's inception, crime of Barhite Street has escalated. Crimes such as first degree residential burglary and numerous vehicle break-ins have placed an undeserved burden upon residents leaving no choice but to air on the side of wanting a superior sense of security for our families.

For such reason we no longer support the existing facility and **do not support** a second location or extension of any related services.

Thoughtfully submitted,

Steven Hunt....., 3206 E. Barhite St. _____

Jeanine Melkonian....., 3303 E. Barhite St. _____

Nicolas Vayos....., 3277 E. Barhite St. _____

Wilbert Smith....., 3220 E. Barhite St. _____

May 2, 2010

Richard D. Bruckner, Director
Department of Regional Planning
1390 Hall of Records
320 West Temple Street
Los Angeles, Ca. 90012

MAY - 5 2010

Re: Project No. R2008-01555-(5)
C U P No. 200800131
Environmental Assess No. 200900053

We the Sarkissian family @ 1505 Dove Court, Pasadena, ca. 91107 (only 1 block S/O Fairpoint) are totally against the approval of the CUP at the location of:

3323 Fairpoint Street, Pasadena, Ca. 91107 (Northeast Pasadena Zoned District of L.A. County).

This is a great concern for us because it will have a huge negative impact in our neighborhood for many years to come including but not limited to Burglaries, Vehicle theft, Vehicle brake-ins, Solicitation, may be even Rape, Mugging. Last but not least Property devaluation (Depreciation) And that of course means less Property Tax revenue for the County of Los Angeles.

Truly,

Hovannes Sarkissian

Lucie Sarkissian
LUCIE SARKISSIAN

Montgomery, Tyler

From: David Lehman [david.h.lehman@gmail.com]
Sent: Sunday, May 02, 2010 4:07 PM
To: Montgomery, Tyler
Subject: Conditional Use Permit for 3323 Fairpoint St., LA County

Dear Mr. Montgomery:

I am writing concerning LA County's potential granting of a Conditional Use Permit (CUP) to Eaton Canyon Treatment Services, Inc. (ECTS) at 3323 Fairpoint St. in the Northeast Pasadena Zoned District of LA County.

I live west of ECTS at 3194 Fairpoint St. in LA County. I have the following two concerns to LA County granting the request as follows:

1. Increasing the number of patients from 6 to 20 residents, plus the addition of 6 staff members, a total increase of 20 people seems like too much for our street. It is only about 21 feet wide. With this increase in people, plus all the family and friends who visit them, gives me a concern that in an emergency, with the increase in parking on Fairpoint that the fire department will not be able to come to my end of the street. As far as I could tell from reading the draft environmental document for the proposed CUP, how parking would be controlled for the visitors to the patients was not addressed. Based on this I don't see how the CUP can be granted because it could endanger the people and homes living west of the ECTS on Fairpoint St.

2. It is my understanding that the owner of the subject property is also the owner of an adjacent property on Pasadena city land at 1585 Sierra Madre Villa, Pasadena, CA. These two properties are less than 30 feet apart. I have witnessed people walking between the two properites (they could be patients or workers or staff, I don't know). I also suspect that a van parked at this propery is used to transport patients at ECTS. I am concerned that this CUP is really in actuality going to be for not one but two properites. From my reading ot the draft environmental document, it did not address what is being done at 1585 Sierra Madre Villa to ensure that it doesn't affect the surronding area. Because it was not addressed in the draft environmental document, I don't see how the Hearing Officer can grant its approval.

Based on the above I recommend that the CUP for ECTS not be approved until the above items are adequately addressed.

Sincerely,

David H. Lehman

Montgomery, Tyler

From: Penny Kirby [penylofr@yahoo.com]
Sent: Sunday, May 02, 2010 9:33 PM
To: Montgomery, Tyler
Subject: Protest letter to facility at 3323 Fairpoint St.

May 1, 2010

To Whom It May Concern:
RE: Conditional Use Permit for 3323 Fairpoint St., Pasadena, CA 91107

My name is Penny K. Kirby and I reside at 3350 Barhite, Pasadena, CA 91107.

The south west corner of my property overlooks the property at 3323 Fairpoint which is known as "the Eaton Canyon Treatment Center." Being in such close proximity to this facility I have been against having this type of facility in my neighbor since it began more than 10 plus years ago. I am very much against the possible addition of 12 more patients and the necessary staff that this will include. I am very concerned about the consequence that this will have on this quite, single family neighbor for several reasons:

1. Sierra Madre Villa is our only street out in case of a disaster and I feel that the addition of more cars and more people will only add turmoil in case there is an emergency that includes evacuation of the area.
2. I have from time to time been bothered with excessive noise. I know that the addition of any more people will mean more noise and commotion. I know that the addition of people to this home will also necessitate the need for construction which will mean more noise, traffic, dust and commotion.
3. I purchased this home more than 30 years ago in a single family residential area. In the near future I plan to sell so I have been talking to several Realtors about this course of action. When I mentioned the possibility of the Eaton Canyon Group Home behind me expanding to 20 patients, they indicated that this would probably add a huge negative impact on the price I could expect to receive for my property. I had always planned that the sale of my property would contribute to a very substantial amount of my retirement fund and if this has a negative impact on the amount that I would receive when I sell, it would put a very negative impact on the amount that I had planned on for my income to take care of me for the rest of my life.

4. If Mr. James Heard is interested in having that large a facility for alcohol and drug treatment he might look into the possibility of using the facility that

is on Sierra Madre Blvd. in the town of Sierra Madre that was formally a convalescent hospital. It is in a mixed use area and would not disburse anyone. This course of action would also make use of an existing facility and eliminate the need for major construction.

5. What if the rule about getting close neighbors to ok this type of proposal? I am very close to the back yard of the Fairpoint facility and have never been approached about my opinion.

6. I have heard that Mr. Heard also owns the property on the southwest corner of Fairpoint and Sierra Madre Villa and that is planning on also turning this property into a treatment center. If this is true that will also cause an even greater impact on our single family residential neighbor even if he only has 6 patients which I understand that he does not need a permit to do.

These are my feelings about the possibility of the addition to The Eaton Canyon Treatment Center. If you have any questions or would like to speak with me personally, please feel free to call me at (626) 791-4446 or email me at penylofr@yahoo.com

Thank you for your time.
Penny K. Kirby

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Thank you for your time.
Penny K. Kirby

MAY 2, 2010

HEARING OFFICER
320 W. TEMPLE ST.
LOS ANGELES CA. 90012
ATN. TYLER MONTGOMERY

SUBJECT: COUNTY CODE SECTION 22.56.090
CUP FOR 3323 FAIRPOINT ST PASADENA, CA

GENTLEMEN:

WE STONGLY URGE YOU TO DENY THE APPROVAL OF THE SUBJECT CUP FOR THE FOLLOWING REASONS:

(a) IT WOULD ADVERSELY AFFECT OUR HEALTH, PEACE OF MIND AND WELFARE.

WE ARE IN OUR EIGHTIES AND HAVE RESIDED HERE FOR OVER FORTY YEARS. OUR HOUSE IS OUR PRINCIPLE ASSET FOR OUR LONGTERM FINANCIAL WELFARE

THE IDEA OF HAVING TO LIVE ACROSS THE STREET FROM TWENTY RECOVERING TRANSIENTS OF UNKNOWN BACKGROUNDS IS PARTICULARLY DISTURBING.

(b) THE STREET IS NOT CONDUCIVE FOR THE CUP. IT IS A NARROW SIXTEEN FEET WIDE CUL-DE-SAC LACKING STREET LIGHTS CURBS, SIDEWALKS AND SEWER LINES.

IT IS SEVERAL MILES FROM STORES AND NORMAL CONVEIENCES SUCH AS PUBLIC TRANSPORTATION ~~AEL~~ ACCESS WOULD BE BY A MULTIPLICITY OF CARS

THE STREET IS ON THE MOUNTAINSIDE COUNTY DESIGNATED FIRE HAZARD ZONE.

INTRODUCTION OF THIS COMMERCIAL OPERATION WOULD VIOLATE OUR R-1 29,000 ZONING. AND DEPRESS PROPERTY VALUES AND WE WOULD MOVE FOR LOWER ASSESSMENTS.

TO OUR KNOWLEDE 3323 LIKE THE OTHER HOUSES HAS ONE SEPTICTANK ADDING MORE ON ONE LOT WOULD LEAD TO WATER TABLE CONTAMINATION

IN CONCLUSION WE JOIN ALL OUR NEIGHBORS IN DEMANDING A DENIAL OF THIS CUP.

VTY

WILLIAM L. QUIGLEY
3280 FAIRPOINT ST
PASADENA, CA. 91107

Montgomery, Tyler

From: Gina Foran [gforan_@hotmail.com]
Sent: Saturday, May 01, 2010 8:00 PM
To: Montgomery, Tyler; pnovak@lacbos.org
Subject: Against Eaton Canyon Treatment Services Inc. Expansion
Attachments: LETTER TYLER.doc

Please note: The document is attached, but in case it does not open I have copied and pasted the content below.

Fwd. to Paul Novak

Dear Tyler Montgomery:
I am writing to you as a resident of Pasadena regarding the pending Conditional Use Permit that is trying to be acquired by the owner of the Eaton Canyon Treatment Services, Inc. As a resident of the same neighborhood, I am deeply concerned that the potential of the facility to hold 20 full time residents and 8 daytime staff violates several of the conditions specified under LA County Code Section 22.56.090.

The violations include but are not limited to:

A2. That the requested use at the location proposed will not:
Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
Jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare; and
A3. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this title, or as is otherwise required in order to integrate said use with the uses in the surrounding area, and ;
A4. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate.

Reasoning:

The mental well-being of the neighborhood residents will be sacrificed, and has been sacrificed, with an alcohol and drug treatment facility (ADF) in a predominantly residential area.
The National Center for Victims of Crime provides the statistic that "Drug addiction can lead to increased property crime and robberies."

Value for adjacent and nearby properties could lessen with the existence of a larger ADF.

The street of Fairpoint is already narrow and adequate parking for the facility is nonexistent. Parking is limited to the streets, which would be a burden to the neighbors. An additional 20 newly admitted patients and 8 staff members will exacerbate the problem.

Sufficiently wide streets are not available for the quantity of traffic that such use would generate. Besides 20 additional patients and 8 staff members, consideration needs to be taken in relation to the extra people (visitors, doctors, etc.) that frequent the site.

Concerned Neighbors,
Jon Foran- Radiologist at Huntington Memorial Hospital

Kim Sarchet- Speech and Language Pathologist with the Glendale Unified School District

Gina Foran- College Student

All reside at:
1848 Sierra Madre Villa Ave.
Pasadena, 91107

(626) 296-8584

The New Busy is not the too busy. Combine all your e-mail accounts with Hotmail. Get busy.

Montgomery, Tyler

From: lauriebethkay@juno.com
Sent: Saturday, May 01, 2010 4:21 PM
To: Montgomery, Tyler; PNovak@lacbos.org
Subject: 3323 Fairpoint St. CUP, Proj. #R2008-01555-(5)

Please be advised that I am a neighbor within 3 blocks of the above-referenced address which is seeking an increase of residents for their current alcohol and drug treatment facility. I am requesting that you DENY the request for the following reasons: This is a narrow street in a high fire danger area. I am very concerned having so many extra vehicles on the street, impeding emergency services, as well as the risk of having even more people potentially dropping cigarette butts into brush areas, of which we are surrounded. This is such a remote area that I don't feel that we are well served enough as it is with police patrol. There is also no public transportation to this street. So you know, this small neighborhood was inundated with an undesireable element who vandelized our rocks and walls with gang grafitti after the massive fire of '93, and this is inviting more of the same. This area has many higher priced homes that are generally considered targets, so we are always aware of nonresidents. This is going to make our efforts even more daunting.

I sincerely hope the request be denied and perhaps moved to the city area of Pasadena, where there is no fire risk, there is much better access to police patrol, and where rehabilitating people can take advantage of public transportation.

Thank you,

Laurie Kay
1830 Pasadena Glen Rd.
Pasadena, CA 91107
(626) 797-6200

May 1, 2010

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery
TMontgomery@planning.lacounty.gov

RE: Project Number R2008-01555-(5)
Conditional Use Permit No. 200900053
Environmental Assessment No. 200900053

Dear Mr. Montgomery:

I am writing to voice my concerns in regard to the conditional use permit request as noted above. I live on Vosburg Street, approximately 2 blocks from the site at 3323 Fairpoint. My concerns are as follows:

- Currently there are 13 CA state licensed Alcohol and Drug Treatment Facilities (ADFs) in the Pasadena vicinity including Eaton Canyon Treatment Services, Inc. (ECTS) who is requesting this CUP. Nine are in Pasadena, two in Altadena, one in Monrovia, and one in Glendale. There are none in Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. Of these, all except two are located near major commercial corridors (Colorado/Foothill, Fair Oaks, and Lake). These 13 facilities provide 473 residential treatment beds, of which-40% are currently (and typically) vacant. **There are currently plenty of unused beds; there is no need to increase the number of beds at this location. In addition, our city has already completed its civil responsibility by providing nine ADFs in Pasadena. Further, we are not in a commercial corridor which is where ADFs should be located; we are in a residential zone.**

- The Eaton Canyon residential community in which we live has one access road into and out of our community. The ECTC plans to increase from 6 to 20 full time residents undergoing treatment and allow up to 8 daytime staff (a total of 28 people), a growth of 22 person on the site daily. This does not include any family or friends who plan to visit the full time residents. **Our single access road is not sufficient for the increased volume of traffic that will result is this CUP is approved.**

- **The increased traffic will cause undue noise pollution and traffic congestion for our residential community.**

- **The additional traffic and pollutants from these vehicles will have an adverse affect on the health, peace, comfort and welfare of the people living in our residential community.**

- **Having an ADF of this size in our residential zone will impact the valuation of my personal property.**

I hope you take all these issues into consideration and not approve this CUP.

Sincerely,

Julia Samuelson
3325 E. Vosburg St.
Pasadena, CA 91107

Montgomery, Tyler

From: Robert Flores [rrfloresjr54@sbcglobal.net]
Sent: Saturday, May 01, 2010 2:43 PM
To: Montgomery, Tyler
Subject: Emailing: TX trends Trends in rates of treatment completion by demographics, SAMHSA Office of Applied Studies.htm
Attachments: menubar_C1R1_0.jpg; menubar_C1R1_1.jpg; menubar_1.jpg; menubar_C2R2_0.jpg; menubar_C2R2_1.jpg; menubar_topics.jpg; menubar_C2R2_6.jpg; menubar_C2R2_5.jpg; menubar_C2R2_4.jpg; menubar_C2R2_3.jpg; menubar_C2R2_2.jpg; menubar_C2R2_7.jpg; menubar_C2R2_8.jpg; menubar_C2R2_9.jpg; menubar_C2R2_10.jpg; YellowLine.gif

Re: Project No. R2008-01555-(5)

Dear Mr. Montgomery, I am writing to voice my non approval of the increase in staff of up to 28 people. If you refer to the chart below, you will note that over 50% of all patiens did not complete the treatment for the three year period reviewed. This puts on the street a number of people that will still have issues dealing with their drug/alcohol addiction. As such, a drug habit requires the need to feed this demon which leads to robberies and other crimes. This is a RESIDENTIAL community and I want it to remain as such. There are no multi-family units in this area. I am sure that the operator will state that the patients will not be on the street, but, this cannot be guaranteed.

If you need to contact me, I can be reached by cell at 626 710 7618.

Thank you,

Robert R. Flores, Jr.
1500 Sierra Madre Villa Ave.
Pasadena, Ca. 91107
(Home) 626 794 5665

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Trends in Rates of Treatment Completion

Number of Discharges from Substance Abuse Treatment age 12 or older and Percent who completed treatment course, United States, 2002-2004

	2004		2003		2002	

Population group		Number of Discharges*	Percent of Discharges that Completed Treatment	Number of Discharges*	Percent of Discharges that Completed Treatment	Number of Discharges*	Per Disc t Con Tre
Total		956,032	44.2	821,474	43.9	748,075	
Age	12-19	120,282	42.4	103,354	41.8	95,354	
	20-39	513,009	42.1	444,832	42.4	411,183	
	40 and over	320,202	48.1	270,601	47.4	238,513	
Ethnicity	Hispanic, all races	126,314	45.9	94,572	42.8	69,779	
	Non-Hispanic, White	562,054	46.2	488,053	46.3	432,757	
	Non-Hispanic, Black	209,545	38.5	192,880	38.9	187,523	
Gender	Male	644,219	46.5	562,712	46.1	495,991	
	Female	311,657	39.4	257,350	40.3	229,773	
Education[a]	Less than high school	282,249	39.8	241,046	39.5	220,678	
	High school graduate	385,390	46.2	335,836	45.3	293,153	
	At least some college	181,445	49.7	156,717	49.8	139,243	

[a] Education completed is for those age 18 and over.

* Increases in number are more likely a result in better reporting of data than an actual increase in number of discharges.

Source: SAMHSA's Treatment Episode Data Set Discharge data set.

This page was last updated on February 11, 2009.

SAMHSA, an agency in the Department of Health and Human Services, is the Federal Government's lead agency for improving the quality and availability of substance abuse prevention, addiction treatment, and mental health services in the United States.

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* PDF formatted files require that Adobe Acrobat Reader® program is installed on your computer. **Click here to download this FREE software now from Adobe.**

Montgomery, Tyler

From: Jeffrey Goldberg [jdg3201@gmail.com]
Sent: Saturday, May 01, 2010 2:06 PM
To: Montgomery, Tyler
Subject: Opposition to 3323 Fairpont St. Conditional Use Permit

Dear Mr. Montgomery:

I am writing to register my objection to the Conditional Use Permit under consideration for 3323 Fairpoint St. in Pasadena.

My understanding is that the criteria for approving the Conditional Use Permit include (among others) that the proposed use (i) will be consistent with the adopted general plan for the area, (ii) will not adversely affect health, peace, comfort or welfare of surrounding residents, and (iii) will not be materially detrimental to the use, enjoyment, or valuation of property in the vicinity.

The proposed use is not consistent with the general plan for the area. The general plan for the area is low density, single-family residences. A facility with 20 residents, plus the facility's 8 workers is in no way consistent with a single-family use of the property. To emphasize the point, a 20-person family would need to look something like this: husband, wife, 10 children, spouses of three of the ten children, and five children of the three married children (i.e., grandchildren of the husband and wife). This is more like a four-family residence than a single-family residence. This does not even account for the additional 8 facility workers. This high-density, multi-family use does not exist in the area of the proposed facility and would be totally inconsistent with the adopted general plan for the area.

The proposed use will adversely affect the peace and comfort of surrounding residents. The large number of residents and workers at the facility changes the character of the neighborhood from a quiet, low-density, peaceful character to a more dense, noisy, and less-comfortable character. The traffic from comings and goings and the events of daily living for any group as large as 28 would advesely affect peace and comfort (I suppose unless the group were a group of monks who had all taken a vow of silence and came and went only on foot).

The proposed use will adversely affect the enjoyment (see immediately preceding paragraph) and valuation of property in the vicinity. Values in the area are based on the residential, single-family-use environment, including a reqirement that lots be a half-acre or larger (very low density). Potential buyers of homes in this area will no doubt know of the nearby presence of what is essentially a commercial business, with traffic equal to that of a moderate-size apartment building. This facility would be a significant negative to a buyer who desires to live in a quiet, low-density, residential neighborhood. This would be the case even if the business were a training center for clergy. That the business relates to treatment of persons who in the past have been unable to manage their consumption of drugs or alcohol (and the further possibility of anti-social behavior associated with those substance-abuse issues) would have an even greater effect on the valuation.

I appreciate that State policy is to assist substance-abuse sufferers by allowing up to six of them to be housed in any area without any permit. I support this policy--I would love to live in this neighborhood as I attempted to set my life right by overcoming my addictive behavior. But I cannot support a more than threefold increase in the permitted number of residents in a single home in this quiet, low-density neighborhood. Six residents and the associated facility workers is a family (a large family, but still passably a single family). 28 is a commercial business of significant size and scope and must not be permitted.

Thank you for your consideration. Please feel free to contact me if you have any questions.

--

Best regards,

Jeff

Montgomery, Tyler

From: LEEZIM0602@aol.com
Sent: Saturday, May 01, 2010 10:12 AM
To: Montgomery, Tyler
Subject: Eaton Canyon Recovery Center Conditional Permit request

E LEE ZIMMERMAN, CERTIFIED PUBLIC ACCOUNTANT

April 30, 2010

Hearing Officer
320 W. Temple Str
Los Angeles, Ca 90012
Attn: Tyler Montgomery

Re: Eaton Canyon Recovery Center
3323 Fairpoint Street, Pasadena

We live at 3355 Barhite Street, one block above Fairpoint Street.

Eaton Canyon Recovery Center proposes to add 20 alcohol and drug rehap residents with 8 staff members to their facility at 3323 Fairpoint Street.

My experience is as follows: I worked at Covenant House in New York City (drug rehap center) and other non-profit agencies. At Covenant House, the size was similar, mostly 16 to 30 age group. Covenant House, in my opinion, is a well-run organization.

However, on a somewhat periodic basis, we had 'incidents' that had to be dealt with. Many affected different individual neighbors.

ITEM 1: The staff of 8 is probably inadequate to supervisor 20 rehap residents. Based on 24 hour coverage, that actually calculates to 1 or 2 staff members being on-site at all times. (A week is 168 hours. 8 staff members working 40 hours is 320 hours. This calculates to less than 2 available at any hour. And the 8 probably includes professional people who have other duties.)

ITEM 2: The staff cars and vans servicing and moving this large group of people is a second issue. Typically, a van is moving one or two at a time to court appointments, new setups, etc. Focus will be to keep the facility full.

I have not seen the Environmental Report that I believe should be required. The residential area and street certainly will have difficulty accommodating the size of this commercial enterprise. I believe the nearest commercial business is about two miles away.

In conclusion, I am against this proposal and especially the size and risks.
Thank you for your time.

Sincerely,

Elmer Lee Zimmerman

PO BOX 908, LA CANADA, CA 91012
626-755-5468 626-345-0188 fax
LEEZIM0602@AOL.COM

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April 30, 2010

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Los Angeles, Ca 90012
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Elmer Lee Zimmerman

PO BOX 908, LA CANADA, CA 91012
626-755-5468 626-345-0188 fax
LEEZIM0602@AOL.COM

Montgomery, Tyler

From: Howard Steenwyk [hsteenwyk@att.net]
Sent: Saturday, May 01, 2010 9:19 AM
To: Montgomery, Tyler
Cc: pnovak@lacbos.org
Subject: Project R2008-01555-(5)

Tyler Montgomery:
I strongly oppose the proposed plan to have another drug and alcohol rehab facility established or expanded in Pasadena, especially in the Eaton Canyon area.

This is a secluded residential neighborhood with many young families and children in the immediate area of the proposed site that would be negatively impacted by the threat or perceived threat that up to 28 rehab patients and staff would have on their neighborhood. The area consists of single family homes where a 28 person facility would stand out and not accommodate that many people in a seven bedroom home and damage the reputation and composition of the area not to mention the negative impact so many people would have on traffic, sanitation and other city/county services and the general disruption that guests and residents would bring to the area and negative impact a facility like this would have on property values. The fact that relapses and failures participants in programs like this experience, a secluded neighborhood would provide an excellent opportunity for rehab patients, many of whom have criminal background, to engage in crime to support their habit. This is a residential area, a commercial for profit facility doesn't belong in this area.

PLEASE do not allow another facility to be placed in this area.

Thank you
Howard Steenwyk

1605 Old House Road
Pasadena, CA 91107
626 798 5453

E LEE ZIMMERMAN, CERTIFIED PUBLIC ACCOUNTANT

April 30, 2010

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320 W. Temple Str
Los Angeles, Ca 90012
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However, on a somewhat periodic basis, we had 'incidents' that had to be dealt with. Many affected different individual neighbors.

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ITEM 2: The staff cars and vans servicing and moving this large group of people is a second issue. Typically, a van is moving one or two at a time to court appointments, new setups, etc. Focus will be to keep the facility full.

I have not seen the Environmental Report that I believe should be required. The residential area and street certainly will have difficulty accommodating the size of this commercial enterprise. I believe the nearest commercial

business is about two miles away.

In conclusion, I am against this proposal and especially the size and risks. Thank you for your time.

Sincerely,

Elmer Lee Zimmerman

PO BOX 908, LA CANADA, CA 91012
626-755-5468 626-345-0188 fax
LEEZIM0602@AOL.COM

KATRINA M. CAMPBELL, ESQ.
1646 SIERRA MADRE VILLA AVENUE
PASADENA, CA 91107

MAY - 4 2010

April 30, 2010

Mr. Tyler Montgomery, Hearing Officer
Commission on Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

Re: Eaton Canyon Treatment Center
Application for Conditional Use Permit
Project #R2008-01555-(5)

Dear Mr. Montgomery:

The purpose of this correspondence is to provide input for the public hearing concerning the land use proposal for the above-referenced facility. The property is located at 3323 E. Fairpoint Street, Pasadena, CA 91107. I am a homeowner who lives approximately 100 yards from the facility. I have lived in my home for five years.

When I first learned about the Treatment Center approximately two years ago, I was outraged to learn that such a facility existed in my neighborhood. Since then, I have taken the time to learn about the facility, its services, and its residents. I met the owners of the facility, Mr. and Mrs. Heard, and had conversations with two of the facility residents. I can now say that my initial concerns appear to have been unfounded. I routinely jog and walk my dogs in the neighborhood, and have not been negatively impacted by the presence of the Treatment Center or its residents.

I have no objection to the continued operation of the Treatment Center at its current residential capacity. I make no attempt to vouch for the continued public health, safety or general welfare of the community. However, I can say that based on the past practices of the facility and its resident selection process, I have not experienced personally any negative impact on the community.

Very truly yours,

KATRINA M. CAMPBELL, ESQ.

Montgomery, Tyler

From: George Sanders [geosanders1325@yahoo.com]
Sent: Friday, April 30, 2010 12:57 PM
To: Montgomery, Tyler
Subject: Project#R2008-01555-(5) CUP Permit No. 200800131 Environmental Assessment No. 200900053

Dear Mr. Montgomery,

I have been living in this Eaton Canyon area for 51 years. I selected to build here for its beauty and its serenity and most of all, an area where my kids could grow up in safety. My dream has been shattered by an individual who wants to run a for-profit business disregarding rules and regulations.

I know that six alcoholics and drug addicts can be placed in a house without a license, but this individual has more than the allowed number living in the private home located at 3323 Fairpoint Street. There are 12 other facilities in the area running at 40% vacancy and that is where these people being and not in a beautiful neighborhood like ours. Having had personal experience dealing with addicted pharmacists, I know firsthand what kind of problems that can unsue after relapse. I don't want to have to live in fear for my safety in my neighborhood.

Fairpoint St. is a very narrow street, not equipped to handle more car traffic - a street where you have to go into someone's driveway to be able to turn around as well as Sierra Madre Villa Ave., coming to a curve just above Faripoint making it very difficlut to exit from Fairpoint onto Sierra Madre Villa Ave safely. What we don't need is more cars looking for accidents to happen.

I hope you will deny this request and place these individuals in a commercially zoned area instead of in an R1 residential area.

If you approve this request for 20 people at $3,000.00 per person a month and no rent to pay, this becomes a very profitable business and soon this individual will bring in 20 nmore people, disregarding rules and regulations as he has done before.

Thanks you for your consideration in this matter.

Sincerely Yours,

George W. Sanders
1585 Old House Road
Pasadena, CA 91107

Montgomery, Tyler

From: Tom J Takash [tjtakash@yahoo.com]
Sent: Friday, April 30, 2010 12:09 PM
To: Montgomery, Tyler

Hello Mr. Montgomery,

I expressed my opposition over the phone two days ago regarding the Conditional Use Permit application on Fairpoint St.
I sent in a letter to you that day, but have attached the text letter is below in case you don't receive my mailed letter in time.

Tom Takash

4/27/10

Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery

RE: project number R208-01555-(5)
conditional use permit no. 200900053
environmental assessment no. 200900053

Location: 3323 Fairpoint Street in the Northeast Pasadena Zoned District of Los Angeles County

Dear Sir,

I live at 3240 Fairpoint St, three houses away from the property in question.
Please do NOT approve the conditional use permit (CUP) for a twenty person alcohol and drug treatment facility (ADF). Such an approved ADF would immediately change the character and safety of the neighborhood as well as adversely affect property values.

First, I would like to comment on the integrity of the management at Eaton Canyon Treatment Center (ECTC). The ECTC has been blatantly dishonest and untrustworthy with the neighborhood and Los Angeles County. ECTC was county approved only as a "sober living facility" and knew it! In 1999, when ECTC sought to legalize unpermitted additions it represented and assured the county it was only a sober living facility and provided no treatment or counseling. ECTC stated it was not an "ADF" and as such did not require a CUP. It is clear that even back in 1999 ECTC was not ignorant of the law and knew that an ADF required a CUP.

Yet ECTC through its recent correspondence with the county seems to boast about violating these county codes while hiding its activities from the neighborhood. It claims to have had more than six patients living at the facility, at times more than twelve. It claimed these patients were receiving counseling and it was acting as an ADF. This is in direct contradiction to its earlier representations to the county. Furthermore, since ECTC claims a history of sneaking in ten to twenty people when permitted six it cannot be trusted with more people as it may try to stuff in 40 people if allowed 20.

Also I would like to point out that ECTC took the time to obtain a state license for an ADF, but then deliberately tried to hide its activities as an ADF from it's neighbors and the county. ECTC only applied for a CUP at all because it got caught. ECTC doesn't play by the rules until it is forced to do so. ECTC's motivation for hiding its activities as an ADF is obvious. ECTC clearly knows that a 28 person ADF is completely inappropriate for the neighborhood, would hurt property values, and neighbors would strongly object!

Unfortunately, with ECTC's chutzpah it acts as if it should be richly rewarded for its dishonest, deceitful behavior. In fact though, just the opposite should happen. ECTC should be summarily denied the CUP. If there are more than six patients residing there, the excess can be immediately relocated to any one of the many other facilities with vacancies. (The average ADF vacancy rate in the Pasadena area is consistantly 40%). Then fines should be considered for ECTC's deliberate systematic violations of county code.

Next, 28 people routinely on a property (20 patients plus 8 staff) is not in keeping with the character and zoning of this neighborhood. This is a low population density, R1 zoned, completely residential neighborhood. The typical household size here is about 4 people. And nowhere in this neighborhood are there any households with 28 people! At 28 people, the ECTC is a crowded, purely commercial business. It belongs in a commercial area, not a residential area. Obviously, approval of the CUP would generously serve the business interests of the owner, but at the expense of hundreds of neighbors. Again, this is A RESIDENTIAL NEIGHBORHOOD, NOT A COMMERCIAL DISTRICT! No twenty-eight person commercial venture of any kind should ever be allowed here. A restaurant with 28 people wouldn't be allowed. A warehouse with 28 people there all day long wouldn't be allowed. Both would obviously alter the character of the neighborhood and decrease property values. To pretend a drug and alcohol rehab facility with 28 people wouldn't have at least the same detrimental effects on this neighborhood, probably more so, is dishonest!

I am also concerned for the safety of my family with twenty alcohol and drug rehab patients residing down the street. Drugs and alcohol are involved in a large percentage of crime in California. Additionally, visitors of addicts may also be addicts, or enablers, further increasing the risk to the neighborhood. ECTC is not a prison and patients, if they desire, can easily get out. My wife has seen people leaving ECTC and walking up and down our street. A neighbor mentioned to me that his garage was broken into recently. And the neighborhood has no way to verify whether these patients are sex offenders or have criminal backgrounds. Sex offenders are not required to register while in a temporary treatment facility. And unfortunately with tragedies, it only takes one time. The bottom line is 20 patients are much more likely to have deleterious consequences than 6 patients. If it's 20 patients that ECTC wants, it should leave the neighborhood and move to a commercial district. In fact, 11 of the 12 other ADFs in the Pasadena vicinity are located along major commercial corridors.

ECTC on Fairpoint St has just one main road going in and out, Sierra Madre Blvd. Fairpoint Street is a very narrow unincorporated street without sidewalks. There is little room for two way traffic when cars park on the street. It is meant to handle R1 zoning, not 28 people in a house. Currently, on weekends visitors to ECTC will park up and down Fairpoint St. making navigating the street extremely difficult. If allowed to have 20 people congestion will only get worse. And should there ever be a fire in the area, having more people and cars congesting the only way out at Sierra Madre Blvd increases the risk to my family.

Another great concern of mine, second in importance only to safety issues, are property values. As stated above, any 28 person business here is commercial and would certainly decrease neighborhood property values. To claim otherwise would be a deceitful. If that business is an ADF, because of public safety concerns, the damage to property values would be even worse. Neighbors have told me they would not have moved here if they were aware of the current ADF CUP situation when they purchased their property.

My wife and I bought our home here a year ago. The negotiations from that time are still fresh in my mind. Unfortunately, we bought the home without the knowledge of the 6 person sober living facility at ECTC. It was not disclosed to us. If it was disclosed to us our offer would have been substantially less. It absolutely would have affected the valuation to us. And if there were a 20 patient ADF operating down the street I probably wouldn't have made any offer at all. In that situation the home to me would have been worth so much less than the asking price there would have been no point in making an offer. And I am no different in my thinking than other potential buyers. The home I'm in now certainly would have sold for a lot less if a 20 patient ADF was operating nearby. A 20 patient ADF would severely negatively impacted property values.

The county has a duty to protect the integrity, character, safety, and valuation of the neighborhood. To do any less would be dereliction of its responsibility. A 6 patient sober living facility is somewhat in keeping with the neighborhood but a 28 person ADF simply is not. It is a commercial venture for the sole benefit of the owner, and causes all the negative consequences described above, affecting hundreds of neighbors. And it doesn't matter if ECTC claims it's upgraded its facilities to accommodate 20 patients. It's irrelevant. Too Bad. ECTC was operating illegally and new it should have applied for the CUP first, allowing neighborhood input. If anything, such actions should be penalized, not rewarded. The area is zoned R1 for a reason and that zoning needs to respected. ECTC's business profit desires do not outweigh the rights of hundreds of neighbors. The CUP needs to be rejected. Commercial ventures need to be in commercial districts.

I am also sending a copy of this letter to my lawyer so that he may give an opinion as to the liability of the county should it choose to ignore the effects of this CUP on property valuations and approve it. Thank you for taking the time to consider the points in this letter.

Sincerely,

Tom J Takash, MD and Susie Takash

1/27/

Montgomery, Tyler

From: Condon, Thomas [Thomas.Condon@colliers.com]
Sent: Friday, April 30, 2010 6:35 PM
To: Montgomery, Tyler
Cc: pNovak@lacbos.org
Subject: 3323 Fairpoint St, Pasadena CUP, LA County Project No. R2008-01555-(5)...Hearing scheduled for May 18th 2010

Dear Mr. Montgomery,

My wife and I own the home at 3366 Barhite Street, LA County 90017. We are located at the SEC of Sierra Madre and Barhite Street. If you were to look at an aerial of our home you would see that we have three driveways. I used to park my car on the most southern driveway. The ingress and egress for this driveway is off Sierra Madre Villa. I gave up using this driveway for safety reasons. In order use the driveway I need inch out slowly to avoid hitting or being hit by other vehicles heading on Sierra Madre Villa. Cars come whipping down Sierra Madre Villa...they can't see me because of hedges and the curve....I can't see them until I am virtually on the street and it just made sense to avoid using this driveway on a daily basis for the safety of all. What really sealed the deal for me not to use the driveway any longer is I was so concerned about looking both ways for traffic...that often times I would shoot out on to Sierra Madre Villa and not notice the walkers. My heart dropped to my stomach on several occasions There is quite a bit of foot traffic in the morning and evenings from residents walking or walking their dogs. I am one house removed from the house at the SEC of Fairpoint and Sierra Madre Villa. That corner and street is not unlike mine. We don't need any more traffic their and more traffic will contribute to what is already a safety problem on this stretch of Sierra Madre Villa.

My wife and I are unified in requesting the County's denial of this Conditional Use Permit purely for safety reasons. Sierra Madre Villa is a very narrow street and Fairpoint is narrower. Increasing the traffic in the area will certainly increase the chance for accidents and injury to the community.

Please feel free to contact me with any questions. My home # is 626-398-5088.

Thank you for your help here.

Thomas A. Condon
Senior Vice President | Commerce
License No. 00881755

Colliers International
5801 E. Slauson Ave., Suite 160
Commerce, CA 90040
323 726 1200 - Tel
323 278 3114 - Direct
323 791 8191 - Mobile
323 278 3014 - Fax
thomas.condon@colliers.com

www.colliers.com
Our *Knowledge* is your Property

Montgomery, Tyler

From: Tom J Takash [tjtakash@yahoo.com]
Sent: Friday, April 30, 2010 12:09 PM
To: Montgomery, Tyler

Hello Mr. Montgomery,

I expressed my opposition over the phone two days ago regarding the Conditional Use Permit application on Fairpoint St.
I sent in a letter to you that day, but have attached the text letter is below in case you don't receive my mailed letter in time.

Tom Takash

4/27/10

Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery

RE: project number R208-01555-(5)
conditional use permit no. 200900053
environmental assessment no. 200900053

Location: 3323 Fairpoint Street in the Northeast Pasadena Zoned District of Los Angeles County

Dear Sir,

I live at 3240 Fairpoint St, three houses away from the property in question.
Please do NOT approve the conditional use permit (CUP) for a twenty person alcohol and drug treatment facility (ADF). Such an approved ADF would immediately change the character and safety of the neighborhood as well as adversely affect property values.

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Sincerely,

Tom J Takash, MD and Susie Takash

1/27/

KATRINA M. CAMPBELL, ESQ.
1646 SIERRA MADRE VILLA AVENUE
PASADENA, CA 91107

MAY - 4 2010

April 30, 2010

Mr. Tyler Montgomery, Hearing Officer
Commission on Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

Re: Eaton Canyon Treatment Center
Application for Conditional Use Permit
Project #R2008-01555-(5)

Dear Mr. Montgomery:

The purpose of this correspondence is to provide input for the public hearing concerning the land use proposal for the above-referenced facility. The property is located at 3323 E. Fairpoint Street, Pasadena, CA 91107. I am a homeowner who lives approximately 100 yards from the facility. I have lived in my home for five years.

When I first learned about the Treatment Center approximately two years ago, I was outraged to learn that such a facility existed in my neighborhood. Since then, I have taken the time to learn about the facility, its services, and its residents. I met the owners of the facility, Mr. and Mrs. Heard, and had conversations with two of the facility residents. I can now say that my initial concerns appear to have been unfounded. I routinely jog and walk my dogs in the neighborhood, and have not been negatively impacted by the presence of the Treatment Center or its residents.

I have no objection to the continued operation of the Treatment Center at its current residential capacity. I make no attempt to vouch for the continued public health, safety or general welfare of the community. However, I can say that based on the past practices of the facility and its resident selection process, I have not experienced personally any negative impact on the community.

Very truly yours,

KATRINA M. CAMPBELL, ESQ.

MAY 3 - 2010

April 29 2010

Hearing Officer
320 W. Temple St.
Los Angeles, Ca 90012
Attn. Tyler Montgomery

Dear Sir,

Concerning the Eaton Canyon Group Home Hearing for 3323 Fairpoint St., Pasadena CA, my wife and I are unhappy to hear about the proposed increase in occupants at this address, We live 2 doors west of this location and are apprehensive about the increased traffic and parking on such a narrow street including the fact that non-residents are not aware of the fire department's rule against cars parking in the same area on both sides of the street as a fire truck can not pass through if this occurs. The time it would take to locate the owners of the aforementioned cars could be the difference between saving a home and having it burn to the ground. We had a major wildfire here in 1993 and most of our yard burned up and fortunately there were no double parked cars at that time, but it could have been different.

We are in our 80's and worry about the possibility of Eaton Canyon Group Home occupants having criminal records and at this age we would have a heck of a time fighting off burglars if they left the group home looking for drugs or money in our home. My wife is in better shape than I am, so to prevent burglars from possibly attacking us before the Sheriff can respond to our call, I keep requesting my wife to remain physically fit.

Sincerely,

Ken Edelson
Ken Edelson
Lorraine Edelson
Lorraine Edelson
3289 Fairpoint St.
Pasadena, CA
(626) 797-3314

Montgomery, Tyler

From: Judge Phillip Soto [PSoto@LASuperiorCourt.org]
Sent: Thursday, April 29, 2010 1:02 PM
To: Montgomery, Tyler
Cc: MAntonovich@lacbos.org; PNovack@lacbos.org; sjwheatc@lasd.org; ectchearing@me.com
Subject: Comments Re "Negative Declaration" Hearing for 3323 Fairpoint Street, Pasadena Ca Set for 5/18/2010

Dear Mr. Montgomery,

I am a judge of the Los Angeles Superior Court and a resident in the vicinity of 3323 Fairpoint Street, Pasadena, Ca 91107. It has come to may attention that the Eaton Canyon Treatment Services, Inc (ECTS) has made an application with the county for a Negative Declaration or Conditional Use Permit to expand their alcohol and drug treatment facility from the existing 6 beds to 20 beds and the addition of 8 daytime staff members. I understand that you are now preparing a staff report for the hearing regarding this request that is set for May 18, 2010.

Please let me make clear that I believe drug and alcohol treatment centers are a worthwhile endeavor and should be encouraged whenever possible. However, in this instance, I would discourage the expansion sought unless and until it can be established to a reasonable certainty that such action would not put myself and/or my wife and family in jeopardy to
our personal safety and well being as described in L.A.C.C. section 22.56.090(A)(2)(a) & ©).

I hope you are well aware of the fact that judges, by virtue of their role of decision makers in hotly contested cases, are subject to serious threats to their person, property and their welfare and that of their families. In fact, the authorities are still investigating the murder of Commr. Robert Taylor and his wife which occurred at their home several years ago.

Although I have taken steps to try to keep my identity and location of my residence confidential, there is no guarantee that a disgruntled litigant residing in this expanded facility could not find it in someway and do harm to myself, my wife (a deputy district attorney) or my young child.

My duties in the Pasadena Superior Court require that I must handle cases regarding drug and alcohol use and abuse. My wife a Deputy District Attorney does not handle such cases now, but has in the past and if called upon to do so, will litigate such cases again in the future.

My residence is virtually around the block from the ECTS facility and I pass it often on my morning walks (although for my safety, I have avoided passing directly in front of the facility which has curtailed my full enjoyment of my neighborhood.) I shouldn't have to be held prisoner in my own house in order to avoid being recognized by any of the clients served by ECTS.

Thus, I implore you to give consideration to my security concerns and do not recommend approval of this permit until these concerns can be reasonably addressed. By way of this memorandum, I request the L.A. Sheriff's Dept. Security Operations Unit to involve itself in this investigation to determine whether and how my security concerns can be addressed and request that you permit them additional time to do so since I understand that your staff report must be completed by next Tuesday, May 4, 2010.

Thank you for your anticipated consideration and cooperation.

Very Truly Yours,

Judge Philip Soto

Montgomery, Tyler

From: astourians [astourians@aol.com]
Sent: Thursday, April 29, 2010 10:46 PM
To: Montgomery, Tyler
Subject: Re: PNovak@lacbos.org

I am a resident living off of Sierra Madre villa for more than 33 years.

I would say there is no cause for LA county to grant ACTC (CUP) 20 full time residents undergoing treatment and up to eight daytime staff approval or a permit to use this address for ECTS. Because the existing residential ADF's in the Pasadena and vicinity numbering 13; nine of which is in Pasadena are more than sufficient for the area. if you consider the lack of such treatment services in all the neighboring cities including; Arcadia, La Canada, La Crescenta, San Marino, or South Pasadena. It almost looks like Pasadena has been targeted by a special interest group.

the 13 facilities provide 473 residential treatment beds, of which around 40% are currently vacant!

This neighborhood furthermore has been the target of many burglaries almost every family that has moved in within the last 5 years have been burglarized. that is a very alarming fact. the address 3323 Fairpoint st. Pasadena, Ca 91107 has been housing six full time addicts undergoing treatment for more than five years now. and the owner has enlarged his ownership by buying the house on the south west corner of Fairpoint and Sierra Madre Villa.

I know of two to three neighbors on Fairpoint and Sierra Madre Villa across from Fairpoint who sold their houses and moved out of the area after being harassed at the first hearing for the permission of this services!
There is another treatment service center on Sierra Madre Villa a little to the north of the aforementioned Treatment service that is requesting to enlarge we often see cars parked in the driveway early mornings and have asked why are they there for some have been honest to say they have to be checked weekly for sobriety before they can go to work.

I think our neighborhood is overwhelmed and over saturated with such service homes already.

I deny the request strongly.

Respectfully,
Zareh Astourian
email address: Astourians@aol.com

Montgomery, Tyler

From: astourians [astourians@aol.com]
Sent: Thursday, April 29, 2010 10:43 PM
To: Montgomery, Tyler
Subject: PNovak@lacbos.org

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Respectfully,
Mary Astourian
email address: Astourians@aol.com

Gene and Catherine Thomas
3232 Barhite Street
Pasadena, California 91107
(626) 798-3466 Fax (626) 798-5666
e-mail kateollie@earthlink.net

e-mail/ TMontgomery@planning.lacounty.gov
Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn.: Tyler Montgomery

Conditional Use Permit No. 200800131
Location: 3323 Fairpoint St./ Pasadena, CA 91107

Dear Mr. Tyler Montgomery.

This is concerning the use permit change to allow this property to house up to 20 adults and 8 staff members. This could translate up to 28 vehicles on property for parking. It is my understanding that while the patients are undergoing the treatment they must be employed. as there is no pubic transpiration in the area they would need their vehicles. I'm sure that there also would be visitors with cars.

The street in front of their address and the other adjacent properties are half the width of other nearby streets. The property to the east there is only 15 feet from edge of pavement to power pole and guy wires. Other portion of the street is up to 24 feet wide. One would have keep in mind that large commercial vehicles (emergency, refuse haulers etc. are 10 feet wide including the mirrors.

We think this is too many people occupying this piece of property and unfairly impacts the other residents nearby.

Please take this into consideration.

Eugene and Catherine Thomas

Area of 3323 Fairpoint

MAY 3 - 2010

April 29 2010

Hearing Officer
320 W. Temple St.
Los Angeles, Ca 90012
Attn. Tyler Montgomery

Dear Sir,

Concerning the Eaton Canyon Group Home Hearing for 3323 Fairpoint St., Pasadena CA, my wife and I are unhappy to hear about the proposed increase in occupants at this address, We live 2 doors west of this location and are apprehensive about the increased traffic and parking on such a narrow street including the fact that non-residents are not aware of the fire department's rule against cars parking in the same area on both sides of the street as a fire truck can not pass through if this occurs. The time it would take to locate the owners of the aforementioned cars could be the difference between saving a home and having it burn to the ground. We had a major wildfire here in 1993 and most of our yard burned up and fortunately there were no double parked cars at that time, but it could have been different.

We are in our 80's and worry about the possibility of Eaton Canyon Group Home occupants having criminal records and at this age we would have a heck of a time fighting off burglars if they left the group home looking for drugs or money in our home. My wife is in better shape than I am, so to prevent burglars from possibly attacking us before the Sheriff can respond to our call, I keep requesting my wife to remain physically fit.

Sincerely,

Ken Edelson
Ken Edelson
Lorraine Edelson
Lorraine Edelson
3289 Fairpoint St.
Pasadena, CA
(626) 797-3314

April 29, 2010

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

Attn: Tyler Montgomery

Ref: Project No. R2008-01555-(5)
CUP No. 200800131
Environmental Assessment No. 200900053

Dear Mr. Montgomery,

We are writing in protest to the referenced Conditional Use Permit approval consideration. My wife and I have lived in the immediate area since 1993 and we are still raising a family. The very notion that a better than three-fold increase in treatment residents (from 6 to 20) is planned is an affront and slap-in-the-face to our family and other nearby residents. Further, the proposed addition of eight day-time staff indicates that the proprietor Eaton Canyon Treatment Services, Inc (ECTS) plans a significant business operation in the residential neighborhood in which its present ADF undertaking is permissible under CA Prop. 36. ECTS is pushing the envelop, an expansion of an additional total of 22 treatment residents and staff far exceeds the intent of CA Prop 36, and in effect proposes a major business undertaking in an area zoned for family residences and not for businesses.

The welfare, comfort, and general peace which we now enjoy will be adversely affected. Even now ECTS residents roam the streets mornings and late afternoons with no apparent purpose in mind, and also creating an unnecessary driving hazard as they move or stand three and four-deep on Sierra Madre Villa Avenue which has many roadway twists and turns. Often I have witnessed said ECTS residents at night, as well, when I return home from work and the situation is perilous particularly since the area has no street lights.

Regarding the issue of property valuation and enjoyment, we have worked extremely hard to build a good life with modest accommodations. Notwithstanding the overall property devaluation of recent years due to the overall economy, it would be like pouring water on a drowning man to further devalue our property and emotional comfort to grant CUP approval to the sought major business expansion in our neighborhood.

The subject location expansion is clearly an unnecessary public menace and health risk for our community. For certain, there are people who for what ever reason, elective or non-elective have developed a drug and/or alcoholic addition and they need rehabilitation, we are not insensitive to this problem. However when the exploitation of

their condition for profit sake places other law-abiding property owners and their children at unnecessary risks, then it becomes a situation of abating the rights of other well-meaning, play-by-the-rules citizens such as our self and our neighbors.

We ask you to consider our rights. We ask you to not be swayed by arguments counter to our safety and well being. We ask that you not grant the Conditional Use Permit to Eaton Canyon Treatment Services, Inc.

Sincerely,

Larry Burton

Yvonne Burton

Montgomery, Tyler

From: Buchanan, Michael C. [MBuchanan@westernasset.com]
Sent: Thursday, April 29, 2010 7:01 AM
To: Montgomery, Tyler
Cc: 'abuchanan319@charter.net'
Subject: 3323 Fairpoint St. Conditional Use Permit Hearing

Dear Mr. Montgomery,

I am writing in regards to Eaton Canyon Treatment Services (ECTS) which operates a for-profit, state-licensed, Alcohol and Drug Treatment Facility at 3323 Fairpoint Street in Pasadena. As you know, there is a hearing on May 18th to discuss and evaluate ECTS desire to increase from 6 to 20 the number of full-time residents undergoing treatment. My wife Angela and I feel strongly that the permit should be denied. We live at 1717 Sierra Madre Villa Ave with our 3 children (ages 4, 5 and 7). Our house is within approximately 1000 feet of ECTS. We have numerous reasons for our extreme anxiety regarding the expansion of ECTS. First and foremost, we strongly feel that safety is an issue. While drug and alcohol rehabilitation is an admirable goal, success is spotty. With 20 full-time residents, there is a much higher likelihood that certain patients will not respond to treatment and potentially pose a risk to the facility's neighbors (theft being the most obvious, but also the very real risk of harm to our children). Also, a further risk would be the increased traffic on Sierra Madre Villa (SMV) resulting from 28 residents and staff as well as visitors on the weekend. Many residents take walks up and down SMV with their families (we do so every Saturday and Sunday morning). With no sidewalks on SMV, any increase in traffic increases the likelihood of a very serious auto/pedestrian accident. It is our opinion that such facilities should not be located in overwhelmingly residential areas like our neighborhood. We urge you to deny ECTS's application for expansion. Please call or email me with any additional questions.

Thank you very much for your time and consideration,

Michael and Angela Buchanan
626-844-9637

********** E-mail sent through the Internet is not secure. Western Asset therefore recommends that you do not send any confidential or sensitive information to us via electronic mail, including social security numbers, account numbers, or personal identification numbers. Delivery, and or timely delivery of Internet mail is not guaranteed. Western Asset therefore recommends that you do not send time sensitive or action-oriented messages to us via electronic mail. **********

HOLST INDUSTRIES

9215 SANTA FE SPRINGS ROAD
SANTA FE SPRINGS, CA 90670
VOICE: (562) 946-6666
FAX: (562) 946-4000

April 28, 2010

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012

Attn: Tyler Montgomery

APR 29 2010

RE: Project Number R2008-01555-(5)
Conditional Use Permit No. 200800131
Environmental Assessment No. 200900053
3323 Fairpoint Street
Pasadena, CA 91107

Please be advised, consider this letter my sworn statement in lieu of oral testimony at the above referenced hearing.

I reside in the immediate referenced area and have serious concerns regarding the logic behind granting the continued operation of an adult residential facility, for any use. The location in question is zoned for single family dwellings and is not adequately served by major streets and available parking. The continued non-conforming use has and will continue to adversely affect in a negative manner all surrounding property values along with the peace and comfort the area once had.

Furthermore, the location of the referenced facility is over a mile from shopping, bus lines, and other city services.

I request that the planning department deny the conditional use permit in it's entirety.

Kindest Regards,

Steven Holst

SEH/nh
REF: Fairpoint
0042802
CC: Paul Novak
Planning Deputy, 5th District

April 28, 2010

APR 2 9 2010

Mr. Tyler Montgomery, Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

Re: 3323 Fairpoint St. Conditional Use Permit, LA County Project No. R2008-01555-(5) Hearing May 18, 2010. Statement of objections against grant of ECTC Conditional Use Permit

Dear Mr. Montgomery,

We are long-term residents at 3233 Barhite St. Pasadena, CA 91107, in close proximity to ECTC referenced above. We strenuously object to the grant of the Conditional Use Permit (CUP) at issue. To grant such CUP would:

1. Adversely affect the peace and comfort of many persons residing in the surrounding area,
2. Be materially detrimental to the enjoyment, and especially, valuation of the property of other persons located in the vicinity of the site and,
3. Jeopardize the general welfare of other residents of the area.
4. In addition, the streets serving the subject site are inadequate, and possibly would constitute a hazard, when carrying the kind, and quantity of traffic that would be required. Additional parking that would be required, also presents a serious nuisance, if the cars cannot all park off street.

This neighborhood has long been a quiet, safe area, not bothered by crime or traffic, which is a reason why we moved here 25 years ago. Because the entire area, approximately 1 ¼ mile above Sierra Madre Blvd. north has no through streets, typically the only traffic is that of residents, invitees, and licensees of residents. The neighborhood has enjoyed a measure of protection and peace of mind afforded by this seclusion and association with others having the same property owner vested interest.

Many, if not most, of the persons residing in the area are long term residents (some going back to the 50's). Therefore, many of us are senior citizens, concerned about personal safety, our property investment, and the quiet enjoyment of our property.

We do not want further deterioration of our neighborhood by introduction of additional persons having no vested property interest. We don't want more traffic. We don't want more crime, which until relatively recently was rare. Now, we have recurring mail thefts, and thefts from cars parked in garages and driveways. Until recently, we enjoyed not having to lock every door during the day and not having to close our garage doors during the day. Now, we've begun to feel like prisoners in our own homes. We do not want any further introduction of persons to the area, who are not neighbor home owners.

Finally, an undeniable, detrimental effect of granting the CUP is a decline in property values <u>and</u> in persons willing to invest in property located in the near vicinity of an ADT for 20 drug or alcohol addicts, plus 8 caretakers.

Without going into further detail, which we could do, *ad nauseum*, please accept this as our earnest plea not to grant the CUP. Thank you for your consideration of our request.

Allyn and Linda Heck
3233 Barhite Street
Pasadena, CA 91107

By Linda Heck

Montgomery, Tyler

From: Paula Berg [pberg@typecraft.com]
Sent: Wednesday, April 28, 2010 12:26 PM
To: Montgomery, Tyler
Subject: 3323 Fairpoint St. Pasadena, CA 91107

Dear Mr. Montgomery:

I would like to urge you to deny the additional use permit for the Drug and Rehab Center on 3323 Fairpoint St, Pasadena, CA 91107.

This is a residential area with children and families. Increasing the amount of residents to 20 and adding up to 8 fulltime staff members will make this area more of a hotel setting.

Unfortunately, we have already had problems with alcoholics and drug addicts. My former physician had a person from the home wander into her mother's home at the end of Fairpoint. We have had increased crime in the area. Mailboxes have been robbed.

An increase of 22 possible residents and staff would further devalue the homes in the area. Since the owner of the home at 3323 Fairpoint St. is also building a home for alcoholics and drug addicts on Sierra Madre Villa, just around the corner of this home, we have additional concerns about the area.

I don't quite understand why the County would allow 28 people in one home at all. We have only one way in and one way out. All others are blocked. Are these people allowed to drive? To ride the bus or metro is quite a walk down the hill for the bus stop.

Since sex offenders are not required to register at a home if it is not their permanent home, we fear for the alcoholic and drug addict that is also a sex offender living in a neighborhood where children are playing.

Please do not allow this additional intrusion into an area where residents have worked hard to acquire a place to live safely with their families.

Paula J. Berg
2100 Pasadena Glen Rd.
Pasadena, CA 91107
626-791-0621

Montgomery, Tyler

From: brigitte altmetz [gittiomi@charter.net]
Sent: Wednesday, April 28, 2010 10:39 PM
To: Montgomery, Tyler
Subject: Conditional Use Permit Number 200800131
Attachments: Ivy.gif

Dear Mr. Montgomery,

My purpose of this letter is to request that the CUP not be approved in the Sierra Madre Villa region. To have twenty
Persons, plus staff of eight people, living in a single family dwelling is not similar to the use of the surrounding housing
in this area. 3323 Fairpoint Street in Pasadena is in a very quiet, residential neighborhood. Being grandparents of three
young boys, who spent much time in our home, gives us great concern of having an alcohol & drug recovery facility in our
neighborhood. To have the facility increase to 20 people, instead of 6, will put a negative impact on the safety, welfare, and
peace of the families in our neighborhood. Several neighbors have already moved off of the street because of the facility
there and the problem with traffic and the increase in crime in the area.
The Fairpoint proposed site can not handle the traffic and parking when they host meetings for families and weekend
visitors, since it is a very narrow street. Also, the septic tank has not been updated to accommodate that many people.
There are 13 residential facilities in the Pasadena vicinity, all except two are located in areas along major business
corridors. One in Altadena, and the other on Fairpoint. The total capacity is 473 persons, but only about 40% of the
beds are occupied. Therefore, we do not see any need to have the Fairpoint site be increased to 20 people.
We feel that this type of a facility does not belong in a residential neighborhood with young family and children. By increasing
the number of people will put the safety and welfare of our children at stake.

Respectfully

Erik F. and Brigitte G. Altmetz
1475 Old House Rd,
Pasadena, Ca. 91107

Montgomery, Tyler

From: Marcus A. McDaniel [4mmcdaniel@gmail.com]
Sent: Wednesday, April 28, 2010 11:52 AM
To: Montgomery, Tyler
Subject: Eaton Canyon Treatment Services, Inc., 3323 Fairpoint St., Pasadena, CA 91107

I reside in the Eaton Canyon area of Pasadena and strongly oppose granting Eaton Canyon Treatment Services, Inc. a condition use permit to expand its alcohol and drug treatment facility at the above address. This is a family neighborhood with a mix of older residents and families with young kids. Expansion of the facility would adversely affect the character of the neighborhood and create a detrimental impact on property values.

Marcus A. McDaniel
1926 Sierra Madre Villa Ave.
Pasadena, CA 91107
626.398.7646

Montgomery, Tyler

From: bamib@aol.com
Sent: Wednesday, April 28, 2010 11:33 AM
To: Montgomery, Tyler
Subject: Conditional Use Permit - Project Number R2008-01555-(5)

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012
Attention: Tyler Montgomery

Dear Mr. Montgomery, Hearing Officer and committee,

I am very opposed to granting the conditional use permit for the property located at 3323 E. Fairpoint Street in Los Angeles County (Pasadena address). The subject property is three (3) houses from my residence. The project number is R2008-01555-(5).

There are several reasons why I am opposed to this including the following:

1. I have live here since 1976 and ever since this facility has moved here, it has been very difficult for me to drive down our street to get to and from my home.
2. With the current use allowing six (6) at the site, there is already too much traffic and parking on a street that cannot support any additional parking. The street is only 23 feet wide. It is a non-incorporated street type with no curbs or sidewalk or street lights and the street is too small for any commercial or residential living facility with the requested number of 20. The additional cars would completely jam the street. The residents of the facility are not the only ones who park on the street. With 20 residents and 8 workers, the situation would exacerbate the already difficult time navigating down our small street without cars parked. At times, visitors come and park on both sides of the street making it impossible for any vehicle, especially ones the size of a fire truck or ambulance, to navigate down the street. On trash days, driving down the street would be virtually impossible. I am 72 years old and am very concerned that the street would be jammed which could prevent an emergency vehicle from reaching me or my family in the event of medical emergency, fire, or incident needing police. There have been several times when delivery trucks have parked outside the facility which have prevented me from getting to my home and I have had to wait for several minutes which is not only inconvenient, but a safety hazard.
3. We believe that this owner has had more than the 6 allowed at this facility for years. This could be proved and verified by the amount of utilities used at this home. With an increase allowed, who knows how many he would have at this site. Our street does not have any sewer hook-ups and having over 28 people in this facility each day could potentially cause an unsafe and unhealthy situation.
4. The person who owns this facility also owns the property located on the southwest corner of E. Fairpoint and Sierra Madre Villa (about 2 houses away). We believe that this "residence" will be also used as another residential facility. Either way this one facility has already severely reduced the property values on our street. We believe that it is the owner's aim is to purchase additional homes on our street and also convert them into additional residential facilities making it almost impossible for us to sell our homes in a normal residential competitive real estate climate. One of the new owners on

our street told me that he would never have purchased his home on this street if he had known about the already existing facility with six (6) allowed. With the disclosure laws, all home sales would have to disclose this fact and would severely limit the buyers to our street. This will most definitely LOWER our property values.

5. There have been several incidences where residents and visitors have trespassed on our property. First of all, we used to have two beautiful white lions at the front of our home flanking our staircase. When the residential facility put lions at their location, we had on two separate occasions people walk directly into the back of our home. One of the times it frightened my disabled bed ridden husband so badly that we had to remove the lions so that the people would not enter our home again by accident. Additionally, often times due to the narrow street, we have cars from their facility use our circular driveway as a way to turn their cars around. I have young grandchildren that play in my yard and I have had to stop this for their safety. Now I park a car there so that these cars can't use my driveway as a turn-around for the street.
6. Not only do we vehemently oppose this conditional use permit, but we also demand that your department monitor and enforce the laws on the books which allow the owner to only have 6 at this site which does not require a permit. A facility with 20 residents should be in an area with wide streets, ample parking and in a mixed use neighborhood. NONE of these apply to this situation. The owner has not demonstrated that he can keep the street clear of vehicles today without this extra permit and we believe that by approving this use, our peaceful neighborhood will lose its community flavor and turn into a place very different from its intended residential zoning.

We wholeheartedly want to declare that we **OPPOSE** the granting of a conditional use permit for this residential property. Please consider all of the above when making your decision. Our safety and way of life depend on your decision. Should you require further explanation or testimony under oath, I will be happy to provide either.

Sincerely,

Barbara J. Burlison
3265 E. Fairpoint Street
Pasadena, CA 91107

April 28, 2010

Mr. Tyler Montgomery, Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

Re: 3323 Fairpoint St. Conditional Use Permit, LA County Project No. R2008-01555-(5) Hearing May 18, 2010. Statement of objections against grant of ECTC Conditional Use Permit

Dear Mr. Montgomery,

We are long-term residents at 3233 Barhite St. Pasadena, CA 91107, in close proximity to ECTC referenced above. We strenuously object to the grant of the Conditional Use Permit (CUP) at issue. To grant such CUP would:

1. Adversely affect the peace and comfort of many persons residing in the surrounding area,
2. Be materially detrimental to the enjoyment, and especially, valuation of the property of other persons located in the vicinity of the site and,
3. Jeopardize the general welfare of other residents of the area.
4. In addition, the streets serving the subject site are inadequate, and possibly would constitute a hazard, when carrying the kind, and quantity of traffic that would be required. Additional parking that would be required, also presents a serious nuisance, if the cars cannot all park off street.

This neighborhood has long been a quiet, safe area, not bothered by crime or traffic, which is a reason why we moved here 25 years ago. Because the entire area, approximately 1 ¼ mile above Sierra Madre Blvd. north has no through streets, typically the only traffic is that of residents, invitees, and licensees of residents. The neighborhood has enjoyed a measure of protection and peace of mind afforded by this seclusion and association with others having the same property owner vested interest.

Many, if not most, of the persons residing in the area are long term residents (some going back to the 50's). Therefore, many of us are senior citizens, concerned about personal safety, our property investment, and the quiet enjoyment of our property.

We do not want further deterioration of our neighborhood by introduction of additional persons having no vested property interest. We don't want more traffic. We don't want more crime, which until relatively recently was rare. Now, we have recurring mail thefts, and thefts from cars parked in garages and driveways. Until recently, we enjoyed not having to lock every door during the day and not having to close our garage doors during the day. Now, we've begun to feel like prisoners in our own homes. We do not want any further introduction of persons to the area, who are not neighbor home owners.

Finally, an undeniable, detrimental effect of granting the CUP is a decline in property values and in persons willing to invest in property located in the near vicinity of an ADT for 20 drug or alcohol addicts, plus 8 caretakers.

Without going into further detail, which we could do, *ad nauseum*, please accept this as our earnest plea not to grant the CUP. Thank you for your consideration of our request.

Allyn and Linda Heck
3233 Barhite Street
Pasadena, CA 91107

By Linda Heck

Montgomery, Tyler

From: JEROME FLAMENT [intlaero@msn.com]
Sent: Wednesday, April 28, 2010 9:42 AM
To: Montgomery, Tyler
Subject: R2008-01555-(5) 3323 Fairpoint St, CUP 200800131 request

Dear Mr. Montgomery;

My family and I live at 1405 Sierra Madre Villa Ave in Pasadena. Our property is located on the only street that leads to the proposed CUP property on Fairpoint St. Traffic on this street is already very busy with a lot of vehicles traveling on it up and down all day. We believe that if the CUP is issued it will greatly increase traffic on our street. If you add emergency vehicles, visitors, support services such as catering, cleaning, etc, we will have a dramatic increase in traffic nuisance. Parking will also increase on our street creating further problems.
In addition, the area is a quiet residential area with no existing businesses in activity. The proposed project will ultimately create a precedent which could be materially detrimental to our enjoyment and would reduce the value of our property.

For these reasons, I kindly asked that the Permit not be issued.

Should you wish to discuss this in person, please to not hesitate to contact me.

Sincerely;

Jerome A. Flament
1405 Sierra Madre Villa Ave
Pasadena, Ca 91107
626 665 3344

Montgomery, Tyler

From: ALFA26 CONSTRUCTION [faris@alfa26.com]
Sent: Wednesday, April 28, 2010 9:33 AM
To: Montgomery, Tyler
Cc: PNovak@lacounty.org
Subject: Rejection of CUP for ECTC in our neighborhood.(Project # R2008-01555-(5). CUP # 200800131).

Dear Mr. Montgomery,

My family lives at 3285 villa Highlands Dr, Pasadena, 91107.

We purchased this house last year just because the quality and safety that this neighborhood could provide to our children.

We were devastated when we heard that there will be a CUP ADF facility in our neighborhood that will provide bedding for 20 Alcohol addicted people.

We as part of the Villa Madre community reject the idea of having such a facility in our neighborhood and request kindly to help us maintain the peace and quietness that we have in our neighborhood for the sake of raising our children with no fear from strangers walking in our streets.

This Proposal will:
1- Create noise and traffic in our peaceful community.
2- Will allow strangers with criminal background and even maybe child molesters to be present in our neighborhood with out our knowledge and approval.
3- Jeopardize, endanger and constitute menace to the public health, safety and general welfare.
4- This location is not adequate for parking all the cars for the residence and staff without disturbing the neighbors.

For all the above we reject the proposal for Project # R2008-01555-(5). CUP # 200800131.

Yours truly,

Faris Naman and Family.
3285 Villa Highlands Dr
Pasadena, CA 91107
(818) 356-1022.

Sent via the WebMail system at mail.alfa26.com

HOLST INDUSTRIES

9215 SANTA FE SPRINGS ROAD
SANTA FE SPRINGS, CA 90670
VOICE: (562) 946-6666
FAX: (562) 946-4000

April 28, 2010

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012

Attn: Tyler Montgomery

APR 29 2010

RE: Project Number R2008-01555-(5)
Conditional Use Permit No. 200800131
Environmental Assessment No. 200900053
3323 Fairpoint Street
Pasadena, CA 91107

Please be advised, consider this letter my sworn statement in lieu of oral testimony at the above referenced hearing.

I reside in the immediate referenced area and have serious concerns regarding the logic behind granting the continued operation of an adult residential facility, for any use. The location in question is zoned for single family dwellings and is not adequately served by major streets and available parking. The continued non-conforming use has and will continue to adversely affect in a negative manner all surrounding property values along with the peace and comfort the area once had.

Furthermore, the location of the referenced facility is over a mile from shopping, bus lines, and other city services.

I request that the planning department deny the conditional use permit in it's entirety.

Kindest Regards,

Steven Holst

SEH/nh
REF: Fairpoint
0042802
CC: Paul Novak
Planning Deputy, 5th District

Board of Supervisors
County of Los Angeles

MICHAEL D. ANTONOVICH
SUPERVISOR

April 26, 2010

Mr. Fred Weideman
1694 Sierra Madre Villa
Pasadena, CA 91101

Dear Mr. Weideman:

Thank you for your letter concerning the Eaton Canyon Recovery Center on Fairpoint. I appreciated it.

Eaton Canyon Recovery Center has filed a request for a Conditional Use Permit (CUP) to expand the facility. By copy of this letter to Richard Bruckner, the Director of Regional Planning, I am requesting that he make sure that you are notified of any upcoming hearings concerning this CUP.

The CUP application is pending before the Hearing Officer. Should the application be appealed to the Board of Supervisors, I will consider your views before voting on the project.

Thank you again.

Sincerely,

MICHAEL D. ANTONOVICH
Supervisor

MDA:pno

cc: Richard Bruckner, Director
Department of Regional Planning

APR 28 2010

ROOM 869 KENNETH HAHN HALL OF ADMINISTRATION, 500 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012
TELEPHONE (213) 974-5555 • FAX (213) 974-1010 • WEBSITE http://antonovich.co.la.ca.us/ • E-MAIL fifthdistrict@lacbos.org

Mr. Fred Weideman
1694 Sierra Madre Villa Ave.
Pasadena, CA 91107-1264

INDUSTRY CA 917

16 APR 2010 PM 3 T

Supervisor Michael D. Antonovich
500 West Temple Street
Fifth District, Room 869
Los Angeles, CA 90012

3001232723

4/27/10

Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery

APR 29 2010

RE: project number R208-01555-(5)
conditional use permit no. 200900053
environmental assessment no. 200900053

Location: 3323 Fairpoint Street in the Northeast Pasadena Zoned District of Los Angeles County

Dear Sir,

I live at 3240 Fairpoint St, three houses away from the property in question.
Please do NOT approve the conditional use permit (CUP) for a twenty person alcohol and drug treatment facility (ADF). Such an approved ADF would immediately change the character and safety of the neighborhood as well as adversely affect property values.

First, I would like to comment on the integrity of the management at Eaton Canyon Treatment Center (ECTC). The ECTC has been blatantly dishonest and untrustworthy with the neighborhood and Los Angeles County. ECTC was county approved only as a "sober living facility" and knew it! In 1999, when ECTC sought to legalize unpermitted additions it represented and assured the county it was only a sober living facility and provided no treatment or counseling. ECTC stated it was not an "ADF" and as such did not require a CUP. It is clear that even back in 1999 ECTC was not ignorant of the law and knew that an ADF required a CUP.

Yet ECTC through its recent correspondence with the county seems to boast about violating these county codes while hiding its activities from the neighborhood. It claims to have had more than six patients living at the facility, at times more than twelve. It claimed these patients were receiving counseling and it was acting as an ADF. This is in direct contradiction to its earlier representations to the county. Furthermore, since ECTC claims a history of sneaking in ten to twenty people when permitted six it cannot be trusted with more people as it may try to stuff in 40 people if allowed 20.

Also I would like to point out that ECTC took the time to obtain a state license for an ADF, but then deliberately tried to hide its activities as an ADF from it's neighbors and the county. ECTC only applied for a CUP at all because it got caught. ECTC doesn't play by the rules until it is forced to do so. ECTC's motivation for hiding its activities as an ADF is obvious. ECTC clearly knows that a 28 person ADF is completely inappropriate for the neighborhood, would hurt property values, and neighbors would strongly object!

Unfortunately, with ECTC's chutzpah it acts as if it should be richly rewarded for its dishonest, deceitful behavior. In fact though, just the opposite should happen. ECTC should be summarily denied the CUP. If there are more than six patients residing there, the excess can be immediately relocated to any one of the many other facilities with vacancies. (The average ADF vacancy rate in the Pasadena area is consistantly 40%). Then fines should be considered for ECTC's deliberate systematic violations of county code.

Next, 28 people routinely on a property (20 patients plus 8 staff) is not in keeping with the character and zoning of this neighborhood. This is a low population density, R1 zoned, completely residential neighborhood. The typical household size here is about 4 people. And nowhere in this neighborhood are there any households with 28 people! At 28 people, the ECTC is a crowded, purely commercial business. It belongs in a commercial area, not a residential area. Obviously, approval of the CUP would generously serve the business interests of the owner, but at the expense of hundreds of neighbors. Again, this is A RESIDENTIAL NEIGHBORHOOD, NOT A COMMERCIAL DISTRICT! No twenty-eight person commercial venture of any kind should ever be allowed here. A restaurant with 28 people wouldn't be allowed. A warehouse with 28 people there all day long wouldn't be allowed. Both would obviously alter the character of the neighborhood and decrease property values. To pretend a drug and alcohol rehab facility with 28 people wouldn't have at least the same detrimental effects on this neighborhood, probably more so, is dishonest!

I am also concerned for the safety of my family with twenty alcohol and drug rehab patients residing down the street. Drugs and alcohol are involved in a large percentage of crime in California. Additionally, visitors of addicts may also be addicts, or enablers, further increasing the risk to the neighborhood. ECTC is not a prison and patients, if they desire, can easily get out. My wife has seen people leaving ECTC and walking up and down our street. A neighbor mentioned to me that his garage was broken into recently. And the neighborhood has no way to verify whether these patients are sex offenders or have criminal backgrounds. Sex offenders are not required to register while in a temporary treatment facility. And unfortunately with tragedies, it only takes one time. The bottom line is 20 patients are much more likely to have deleterious consequences than 6 patients. If it's 20 patients that ECTC wants, it should leave the neighborhood and move to a commercial district. In fact, 11 of the 12 other ADFs in the Pasadena vicinity are located along major commercial corridors.

ECTC on Fairpoint St has just one main road going in and out, Sierra Madre Blvd. Fairpoint Street is a very narrow unincorporated street without sidewalks. There is little room for two way traffic when cars park on the street. It is meant to handle R1 zoning, not 28 people in a house. Currently, on weekends visitors to ECTC will park up and down Fairpoint St. making navigating the street extremely difficult. If allowed to have 20 people congestion will only get worse. And should there ever be a fire in the area, having more people and cars congesting the only way out at Sierra Madre Blvd increases the risk to my family.

Another great concern of mine, second in importance only to safety issues, are property values. As stated above, any 28 person business here is commercial and would certainly decrease neighborhood property values. To claim otherwise would be a deceitful. If that business is an ADF, because of public safety concerns, the damage to property values would be even worse. Neighbors have told me they would not have moved here if they were aware of the current ADF CUP situation when they purchased their property.

My wife and I bought our home here a year ago. The negotiations from that time are still fresh in my mind. Unfortunately, we bought the home without the knowledge of the 6 person sober living facility at ECTC. It was not disclosed to us. If it was disclosed to us our offer would have been substantially less. It absolutely would have affected the valuation to us. And if there were a 20 patient ADF operating down the street I probably wouldn't have made any offer at all. In that situation the home to me would have been worth so much less than the asking price there would have been no point in making an offer. And I am no different in my thinking than other potential buyers. The home I'm in now certainly would have sold for a lot less if a 20 patient ADF was operating nearby. A 20 patient ADF would severely negatively impacted property values.

The county has a duty to protect the integrity, character, safety, and valuation of the neighborhood. To do any less would be dereliction of its responsibility. A 6 patient sober living facility is somewhat in keeping with the neighborhood but a 28 person ADF simply is not. It is a commercial venture for the sole benefit of the owner, and causes all the negative consequences described above, affecting hundreds of neighbors. And it doesn't matter if ECTC claims it's upgraded its facilities to accommodate 20 patients. It's irrelevant. Too Bad. ECTC was operating illegally and new it should have applied for the CUP first, allowing neighborhood input. If anything, such actions should be penalized, not rewarded. The area is zoned R1 for a reason and that zoning needs to respected. ECTC's business profit desires do not outweigh the rights of hundreds of neighbors. The CUP needs to be rejected. Commercial ventures need to be in commercial districts.

I am also sending a copy of this letter to my lawyer so that he may give an opinion as to the liability of the county should it choose to ignore the effects of this CUP on property valuations and approve it. Thank you for taking the time to consider the points in this letter.

Sincerely,

Tom J Takash MD Susie Takash

Tom J Takash, MD and Susie Takash

April 27,2010
To hearing officer
320 W.Temple st.
Los Angeles,CA 90012

From Harry Sakaoghli
3270 Villa Highlands Dr
Pasadena Ca.91107

Re:3323 Fairpoint St.Pasadena ca.91107
LA county project No. R2008-01555-(5)

I am very concerned parent and father of two teenage daughters,live only three hundred feet (300') away from proposed project,to house drug and alcohol addics for rehab purposes.This is not a buisness district area of the county,this is a only residential dewelling area.This project should be in buisness district of the county to be away from children and minors for their safety.This project will jeopardize,endanger or otherwise constitute a menace to the public health,safety or general welfare.I urge not to approve this project in residential R-1 area.

Thanks concerned parent.

cc To Paul Novak LA county board of supervisors
Planning deputy 5th District
Kenneth Hahn hall of admin,Rm 869
500 w.Temple st.
Los Angeles CA 90012

APR 29 2010

April 27,2010
To hearing officer
320 W.Temple st.
Los Angeles,CA 90012

From Harry Sakaoghli
3270 Villa Highlands Dr
Pasadena Ca.91107

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Thanks concerned parent.

cc To Paul Novak LA county board of supervisors
Planning deputy 5th District
Kenneth Hahn hall of admin,Rm 869
500 w.Temple st.
Los Angeles CA 90012

Montgomery, Tyler

From: Ruth Zebb [rzebb@gte.net]
Sent: Tuesday, April 27, 2010 4:16 PM
To: Montgomery, Tyler
Subject: Project Number R2008-01555-(5)

These comments pertain to 3323 Fairpoint St., Conditional Use Permit, LA County Project No. R2008-01555-(5).

1. There is no doubt that the requested use will adversely affect the peace, comfort, and welfare of persons residing in the neighborhood. The streets were not built to handle the type of traffic which would result from 20 residents plus 8 daytime staff living/working in a space zoned as R-1. Parking would be another serious concern in that there is not room for street parking to that degree. The general congestion would most certainly impact everyone on that street and all residents who have only Sierra Madre Villa to use for entrance and exit to their own streets.

2. Property values would suffer from the proposed use of the site. People who own and would buy in the future do so partly because of the peace and quiet of being away from busy, commercial corridors and business enterprises. A residential ADF would take away from that making property values decline in that it would no longer be a desirable place for anybody to move or to be if already living here.

3. What cause could there be for the County to authorize a CUP when there is already plenty of space available in the 13 CA state-licensed residential ADF's in the Pasadena vicinity? When there are generally 189 available beds in those local facilities, where is the need for more beds in an area with narrow streets and single family homes?

Please deny the request for a Conditional Use Permit at 3323 Fairpoint St., Pasadena.

Keirn Zebb

Montgomery, Tyler

From: Susan Nelson [snelson18@mac.com]
Sent: Tuesday, April 27, 2010 11:30 AM
To: Montgomery, Tyler
Cc: pnovak@lacbos.org
Subject: Group home at 3323 Fairpoint, Pasadena

Dear Mr. Montgomery:

We are 17-year residents of the area around the home located at 3323 Fairpoint. We are writing to you to express our concerns over the proposed increase of the number of allowable beds in this home. Our family has loved living in this area and are concerned that an increase in the number of proposed residents in this house will compromise the safety of this area. Having up to 20 drug and alcohol persons undergoing treatment in one house would lead to unsafe conditions; the houses are not big enough for this many people to be living under one roof, leading to possible dangerous situations.

As the parents of young children who often walk the area we are concerned about their safety. My wife is familiar with drug and alcohol rehabilitation and knows that it's not always the best situation. She came from a neighborhood where there were residential houses (as opposed to an urban area with apartment buildings) and the police were called on a regular basis. The basis of having peaceful habitation of your own home is at stake here, without fear of reprisal or confrontation. We believe that the clearly residential nature of the general area will be dramatically compromised by this development. In addition, the owner of the facility has purchased another house close to 3323 Fairpoint, and has devoted a substantial amount to renovating the property. He has indicated, in another local meeting about the property, that it will be his personal residence. Since 3323 Fairpoint has not had apparent work done to expand it, we believe the geographical reach of this blight is likely to extend to his "new" home.

We clearly believe that the property values will drop as many of the local residents will start putting their houses up for sale, this in turn will lead to lower property taxes for LA County. Traffic concerns on a very congested neighborhood will take a jump, as the proposed 8 staff and 16 "residents" further complicates traffic patterns.

This is not a "Not In My Backyard" plea. It is a rational reaction to a totally inappropriate residential use of property. There is no support in the local community that I'm aware of, other than the owner of the property. Clearly it is only his own best interest that is served by maximizing his revenue. Doing so in a neighborhood full of kids and the elderly is an inappropriate use of the property.

It has no community support, yet we are in a position of having something like this foisted upon us.

Please consider all these issues when making your report.

Sincerely

Jim & Susan Nelson
1916 Windover Rd,
Pasadena, CA 91101

Montgomery, Tyler

From: Mary Lou [avashambanmd@gmail.com]
Sent: Tuesday, April 27, 2010 8:11 AM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: CUP NO. 200900053

Dear Mr. Montgomery,

We are the neighbors three houses east of the property located at 3323 Fairpoint Street. We have lived in this neighborhood for twenty five years and are vehemently opposed to the CUP which would allow up to twenty full time residents in addition to eight full time staff at the property. Our home is on the northeast corner of Fairpoint and Sierra Madre Villa and there are no designated sidewalks in this area. During the last several years there have been many vehicles parked along the street which makes it impossible to safely turn onto Sierra Madre Villa from Fairpoint. This is an extremely dangerous street due to the fact that there is a blind curve just North of our home and most drivers do not slow down as they approach it. Having additional cars parked along the street is unsafe and creates the potential for accidents. This is the current situation and to bring additional residents, visitors and staff only adds fuel to the fire.

In addition to it creating an unsafe situation the value of our property has been diminished. We have had five neighbors sell their homes as a direct result of this treatment facility. We have worked very hard all our lives to improve and maintain our property only to have our efforts jeopardized by this facility. There have been many burglaries in the neighborhood in addition to mail theft. We are not accusing the residents of this since there is no proof but if you have visitors coming into the neighborhood with a history of drug or alcohol abuse the chances of these incidents increases.

There are many families with small children and since we do not have background information cannot be sure that there is no history of molestation. We certainly support treatment facilities for drug and alcohol rehabilitation but to increase the population at this facility would endanger and constitute a menace to our public health. This area is also on septic tanks, not sewers, and accommodating that many people would be a health hazard.

Please consider our request and make the right decision by not allowing an increase to the property at 3323 Fairpoint Street.

Sincerely,
Mary Lou and Daniel Brimecombe

Montgomery, Tyler

From: Doug Snider [dsnider@elitefs.net]
Sent: Tuesday, April 27, 2010 7:26 AM
To: Montgomery, Tyler
Subject: conditional use permit R2008-01555-(5)

Tyler,

I have been made aware of a CUP in my neighborhood to add 20 full time staff to an already existing ADF. I reside 3 blocks away and am VERY concerned that this might pass?? I have very small children and want you to know that we will do everything we can to fight this permit.

Thanks you for your consideration

Doug

Doug Snider
Sr. Vice President, Elite Associates
Office # 714 256-8400x 107 Cell 626-676-8156
dsnider@elitefs.net

Montgomery, Tyler

From: ramzirbd@aim.com
Sent: Monday, April 26, 2010 11:26 AM
To: Montgomery, Tyler
Cc: pnovak@lacbos.org
Subject: Letter requesting DENIAL of CUP 2009-00053 (3323 Fairpoint Street, Pasadena)

Dear Tyler Montgomery,

I am requesting the staff's report recommends DENIAL of CUP 200900053 - the increase of patients at 3323 Fairpoint Street, Pasadena.

The ability for the facility to house up to 20 patients will negatively change the character of the neighborhood and will increase crime in our surrounding area. In today's criminal court system, many convicted offenders that our on probation and parole are sentenced to these kinds of rehabilitation housing. Unfortunately, substance abuse offenders do not just violate those offenses. There is data and statistics provided by the federal government (whitehousedrugpolicy.gov) showing the relationship from Drug use to the commission of crimes. Here some actual facts we recommended you review from http://www.whitehousedrugpolicy.gov/publications/factsht/crime/index.html:

> *The U.S. Department of Health and Human Services (HHS) conducts an annual National Household Survey on Drug Abuse (NHSDA) that asks individuals living in households about their drug and alcohol use and their involvement in crimes (see table 1). Provisional data for 1997 show that respondents arrested in the past year for possession or sale of drugs and driving under the influence had the highest percentage of illicit drug use in the past year. Past year illicit drug users were also about **16 times more likely** than nonusers to report being arrested and booked for larceny or theft; more than **14 times more likely** to be arrested and booked for such offenses as driving under the influence, drunkenness, or liquor law violations; and more than **9 times more likely** to be arrested and booked on an assault charge.*
>
> *Another dimension of drug-related crime is committing an offense to obtain money (or goods to sell to get money) to support drug use. According to the 1991 joint survey of Federal and State prison inmates, **an estimated 17 percent of State prisoners and 10 percent of Federal prisoners reported committing their offense to get money to buy drugs; of those incarcerated for robbery, 27 percent of State prisoners and 27 percent of Federal prisoners admitted committing their offense to get money to buy drugs** (see table 3). In 1997, 19 percent of State prisoners and 16 percent of Federal inmates said that they committed their current offense to obtain money for drugs.*

To concluded, I believe there is sufficient data and facts to prove the above CUP even with proposed conditions will adversely affect the surrounding area and be detrimental to our neighborhood.

Thank you for your time,

Ramzi Rabadi
1575 Old House Road, Pasadena
(626)203-1372

Montgomery, Tyler

From: Craig Clark [craigclark@earthlink.net]
Sent: Monday, April 26, 2010 8:58 AM
To: Montgomery, Tyler
Subject: Application for CUP - - 3323 Fairpoint St., Pasadena 91107

Tyley Montgomery
Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

April 26, 2010

RE: Application for CUP - - - 3323 Fairpoint St., Pasadena 91107

Dear Mr. Montgomery:

My wife and I live at 3475 Fairpoint Street, about a half block from the proposed Alcohol & Drug Treatment Center at 3323 Fairpoint Street.
We are strongly opposed to the application for CUP for basically three reasons:

1) We believe that this project will invite drug - related crime to the area and present a hazard to our family's health, safety, comfort, and enjoyment of our home. This issue is vital concern to us in that we are expecting the birth of twins, and simply do not wish them to grow up in the vicinity of a drug and alcohol rehab center.

2) We believe that property values will decline in this upper-middle class area where homes have demanded prices from $1,000,000 to around $3,000,000. One home within a half mile of the proposed site is currently listed for $4,999,000.
If this is approved, we will certainly move from the area, and we suspect that several other of our neighbors will do the same.

3) We also have serious concerns about the additional traffic to the area and are requesting a traffic impact study be completed prior to approval of the CUP.

Please understand that we will simply not allow our children to grow up in the close vicinity of a drug and alcohol treatment facility.

Sincerely,
Craig & Jeannie Clark
3475 Fairpoint Street
Pasadena, CA 91107
(626) 298-6437

Montgomery, Tyler

From: jackva [jackva@aol.com]
Sent: Sunday, April 25, 2010 6:07 PM
To: Montgomery, Tyler
Subject: Re: Conditional Use Permit, LA County Project No. R2008-01555-(5)

Follow Up Flag: Follow up
Flag Status: Flagged

To: Mr. Tyler Montgomery, Hearing Officer

Dear Mr. Montgomery:

We are opposed to the granting of the subject use permit for the following reasons:

subsection 2b: We believe that this action would materially affect the valuation of the property and the use by the persons located in the vicinity of the site. This is an R-1 zoned area occupied by single family residents who would be affected by the use of the large increase in people residing in this one property.

subsection 2c: Considering the condition of people residing at the compound, there would be constant concern as to their behavior, endangering the safety and general welfare of the residents of the surrounding area.

subsection 3: This one site is not near large enough to accommodate the proposed occupancy of this facility. The homes in this quiet residential area is designed and zoned to house single families from generally 1 to 6 people. Vehicles are usually no more than 2 or 3 per household. 20 to 28 people in this one facility with numerous vehicles would be severe overload to the property, cause congestion, and would not be conducive to the integration of the uses in the surrounding area.

subsection 4a: Their is only one outlet street (Sierra Madre Villa) in this subdivision. The roadway is narrow, winding and steep and carries considerable residential traffic. Also it is used quite a bit by walkers and bikers. In our opinion, additional traffic on this road from the type of facility as proposed would add considerable hazard to the users of this ingress and egress. This is not a favorable location for these types of facilities, and the permit should not be granted.

Yours truly,

John Van Amringe and Mary Jane Van Amringe
1455 Old House Road
Pasadena, CA 91107
626-798-0448

Montgomery, Tyler

From: Steve and Patsy Flanagan [psflanagan@att.net]
Sent: Sunday, April 25, 2010 5:22 PM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: Eaton Canyon Treatment Center

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Montgomery,

This is just a quick note to express our concerns about the Conditional Use Permit (CUP) currently being considered for the Eaton Canyon Treatment Center (ECTC) at 3323 Fairpoint St. My wife and I live down the hill from this facility, but walk our dogs up and down Sierra Madre Villa, so we are very familiar with the neighborhood around Fairpoint.

While we understand and support the need for facilities of this type, we are strongly opposed to the approval of this particular CUP for several reasons:

- Sierra Madre Villa is already a very busy street, and provides a single point of access to our neighborhood. Fairpoint is an extremely narrow street, and has a very awkward and dangerous intersection with Sierra Madre Villa. Having a facility with 20 people and 8 daytime staff, plus visitors, would place an unreasonable and unsafe demand on the streets in this neighborhood - they just aren't designed to handle the quantity of traffic that would necessarily result. As the recent Station Fire demonstrated, it is essential that emergency vehicles have unrestricted access to foothill communities like ours. Anything that has the potential to compromise this access endangers both lives and property.

- We've spoken at length with several of our neighbors on Fairpoint, and it is clear that this facility is already adversely impacting the peace and safety of their street. There is also substantial evidence that property values in their immediate area are being negatively affected. Several homeowners have already left, citing the ECTC facility as their reason for leaving. If this continues it will obviously place downward pressure on home prices, which will affect everyone in the area. Expansion of the facility would only exacerbate this situation.

- This facility has been operating for five years with a population substantially in excess of the permitted 6 residents without a CUP. This is a violation of the County Code, but it's also a significant violation of the trust of the neighbors. This is not the behavior we expect of our neighbors. This is a culturally and ethnically diverse neighborhood, but it's also a very peaceful and harmonious neighborhood because we all agree to follow a set of common rules. We expect people to file for appropriate permits when building additions or cutting down trees, and we expect people to drive the speed limit to protect our children and pets. For the reasons already mentioned this location is not an appropriate choice for a facility of the proposed size, but even if it was - from the perspective of the neighborhood their behavior does not merit approval of this CUP.

Finally, as I mentioned earlier, my wife and I understand the need for Alcohol and Drug treatment Facilities. We recently lost our 40 year old sister-in-law, a mother of three young girls, who had been battling with drug and alcohol addiction for years. She had been in and out of several treatment facilities over the past two years. Nothing seemed to work for her unfortunately, but we were glad she had places to go for help. We're not suggesting that these facilities shouldn't be allowed in residential communities, or that the ECTC should be shut

down. They should, however, be held accountable to all of the applicable State and County codes, and they should be kept to a size that is consistent with the best interests of the neighborhood. This CUP should be denied based on these grounds.

Thank you very much for your time.

Steve and Patsy Flanagan
psflanagan@att.net

Montgomery, Tyler

From: Julienne Davis [julienne@juliennedavis.com]
Sent: Sunday, April 25, 2010 5:21 PM
To: Montgomery, Tyler
Cc: PNovak@lacbos.org
Subject: Re: Conditional Us Permit 200800131

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Tyler,

After hearing about the request for conditional use permit for the property on **3323 Fairpoint Street, Pasadena, CA 91107**, both my husband and I felt we needed to write to you to request that you please not allow this permit to be granted.

We **STRONGLY DISAPPROVE** of this permit for the following reasons:

1. It would further decrease our property values in the area.

2. It would increase the probability and frequency of more crime. This includes:

   a) stealing

   b) property damage

   c) physical violence if the desperate addict doesn't get what they want.

3. It is absolutely unnecessary... as it is known that 40% of the beds supplied for this area are already vacant. And with this in mind, why then do we need more beds?

4. "Known" individuals in the area would now be more of a target for crime.

This request by the owner reeks of selfish opportunism and greed to us. We believe this person is simply trying to get in on more government funding, and has given no thought whatsoever to the local residents. This is a nice area, and many people move here because it is a peaceful and gentile neighborhood. It has been that kind of a neighborhood for more than 60 years. And, more importantly, it has been a safe place to be. By requesting this, this person clearly has no understanding or regard for this lovely neighborhood. I would not have bought this house had I known there was a fairly large drug treatment facility so nearby, and I strongly believe many many others, especially those with young families would not buy here either. It would permanently alter and bring down the quality of the neighborhood.

I know how desperate a situation can be when dealing with an addict. They will sometimes do ANYTHING to get a fix. They will steal, lie, injure, or even kill to get it. I have known addicts myself... and this is not a exaggeration: Desperate people = desperate acts. This person on 3323 Fairpoint Street already has a smaller facility and even that facility is not full. This request makes no sense.... money is the only issue here with this "facility" owner.

There are plenty of other areas in the Foothills that can house these addicts without it affecting the residents... especially those areas nearer to or in more commercial type districts. Residential areas like ours are quite simply totally inappropriate for these treatment facilities. And, I repeat: there is an already 40% vacancy in these facilities in our region. So, practically speaking it is absolutely unnecessary.

On a more personal note, both my husband and I are known individuals and we know that there are others in this lovely quiet neighborhood of ours that are also in the public eye. (Famous actors, musicians, directors, film producers, etc.) How do you think people like us will be affected when there are addicts that know who and WHERE we are (i.e. conveniently near to them!) , what we do for a living, and because of that, what we most likely have in our homes? Proximity with addicts is everything... they tend to be quite lazy, and if they don't have to go far to get something, that is where they will go!

Even more than before, people like us will feel like targets. Also, on the street where we live personally, it is a very very private street. The more that people of this sort (addicts) find out about our little quiet street, how much do you think crime will go up here? Because we are a small dead end street, it would be easy to come up here for no good and not have to worry about passing vehicles. Their are lots of little streets like our in this area... and that is exactly whey people like us move here and pay a premium to be here. Privacy. But the more our little neighborhood is frequented by addicts, and their friends and enablers, the less privacy and , more importantly, **safety** we will have.

I do not want to live in fear.

Please do **NOT** allow this person to get this permit!

Thanks for taking the time to read this.

Sincerely,

Julienne Davis

www.juliennedavis.com

Montgomery, Tyler

From: Carole Brady [j-cbrady@earthlink.net]
Sent: Sunday, April 25, 2010 12:07 AM
To: Montgomery, Tyler
Subject: Project # R2008-01555-(5)

Follow Up Flag: Follow up
Flag Status: Flagged

April 24, 2010

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012

Ref: Project # R2008-01555-(5) Conditional Use Permit # 200800131 Environmental Assessment # 200900053

Attn: Tyler Montgomery:

Address: 3323 Fairpoint Street, Pasadena, County of Los Angeles

I am requesting that you Not Approve the Conditional Use Permit for the Project# R2008-01555-(5) for the following Reasons:

1. The wording of the Conditional Use Permit Request is Misleading. It states "To authorize the continued operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single-family Residence-20,000 square-lot minimum lot size) zone. The facility would house a maximum of 20 patients." The Facility now is now Permitted Only to House 6 Patients. The correct wording of the Request should State "To Authorize the Increase of the Maximum Number of Patients from 6 to 20 patients in the Operation of an Adult Residential Facility for Drug and Alcohol Rehabilitation in an R-1-20,000 (Single-family-Residence square-foot minimum lot size) Zone." This Tripling+ of the Maximum of Patients is absolutely Unacceptable in a Low Density Residential Neighborhood with No Public Transportation Nearby.

2. The Width of Fairpoint Street is Twenty-One Feet. It is a Dead-End Street. It is not a Cul-de-Sac. Turning Around is Difficult. There is Not enough room for a Car to park on both sides of the street (which is allowed) and still have room for another car to pass. This would create a Traffic Nightmare with Twenty-four-Hour-A-Day Employees, Patients, Guests, Delivery Personal bringing supplies to the Facility let alone all the Residents who live on Fairpoint Street past the Facility. In the case of an Emergency, Access by any Emergency Vehicle to the Facility or the Residents who live at the End of the Road would be Severely Limited.

3. The Owner of the Property has shown that He is Untruthful and Rude to the Neighbors of this Facility. About a year ago He bought the Property across the street at Fairpoint Street and Sierra Madre Villa which is in the City of Pasadena. When He was asked as to whether this was an Expansion of his Facility at 3323 Fairpoint Street, He said this New Property was to be his Personal Residence. He then proceeded to turn the Sierra Madre Villa Property into what appears to be a Meeting or Recreational Place for the Patients of the Fairpoint Street Facility across the Street. It is Not being used as a Personal Residence. And Now when He is Questioned about his Plans for the Fairpoint Street Facility Increase-in Maximum-Number-of-Patients, He responds that He will do whatever He wants!!! This is not in the Spirit of "The Good Neighbor Guidelines" of the California State Initial License Package.

Please do Not to Allow this Request for an Triple+ Increase of Patients. Leave the Number of Patients at Six People. This is a Low Density Residential Neighborhood!

Sincerely, Jack and Carole Brady, 1570 Old House Rd., Pasadena, California, 91107

Montgomery, Tyler

From: Katherine Schlaerth [katherineschlaerth@yahoo.com]
Sent: Friday, April 23, 2010 12:45 PM
To: Montgomery, Tyler

Follow Up Flag: Follow up
Flag Status: Flagged

I am very concerned about the proposed expansion of the Eaton Canyon Treatment Center at 3323 Fairpoint Street to 28 people (20 full time residents). This site is just a few houses away from my home and I have 11 grandchildren, the oldest ten, some of whom visit almost every weekend. As a physician who frequently works with addicts, and who has familiarty with drug and alcohol dependency issues and the resultant proclivity to crime, I can state on the basis of experiencial knowledge that such a huge expansion could well be a danger to neighbors and will expose the area, which is quite isolated from immediate police protection and surveillence as you are probably aware, to elements which could pose a physical threat as well as an emotional one to the peaceable and often quite senior residents who live in the area.
I will not be able to attend the hearing, as my duties demand that I see scheduled patients at the time of the hearing, but would be happy to oblige with any testimony beforehand you may find of use.
Thank you for your consideration of the above.

Sincerely, K.R. SChlaerth, MD Associate Professor of Family Medicine LLU SOM

Sorin

ROGER MULLENDORE

1530 Dove Court
Pasadena, CA 91107
Tel. 626.794.0868

APR 22 2010

April 21, 2010

Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012
Hearing Officer
Attn: Tyler Montgomery

Re: Conditional Use Permit Request
Project Number R2008-01555-(5)
Conditional Use Permit No. 200800131
3323 Fairpoint, Pasadena, CA 91107

This letter is written in opposition to the above referenced conditional use permit (CUP) request. As a resident, I believe that a twenty bed alcohol recovery facility is incompatible with the surrounding, single family, residential community.

I also have concerns for the safety of the residents adjacent to this proposed twenty bed facility. As we have seen with the recent "Station" fire, and the devastating Altadena fire of 1993 (one hundred twenty-one structures were destroyed and 40 were damaged in the community on and adjacent to Fairpoint), brush fires move quickly and often require immediate evacuation.

Does any fire clearance issued for this facility contemplate the evacuation of twenty residents and staff from the recovery facility competing with residents for the same narrow roadway when a brush fire approaches? Fairpoint is a narrow street. When two cars are moving in opposite directions, one car must pull off the roadway to allow the other to pass. A fire engine cannot turn around on Fairpoint without extensive maneuvering. There are dead ends to the west and to the east on Fairpoint and there is no exit to the north. There is only one exit from the proposed twenty bed facility. This exit is to the south over a one lane road to Sierra Madre Villa. Approval of a CUP for this facility in a high risk fire area would appear to be irresponsible and potentially disastrous for the residents living on Fairpoint.

I also have concerns regarding the fact that the proposed twenty bed facility is located in an unincorporated area of the County where there are no sewers. The proposed facility, originally built as a single family residence, is connected to a septic tank. I seriously

doubt if the current sewer/waste water system is adequate for servicing and cooking for twenty residents and staff.

Finally the fact that the State Department of Alcohol and Drugs (SDADP) have licensed this facility should not be considered regarding the approval of the CUP. It is the stated policy of the SDADP that "SDADP regulations for the licensure of residential recovery and treatment facilities do not require nor permit the Department to enforce local zoning and land use laws." Therefore licensure by the SDADP does not address issues whether the proposed facility is appropriate or poses significant health and safety hazards for the surrounding community.

If you have any questions or need additional information, please let me know.

Very truly yours,

Roger Mullendore

C: Michael D. Antonovich
Richard D. Bruckner

APR 19 2010

Fred Weideman
1694 Sierra Madre Villa
Pasadena, CA 91107

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012

Re: Project Number R2008-01555-(5)
3323 East Fairpoint Street, Unincorporated Pasadena

Dear Sir, or Madam:

I am writing in vehement opposition of CUP for the above property.

We have lived "on-the-hill" for 25 years, a wonderful residential neighborhood. Several years ago, we noticed a change in the traffic, parking, and crime in the neighborhood. Most of the criminal increase was in crimes of opportunity; rifling of unlocked cars after midnight/before dawn, mail and packages stolen, etc. There were also some break-ins/burglaries. We have never had to lock our car in our own driveway before, and I installed a locking mailbox. This may be unrelated to having a drug rehab facility nearby, however, it coincidentally started at the same time as the facility did.

Further:

1. Fairpoint is an extremely narrow street, not designed for 20 additional people and the attendant staff and visitors (we see visitor's vehicles and cabs at all hours of the day and night). The street is barely wide enough for 2 cars to pass with zero parking on the street. Parking would restrict access to legitimate residents, and to emergency vehicles.
2. In October 1993 we had the wildfires that burned 105 homes on our hill. Additional people and vehicles does not seem to be a wise addition, particularly given the width of Fairpoint. It should be noted that there is only ONE road in and out of our "hill".

3. We are on septic systems. I doubt that the septic system at 3323 East Fairpoint was designed (nor approved) for an additional 20 plus people.
4. The owner has violated city and county ordinances in the past and obviously felt that the laws apply to other people, not him. He has been operating illegally for quite some time. How and why did the County allow this to happen? We would prefer Zero Drug Rehabilitation facilities in our neighborhood, but certainly not a large one like what he has been illegally operating.
5. The owner, and his staff, has been threatening and intimidating to neighbors.
6. Some neighbors have sold/moved as a result of this facility in our midst. In particular, the Maxwells at the southeast corner of Fairpoint and Sierra Madre Villa sold and left. What has this done to our property values? If you continue to allow this man to operate such a facility, I would expect a reduction in Property Taxes (and I would suggest that ALL the neighbors should receive said Property Tax reduction).

Again, I urge you to deny the Conditional Use Permit, and to (finally) Enforce the law and stop the operation of this large facility. As a law-abiding, tax-paying, voting citizen, I deserve the service from the County to not only deny the CUP, but enforce a cease and desist of this large facility.

Sincerely,

Fred Weideman

PS. I am certainly willing to stand up, but given the past behavior of the owner/operator of Eaton Canyon Treatment Center, I would appreciate keeping my name and address confidential if possible.

Cc: Richard D. Bruckner, Director
Supervisor Michael D. Antonovich

Sorin
Maria Masis

FRANCES & LEONARD HALPERN
1563 SIERRA MADRE VILLA
PASADENA, CALIF. 91107

April 18, 2010

Richard D. Bruckner, Director
Dept. of Regional Planning
1390 Hall of Records
320 W. Temple Street
Los Angeles, Ca.90012

Dear Sir:

We are home owners in the sierra madre villa area for the past 30 years and have enjoyed a tranquil life style. Recently the ambience has changed to the detriment of our peace of mind. When owners move because of the existence of a group home and the equity in our homes denuded, it is important to address the problem.

Why was a group home permitted originally? Why is the increase in the population from six to 20 residents being considered? Why should the health & welfare of a community be threatened in an upscale neighborhood where addicts will be living. Purchasers of realestate are loathe to buy and homes stay on the market for a very long time. Surely there are areas where there is no financial or emotional backlash to reside in areas which will not be threatened

Your consideration of our concerns will be respectfully addressed.

Thank you.

Sincerely yours,
Frances Halpern
Leonard Halpern

APR 21 2010

Nurit Cohen, PhD
1556 Sierra Madre Villa, Pasadena, CA 91107, Phone: 626-794-5998

April 17, 2010

Hearing Officer
320 W. Temple Street,
Los Angeles, CA 90012
Attn: Tyler Montgomery

MAY 3 - 2010

Re: Public hearing on May 18, 2010 regarding the continued operation of an adult residential facility for drug and alcohol rehabilitation, 3323 Fairpoint Street, Pasadena, CA 91107.

Dear Mr. Montgomery:

My husband and I live on an adjacent street to the above address, and across the street from a new location, rumored to become a second rehabilitation center. Both locations are owned by the same entity.

- As a practicing Clinical Psychologist specializing also in Drug and Alcohol addiction I know that residents of this kind of a facility generally carry dual diagnosis. This always requires a multi-level treatment model with close supervision. Consequently this means constant traffic by attending medical and para-professional staff. Also of visitors.

- We live in a neighborhood that has only one road leading in or out. Any increase in the number of residents and/or visitors and employees will cause a burden to the already overburdened and congested traffic.

Since the facility size has been extended,

- Our mailbox was broken and our mail stolen on several occasions.

- Our front yard is often littered with cigarette butts, empty plastic bottles and plastic bags.

- The number of burglaries has gone up.
- We have been given confusing and incorrect information by the owner regarding the license and number of residents treated in the property, and regarding the intention for additional property owned on 1585 Sierra Madre Villa.

Consequently, we are concerned for our safety and the safety of the neighborhood. We are worried about the safety of our children. We are also worried about the value of our properties, as is presented under the following section:

." 22.56.040 Application--Burden of proof.

A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required. (Ord. 85-0195 § 16 (part), 1985; Ord. 1494 Ch. 5 Art. 1 § 501.4, 1927.)"

Sincerely,

Nurit Cohen, ph.D William A. Cohen, PhD

Nurit Cohen, PhD William A. Cohen, PhD

April 17, 2010

Attn:
Tyler Montgomery
320 West Temple St.
Los Angeles, CA 90012
As residents on Fairpoint, we strongly oppose the the approval of Conditional Use Permit for:
3323 Fairpoint St. Project # R2008-01555-(5) Conditional Use Permit # 200800131
Environmental Assessment # 200900053

We oppose the facility being housed for 20 instead of 6. The environmental impact is great and the following are of extreme concern:
Health and welfare of residents and safety of children: there have been threats and burglaries in the neighborhood from the residents of 3323 Fairpoint. Increasing the risk of criminal activity to 20 vs. 6 is great. We witnessed first hand staff of the facility threatening an elderly gentleman at the community meeting in 2008. The owner has also purchased another home in Pasadena right across the street from the current facility and although he has not applied for a license to open another facility, it is clear from his remodeling the garage into a "dorm room" and his comments to neighbors that that is indeed his intention. He is all about the financial gain and not the safety of the neighborhood or the ramifications of a multimillion dollar business in a residential neighborhood.
It is very close to the main road of Sierra Madre Villa, thus causing parking and traffic problems. We have watched every weekend for many years the huge amount of cars parked on Sierra Madre Villa, close to a blind corner (Fairpoint) causing a huge accident risk. It is also a dead end street, so therefore, only one way in and one way out during emergencies. There have been several fires and emergencies in the past that would definitely pose a traffic and safety problem. The fire hazard is great. The width of the street also poses a problem with parking and traffic.
There has been a history of visitors to the property being difficult and disruptive to the neighborhood.
The owner has proven to be dishonest and it is on record that he has continually violated city and county ordinances in the past.
The septic system is NOT designed for 20 patients, plus staff, plus visitors.
Several neighbors have already moved due to the problems the home has caused. Their letters will be sent to the proper authorities as well.
As parents of 5 children, the possibility of having sex offenders in the home is great. They do not have to register if they are in a treatment facility.
As concerned and responsible citizens of the Sierra Madre Villa neighborhood, we implore you to rethink the approval of this request. There are many homes and people who will be negatively affected at the expense of one man's multi million dollar business. We understand the law and our acceptance of a treatment facility for 6, but 20 patients is clearly not an advantage to anyone but the owner of the facility.
Thank you for your consideration,

Jerry Graves, Joyce Graves,
Chris Graves, Kevin Graves, Sean Graves, Stephanie Graves, Shannon Graves
3390 Fairpoint St.
Pasadena CA 91107

April 17, 2010

APR 20 2010

Richard D. Bruckner, Director

Department of Regional Planning

1390 Hall of Records

320 W. Temple St.

Los Angeles, CA 90012

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The owner has proven to be dishonest and it is on record that he has continually violated city and county ordinances in the past.

The septic system is NOT designed for 20 patients, plus staff, plus visitors.

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Thank you for your consideration,

Jerry Graves, Joyce Graves, Chris Graves, Kevin Graves, Sean Graves, Stephanie Graves, Shannon Graves

Jerry Graves Joyce Graves

April 17, 2010

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Tyler Montgomery
320 West Temple St.
Los Angeles, CA 90012
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Thank you for your consideration,

Jerry Graves, Joyce Graves,
Chris Graves, Kevin Graves, Sean Graves, Stephanie Graves, Shannon Graves
3390 Fairpoint St.
Pasadena CA 91107

FREDERICK B. BENSON & WAN CHUN CHANG
1470 SIERRA MADRE VILLA AVENUE
PASADENA, CALIFORNIA 91107

April 15, 2010

Hearing Officer
Department of Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

APR 21 2010

Attn: Tyler Montgomery

Re: 3323 Fairpoint Street, Northeast Pasadena Zoned District of Los Angeles County
Conditional Use Permit Request

Dear Sir/Madam:

Our purpose in writing is to express our opposition to the continued use of the home in our neighborhood at 3323 Fairpoint Street as an adult residential facility for drug and alcohol rehabilitation housing a maximum of 20 patients.

1. The proposed use is inconsistent with the character of our neighborhood, which is comprised of upscale single family homes.

2. Packing 20 residents plus staff into a tract laid out to accommodate one family negatively impacts the adjacent properties. Delivery vehicles, arriving and departing patients, visitors, staff, and officials generate far more traffic, noise, pollution and parking problems than the property and the neighborhood were intended to accommodate. Fairpoint Street is a narrow two-lane dead-end road, which would force many of these vehicles to attempt to turn around in neighbors' driveways.

3. Street pavement, sewers and water systems throughout the neighborhood will suffer excessive use, deteriorate and require expensive repairs. The only street access and utility line access to the property pass directly in front of our own home. The pavement in front of our home is already breaking up, and we doubt that the local government will resurface it any time soon.

4. We have already been the victims of a drug-related burglary of our home. We will never forget the feelings of insecurity and violation we suffered following that crime. It is widely understood that drug-addicted perpetrators will stop at nothing to try to get their next "fix" and will not hesitate to resort to violence. We feel quite insecure knowing that as many as 20 identified substance abusers are tightly congregated a short distance from us on Fairpoint Street.

The rate of recidivism among such abusers is high, which exposes residents throughout our neighborhood to the threat of drug-related crime.

5. Approval of one conditional use permit will set a precedent for approval of additional permits in the future. Our neighborhood may someday be comprised of a large concentration of substance abuse rehabilitation facilities jammed with addicts. Such facilities are operated purely for profit - to obtain as high a return as possible per square foot - with no regard for the environment or the quality of life of neighbors.

6. Would you want to purchase a home or live next to a building full of substance abusers? If not, how easy would it be to sell such a home to someone else? Would you feel comfortable rearing young children at such a location? Real estate regulations would require disclosure of the problem to potential purchasers. Property values and pride of ownership will suffer.

In light of the above-mentioned factors, we request that the conditional use permit request be denied.

Frederick B Benson

Frederick B. Benson

Wan Chun Chang

Wan Chun Chang

APR 20 2010

April 15, 2010

Hearing Officer
320 W. Temple St.
Los Angeles, CA 90012
Attn: Tyler Montgomery
Cc: Richard Bruckner (Director, Dept of Regional Planning) and Supervisor Michael D. Antonovich

Subject: Conditional Use Permit Request for 3323 East Fairpoint Street, Pasadena
Project #: R2008-01555-(5)
Conditional Use Permit No. 200800131
Environmental Assessment No. 200900053

Dear Mr. Montgomery, Mr. Bruckner and Supervisor Antonovich,

I am writing to you to express my concern for the Drug and Alcohol Treatment Facility, located at 3323 East Fairpoint Street in Northeast Pasadena, that is applying for a Conditional Use Permit to house up to 20 patients in its facility. It is this increase that concerns me.

Two years ago (2008), a community meeting was held where members of Supervisor Antonovich's office, as well as other county and city government officials were in attendance to discuss this very issue. At that meeting, it had come to light that this facility (run by Mr. James Heard) had been operating for several years without a Conditional Use Permit (CUP) and we were told that he was working on getting the proper CUP to run this facility. Many of us called and wrote to our county and city officials (including the Supervisor's office) to follow up. It is now two years later, and we are just now getting word on the follow up to this issue.

As a recap, here are the issues that were discussed at that community meeting two years ago (where members of county and city governments were present):

- ☐ That the treatment facility at 3323 East Fairpoint Street had increased the number of persons it was treating to 20 without securing a valid Conditional Use Permit.
  - In 2003, Eaton Canyon Recovery Center, <u>without notifying the Planning Department</u>, changed from a Sober Living facility to a Licensed Drug and Alcohol facility.
  - In 2007, Eaton Canyon changed again – increasing the number of people it would treat from 12 to 20. <u>AGAIN, without notifying the County's Planning Department.</u>

- ☐ There was a potential fire hazard as the treatment facility at 3323 Fairpoint Street is located on a very narrow street and visitors to Eaton Canyon Recovery can use the street for parking. It is also unclear whether the water lines, septic tanks, etc. have been inspected to make sure they can support this facility and not impact the surrounding neighbors.

- ☐ The owner had also recently bought a property *a couple of houses* away from the facility (at 1585 Sierra Madre Villa). The property has been under construction and there have been quite a few instances where they have begun work <u>without obtaining the proper permits</u> (e.g., garage door, electrical and plumbing started without permits), cut down protected trees without permission, etc. and it is our concern that this speaks to a type of <u>disregard</u> for <u>city/county policies</u>, as well as his neighbors.

- ☐ At that meeting, James Heard admitted that his facility may be housing sex offenders and/or child predators – however, he does not know if they are there (because he does not ask). There are several families with children living around the facility which is of great concern.

- ☐ During and after the meeting, staff/colleagues of Eaton Canyon/James Heard were seen and heard making threatening remarks to members of the community. Classic intimidation techniques, such as following people out to their cars, taking their pictures, making threatening remarks were used to keep community members from voicing their opinions,

I am providing this perspective because I believe it gives a history of the owner's (James Heard's) conduct and it sheds light on his ability (<u>or lack thereof</u>) to abide by LA County Section code 22.56.040 (point A) which states that "The requested use at the location <u>will not</u>:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare;"

and Section code 22.56.040 (Point C) which states that "The proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required. (Ord. 85-0195 § 16 (part), 1985; Ord. 1494 Ch. 5 Art. 1 § 501.4, 1927.)"

If you look at this code, I believe there are several convincing points which speak to how the facility does <u>not</u> meet its burden of proof in meeting the code's requirements. Specifically,

- ☐ Fairpoint St. is a narrow street, as well as a cul-de-sac (no outlet). There is only 1 main road (Sierra Madre Villa) with access to Fairpoint St. If this facility increases its numbers to 20 beds, it cannot be "adequately served by streets of sufficient width…or by other public…facilities as are required" *(violates Section Code 22.56.040-Point C):*
    - Traffic and parking on Fairpoint will increase which will make it difficult for other residents (and their guests) to navigate through the street.
    - Fire, police and emergency officials will have a harder time servicing emergency needs of the facility and other residents on Fairpoint Street – especially with large vehicles (like a fire truck).

- Traffic and Parking on the main road (Sierra Madre Villa) will increase because visitors will not be able to park on Fairpoint.

- ☐ The owner has been dishonest and violated city and county ordinances in the past – he has not proven himself to be a responsible neighbor *(violates Section Code 22.56.040 – Points A1-3)*. There appears to be a **history with this owner of "taking action first and asking for permission later."** This is shown by:
  - His actions in 2003 where he changed Eaton Canyon Recovery Center from a Sober Living facility to a Licensed Drug and Alcohol facility (without notifying the Planning Department).
  - His failure in 2007 to increase the number of persons treated from 12 to 20 (AGAIN, without notifying the County's Planning Department.)
  - His disregard of local Pasadena City ordinances while doing work on his property located *a couple of houses away* from the Eaton Canyon Recovery Center (at 1585 Sierra Madre Villa) - e.g., garage door, electrical and plumbing started without permits, protected trees were cut down without permission, etc. (*Pasadena's permit department will have a record of how many violations he has on this neighboring property).
- ☐ The septic system is not designed for 20 people plus staff and visitors – which will definitely cause a sewage issue for the entire neighborhood if it overflows or breaks. *(violates Section Code 22.56.040 – Points A1-3)*
- ☐ Staff of the treatment center were seen and heard making threatening remarks to members of the community at the 2008 community meeting. *(violates Section Code 22.56.040 – Point A3)*
- ☐ There is the possibility of having sex offenders in the home because they don't have to register if they are in a treatment facility and if the situation is temporary. This is a safety concern especially since there are so many families around the facility with children. *(violates Section Code 22.56.040 – Point A3)*

Looking at the points addressed above, it is hard to see how Eaton Canyon Recovery Center (by increasing the number of patients it treats to 20) has met the burden of proof in satisfying L.A. County Section Code 22.56.040. Morever, given the past actions of the owner (James Heard), it is hard to see how he will abide in the future by these guidelines.

As our government representatives, I hope you can see that this is an issue of great concern to us – and that you will look closely at the points above in considering your position.

Thank you for addressing this matter.
Regards,

Michelle

(I have elected not to insert my last name. In reference to the intimidation techniques used by the facility's owner, James Heard (referenced above), I am fearful that he will get a copy of this letter (especially if it becomes part of a public record) and threaten my family - there have been enough instances of intimidation in the neighborhood by his staff – that I believe that this is a valid threat and concern).

Gene and Catherine Thomas
3232 Barhite Street
Pasadena, California 91107
(626) 798-3466 Fax (626) 798-5666
e-mail kateollie@earthlink.net

e-mail/ TMontgomery@planning.lacounty.gov
Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn.: Tyler Montgomery

Conditional Use Permit No. 200800131
Location: 3323 Fairpoint St./ Pasadena, CA 91107

Dear Mr. Tyler Montgomery.

This is concerning the use permit change to allow this property to house up to 20 adults and 8 staff members. This could translate up to 28 vehicles on property for parking. It is my understanding that while the patients are undergoing the treatment they must be employed. as there is no pubic transpiration in the area they would need their vehicles. I'm sure that there also would be visitors with cars.

The street in front of their address and the other adjacent properties are half the width of other nearby streets. The property to the east there is only 15 feet from edge of pavement to power pole and guy wires. Other portion of the street is up to 24 feet wide. One would have keep in mind that large commercial vehicles (emergency, refuse haulers etc. are 10 feet wide including the mirrors.

We think this is too many people occupying this piece of property and unfairly impacts the other residents nearby.

Please take this into consideration.

Eugene and Catherine Thomas

Gene and Catherine Thomas
3232 Barhite Street
Pasadena, California 91107
(626) 798-3466 Fax (626) 798-5666
e-mail kateollie@earthlink.net

e-mail/ TMontgomery@planning.lacounty.gov
Hearing Officer
320 W Temple St.
Los Angeles, CA 90012
Attn.: Tyler Montgomery

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Location: 3323 Fairpoint St./ Pasadena, CA 91107

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We think this is too many people occupying this piece of property and unfairly impacts the other residents nearby.

Please take this into consideration.

Eugene and Catherine Thomas

MAY - 4 2010

William and Sona Paparian
1515 Old House Road
Pasadena, CA 91107

April 11, 2010

Hearing Officer
320 W. Temple Street
Los Angeles, CA 90012
Attn: Tyler Montgomery

Re: Project No.: R2008-01555-(5)
CUP No.: 200800131

Dear Sir or Madam:

This letter is written to express our opposition to the Conditional Use Permit (CUP) requested by the Eaton Canyon Treatment Center to operate a drug and alcohol rehabilitation facility in our neighborhood. When this facility was first permitted in 1996, it was for a sober living facility for no more than 12 persons. Nevertheless, the facility has been operating without Regional Planning approval as a drug and alcohol treatment center up to 20 persons since 2003. We are homeowners in the immediate neighborhood. This facility adversely affects our peace and comfort and is materially detrimental to the use, enjoyment, and valuation of our property. Please do not approve this CUP.

Sincerely,

William Paparian

Sona Paparian

Karl F. Dietzel
3155 Meyerloa Lane
Pasadena, California
91107-1136

April 10, 2010

Hearing Officer
320 W. Temple St
Los Angeles, Cal 90012
ATTN: TYLER MONTGOMERY

RE: PROJECT # R2008-01555-(5)
#200900053

Dear Sir,

I vehemently object to the thought of granting a conditional use permit at 3323 Fairpoint St NE Pasadena.

Who am I? a resident since 1950. Currently am serving as a member of the board of Directors of the Kinnelon Mesa Assn Inc, a property owner association representing 70 households. I speak for myself and state the KMA membership feels as I do.

The community in question is a highly restricted desirable residential area, very desirable. Changing the zoning would disrupt the neighborhood like nothing else I could imagine. The adverse effects would be most disruptive.

Please do not grant this permit.

Sincerely

Karl F Dietzel

APR 13 2010

626 797-4336

Tyler

I do have some comments I would like to pass along.

I am a little confused that this facility is currently licensed by the state for treatment of 12 to 20 adults and does not have any Regional planning approval to be a drug and alcohol treatment center. Yet they are operating as a drug and alcohol treatment center.

I am opposed to this CUP for the following reasons:

- Fairpoint Street is a very small residential street measuring only 21' wide with one ingress and egress. It is one of the narrowest streets in the neighborhood. Kids play on the street, Adults walk down the street. With up to 20 adults living at this facility and up to 8 staff people coming in and out several times a day, it becomes much more of a safety issue for everyone. This is a very quiet residential neighborhood with single family homes. It just doesn't make any sense that approval would be given to a facility to house up to 20 adults not including staff, in one residence.

- Property values have decreased for everyone, but nowhere near the decrease for homeowners who live in close proximity to the treatment facility.

- Does this facility receive any public funding? If it does, isn't it true that the County is required to collect and submit client info to the ADP. The reason I am asking is that we (the neighbors) will never know who is staying at the facility. It could be a convicted sex offender, but we would never know that because the sex offender would register their permanent address and not the drug treatment facility as their residence.

- Is the Fire Department's, Fire safety Inspector aware that potentially 28 people will be in the facility at any given time? Have they given their approval?

- I'm sure the owner will follow all of the "Good Neighbor Guidelines" but I have to tell you when I first moved into the neighborhood (Barhite Street, directly behind the facility), people used to drive onto Barhite and exit their vehicle close to the facility. I noticed that they seemed to be somewhat intoxicated. I remember telling a friend that there must be a drug house close by because this keeps happening. Unbeknownst to me they were trying to get to someone over the back fence of the facility. I had no idea there was a drug treatment facility in the neighborhood. I thought someone was <u>selling</u> drugs. I can tell you if I had known this facility was here, I would never have moved to the neighborhood. What I will do in the future is make sure the Sherriff's department is notified any time this occurs.

Just the noise alone on a day in and day out basis, that twenty some people can generate, while outside on the patio negatively affects the peace comfort and enjoyment of all neighbors in the vicinity of this facility.

DECLARATION OF MARY JANE McREYNOLDS

I, MARY JANE McREYNOLDS, aka JANE McREYNOLDS declare and state that:

1. I am over 18 years of age and if called upon to testify as a witness in this matter, I could and would competently do so as to the following facts.

2. I have lived at 3338 Barhite Street, Pasadena, California for 41 years. I lived in this residence with my husband for several years until he died and I continue to live here now.

3. I recently heard that the owner of the ECTC wrote in his Conditional Use Permit application that I did not object to the enlargement of his drug and alcohol treatment project and that I had no objections to its expansion. I want it to be known by the Hearing Officer and the Planning Department that is reviewing this matter that I have never agreed to an expansion of the ECTC operation and I am strongly against its expansion in our neighborhood. I have no rapport with Mr. James Heard and I have never supported his efforts to bring substantially more drug and alcohol abusers into our neighborhood.

4. My house is located immediately adjacent to the back wall of the property known as the Eaton Canyon Treatment Center ("ECTC") on Fairpoint Street. The treatment center has existed at that that location for approximately 12 years. The rear wall of my property shares a common wall with the ECTC which runs approximately 100 feet from wall to wall.

5. I have been opposed to the placement of a drug and alcohol treatment center in our neighborhood since it was first built at the residential site where it now resides. Over the years we have had problems with noise coming from the ECTC property on several occasions and my husband was frequently bothered by the loud disturbances coming from the residents of that property. On several occasions we would hear the voices of the residents at the treatment center yelling at one another in the backyard of the property. Those noises are easy to hear from my house and my husband asked the owner of the property to lower the noise on several occasions.

6. I was very upset to learn that the owner of the residential property behind my house was seeking to expand his alcohol and drug treatment facility from 6 beds to 20 beds. I do not believe that our residential neighborhood is a proper place for the operation of such a large commercial drug and alcohol treatment center.

7. Approximately a year ago the owner of the ECTC sent a representative to my house twice to discuss his future plans for his drug and alcohol treatment center. I told the representative at that time that I would not sign a document stating that I did not object to the enlargement of the drug and alcohol treatment center next to my house. Last Thursday another representative from the office representing the drug and alcohol treatment center returned to my house again and I told them again that I would not sign any document which stated that I agreed to the expansion of the ECTC project.

8. I believe that the health, peace, comfort and welfare of the residents of our neighborhood will be adversely affected if the CUP is granted and ECTC is allowed to more than triple the number of drug and alcohol abusing persons who reside in our neighborhood. As I mentioned above, my husband and I have had numerous problems with noise and related disturbances caused by the residents of the ECTC over the years. I believe that if the center is permitted to triple the number of beds on the property these problems will only get worse. By tripling the number of drug and alcohol treatment patients living at the residential property I believe that the property can only get noisier and more problematic as patient population becomes more densely packed in the neighborhood.

9. I also believe that the use, enjoyment and valuation of the properties in the neighborhood will be detrimentally impacted if the number of drug and alcohol treatment patients increases from 6 beds to 20 beds in the coming weeks. The neighborhood in which I reside was intended to house families in a quiet and residential setting. If the ECTC is permitted to triple the number of drug and alcohol treatment patients in the facility the number of persons living in the neighborhood will increase dramatically, as will the noise and the movement of cars along the road. Fairpoint is a very narrow street with very limited parking. The intersection at Fairpoint and Sierra

Madre Villa is uncontrolled and the curve in the road makes seeing cross traffic difficult. In case of emergency Sierra Madre Villa is the only street in and out.I am certain the enjoyment of the families in the neighborhood will be diminished markedly with this expansion and the property values will go down dramatically.

10. I am steadfastly against any attempt by the ECTC to triple its size and to increase the number of drug and alcohol patients in our neighborhood. I do not believe that our neighborhood is a proper place for such a large drug and alcohol treatment facility and I urge the planning commission to deny the requested CUP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 27th day of April 2010, at San Marino, California.

Mary Jane McReynolds

MARY JANE McREYNOLDS, Declarant

DECLARATION OF HAROLD ANTHONY

I, Harold Anthony, declare and state that:

1. I am over 18 years of age and if called upon to testify as a witness in this matter, I could and would competently do so as to the following facts.

2. I have lived at 3343 Fairpoint Street, Pasadena, California with my wife for 31 years.

3. My house is located immediately to the east adjacent to the property known as the Eaton Canyon Treatment Center ("ECTC") on Fairpoint Street the treatment center has existed at that that location for approximately 10 years.

4. I previously was asked to sign a letter in August 2008 by James Heard in regard to ECTC, which was prepared by them. I was told that the letter was for a renewal of a permit. I was never told that the purpose of the CUP (Conditional Use Permit) was to expand the facility from 6 adults to 20 adults. Had I been told that information I would not have agreed to sign the letter.

5. I am extremely opposed to the expansion of ECTC and want the commission to disregard my August 2008 letter if it is being used in furtherance of the expansion of ECTC.

6. My concerns with the granting of the CUP is there will be increased traffic on our street, parking issues, safety for myself and my wife and the value of my property. I have no doubt that having a 20 bed drug and alcohol rehabilitation facility immediately next door will decrease the value by thousands of dollars, if not one hundred thousand dollars or more.

7. My wife and I are steadfastly against any attempt by the ECTC to triple its size and to increase the number of drug and alcohol patients in our neighborhood. I do not believe that our neighborhood is a proper place for such a large drug and alcohol treatment facility and I urge the planning commission to deny the requested CUP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 29 day of April 2010, at Pasadena, California.

HAROLD ANTHONY, Declarant

CHRISTOPHER E. FAENZA
3250 Fairpoint Street
Pasadena, California 91107
(626) 422-1217

Hearing Officer
COUNTY OF LOS ANGELES
320 W. Temple Street, Room 150
Los Angeles, California 90012
Attn: Tyler Montgomery

Re: 3323 Fairpoint Street; Conditional Use Permit
LA County Project No. R2008-01555-(5)

Dear Mr. Montgomery:

My name is Christopher Faenza and I have lived at 3250 Fairpoint Street with my wife and three children for 6 years. I am writing to express my sincere concern over the application for Conditional Use Permit (CUP) which was submitted for consideration by the Eaton Canyon Treatment Center (ECTC) and which will be the focus of an upcoming hearing and determination on May 18, 2010.

My home is located within 200 feet of the property currently occupied by ECTC and I am personally familiar with its history and with the persons who have lived and worked at that business over the past several years. My wife is sharing her concerns about the CUP with a separate letter to the hearing officer.

ECTC Cannot Meet Its Burden of Proof.

The persons who own and operate the business known as the Eaton Canyon Treatment Center have been operating their business venture for many years in our residential neighborhood. And while they deny that their business is "for profit" they make a very comfortable living by inviting persons who suffer from serious drug and alcohol addictions---many whom undoubtedly have criminal backgrounds----into our residential neighborhood.

As the hearing officer knows, the burden of meeting the Zoning Code requirements falls on the party seeking a conditional use permit. Thus, the reviewing agency must look to the application for evidence which supports the requirements of the applicable zoning requirement. In this case that is Section 22.56.090.

Section 22.56.090 has three prongs. The first prong requires proof that the zoning variance at the proposed location will not "**adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area.**"

A review of the ECTC's application demonstrates no proof that the proposed operation of a 20 bed alcohol and drug abuse treatment facility will not adversely affect these interests in the surrounding area. The applicant has chosen to define "surrounding area" as his contiguous neighbors. But there is no evidence that the contiguous neighbors were intended by the drafters of the code section to define the surrounding area. Indeed, one would expect that if the drafter's of section 22.56.090 had intended such a meaning, they would have used such terms as "persons residing or working in immediately adjacent properties" or "persons residing in contiguous properties" rather than the terms which were actually chosen.

Even if the applicable Code Section were properly defined only by immediately adjacent property owners the CUP application still fails in that it does not include a declaration from the property owner with the longest contiguous boarder to the property (the neighbor to the North) and it further contains misrepresentations and falsehoods about not only that property owner, but other contiguous owners. The CUP application states that "The neighbor to the North, who has lived at the same residence for 38 years, has also indicated that she had no problem with the operation of Eaton Canyon Treatment Center and has a rapport with Mr. James Heard." But this representation is entirely false. Mrs. Jane McReynolds recently submitted a sworn declaration regarding the ECTC application and she expressly states that she does not want a 20-bed treatment facility immediately adjacent to her property and that she never told anyone that she had agreed to have such a business immediately adjacent to her property. She states further that she has no rapport with Mr. James Heard. Finally, Mrs. Jane McReynolds stated that lawyers representing ECTC had been to her property on prior occasions in an effort to secure a favorable statement from her and that she expressly refused to provide them with one based upon her unfavorable feelings toward the business. I submit that if the ECTC applicants have knowingly made such a glaring misrepresentation to the hearing officer on this significant point, their entire application must be reviewed with distrust and extreme caution.

ECTC seems to base its proof as to whether the expansion will adversely affect the area based upon the past in which they were allowed to have six beds. There have been crime issues in the area, however, nothing that can be directly tied to the center. The bigger issue is that even assuming that there has not been a rape, murder or other crime in the past, does not justify an expansion of the current size of the project by a factor of 3. Obviously, to fill that many beds greater risks will have to be taken on prospective addicts, all to the detriment of the neighborhood. Also, because of privacy laws the neighbors; 1) do not know who is currently in the home; 2) cannot check the backgrounds and sex offender status of the individuals and; 3) must rely upon ECTC to screen residents, when they have shown nothing but contempt for the

neighbors in the past. I am sure I speak for many of the area residents when I say I do not trust ECTC to screen for potential violent and criminal offenders. God forbid something should even happen to one of the area residents as a result of an addict's criminal act; however, one thing is for sure ECTC would deny any wrongdoing and simply say that the individual was responsible.

Less than one year ago a patient in a drug and alcohol treatment center, Charles Samuel murdered Lily Burk a 17 year-old after abducting her from her car and slashing her throat. He had been staying at a drug treatment center at the time of the attack and was allowed out to go to the DMV. This unfortunate event could happen again and we hope that by denying the expansion the chances are significantly less.

ECTC is currently permitted to board up to 6 adults in a property zoned R-1. It already has created a population density problem in the neighborhood by inviting several more than six adult guests to live and work on the property with additional persons attending the property to work as staff members. This is not a close call. I submit that the health, peace, comfort and welfare of the local community will suffer if the ECTC is permitted to more than triple in size in our residential neighborhood. No longer would residents feel safe in their homes knowing that up to twenty drug addicts and alcohol abusers were living within only a few feet of their residences.

If the ECTC were allowed to more than triple in size and become such a dominating influence in our neighborhood the other criteria set forth by Section 22.56.090 would also be greatly impacted. In particular, "**the use, enjoyment or valuation of property belonging to other persons located in the vicinity of the site**" would suffer greatly. I cannot impress enough upon the hearing officer how great the impact would be to the value of my property, and to other properties on Fairpoint Street and surrounding streets if a twenty-bed ADF were permitted at the location. Why would anyone buy a residential property in the community when an otherwise identical property could be purchased in a different neighborhood without drug addicts and alcoholics?

I would also like to address the argument submitted by the applicant that the ECTC is somehow fostering needed housing for persons with disabilities. The lawyer representing ECTC attempted to justify a complete waiver of the permitting requirement based upon her assertion that the expansion of the ADF is somehow compelled by Federal disabilities laws. But the CUP application nowhere establishes that the persons who might be treated at the facility would be without housing but for the expansion of the facility from six to twenty beds. Indeed, there is no proof from any source that one or more of the persons receiving treatment at ECTC relies upon

ECTC for his or her primary housing needs. Indeed, even if we were to assume for the sake of argument that the drug and alcohol addicts who currently reside at the facility could not find housing at any place other than a drug treatment facility, the facts still do not support the CUP in this case.

There are currently thirteen California state-licensed residential ADF facilities in the Pasadena vicinity (including ECTC): nine in Pasadena, two in Altadena, one in Monrovia and one in Glendale. These thirteen facilities provide 473 residential treatment beds of which approximately 40 percent are currently (and typically) vacant. It is clear therefore that ECTC's attempt to justify its expansion by claiming that it somehow meets the needs of a tight housing market for drug and alcohol addicted persons is yet another misrepresentation by the persons who own ECTC.

Rewarding Bad Behavior

The ECTC has a pattern of disregarding zoning and other rules as evidenced by the May 23, 2008 letter from the Office of County Counsel to applicant counsel Kim Savage. Starting with having unpermitted additions in prior to 1999 that required permits after the work had been completed. Then in 2003 the facility changed the use without notifying the Planning Department. Obviously, applicant knew of the requirement to have a CUP at the time, but instead went forward with its plan to invite more than six drug and alcohol addicted residents, all to the detriment of the neighbors. ECTC then put 20 people in the home without the CUP, showing tremendous arrogance and again a complete disregard for its neighbors. It also operated a home with one septic tank for 20 plus adults, which is obviously a public health risk. Further, the area in which ECTC is located is a high fire danger area, but no consultations or fire safety inspections were conducted by local fire officials until after ECTC was caught and forced to comply with such requirements. The persons who operate the ECTC have demonstrated an ongoing willingness to operate their facility with or without the approval of the required regulating agencies.

Shockingly to the community, and despite the pattern of non-compliance, the ECTC sought to deny its neighbors a right to be heard in seeking to bypass the CUP process. The fact that ECTC sought exemption because the public hearing would serve as a "lighting rod" is both incredulous and evidence of the arrogance and distain that Mr. Heard has for the more than three-hundred homeowners whose neighborhood ECTC uses in its advertizing to recruit people to their facility. I submit to the hearing officer that if the ECTC is so worthy, its owners should

relish the opportunity to show the neighbors how putting 20 adult drug and alcohol abusers is beneficial to each and every homeowner and their children.

One last troubling item is the inclusion of various letters, purportedly in support of the CUP, by various politicians and citizens unrelated to the Sierra Madre Villa area. There can be no reason for inclusion of letters wholly unrelated to the burden of proof for Zoning Code 22.56.090, other than to engage in a misguided and improper attempt to intimidate the hearing officer. The letters themselves mainly congratulate Mr. Heard on 10 years in business. What bearing that has on whether or not the residents should have to live near a home with 20 addicts and corresponding staff is a mystery. ECTC states in the application that the letters show that the facility contributes countywide to the betterment of the community. The letters by in large do not say that, and even if they did, that is not an element of the code that needs to be proven. The board should disregard the letters and view them as nothing more than an attempt to exercise improper influence over the board.

I look forward to attending the hearing that will be conducted by the board in the coming days. I will be pleased to further address any of the concerns that I discuss in this letter that the time of that hearing.

Sincerely,

CHRISTOPHER E. FAENZA

DECLARATION OF JOSEPH MERDKHANIAN

I, Joseph Merdkhanian, declare and state that:

1. I am over 18 years of age and if called upon to testify as a witness in this matter, I could and would competently do so as to the following facts.

2. I have lived at 3307 Fairpoint Street, Pasadena, California with my wife and children for almost 10 years.

3. My house is located immediately to the west and adjacent to the property known as the Eaton Canyon Treatment Center ("ECTC") on Fairpoint Street.

4. I previously was asked to sign a letter in August 2008 by James Heard in regard to ECTC, which was prepared by Mr. Heard or someone on his behalf. I was told that the letter was for a renewal of a permit. I was never told that the purpose of the CUP (Conditional Use Permit) was to expand the facility from 6 adults to 20 adults. Had I been told that information I would not have agreed to sign the letter.

5. I am extremely opposed to the expansion of ECTC and want the commission to disregard my August 2008 letter if it is being used in furtherance of the expansion of ECTC.

6. My concerns with the granting of the CUP is there will be increased traffic on our street, parking issues, safety for myself, my wife and my children. I am also concerned with the value of my property. I believe no property owner will lose more value in their home than me, because I am immediately next door and would have to disclose the nature and size of the facility to any prospective buyer.

7. My wife and I are steadfastly against any attempt by the ECTC to triple its size and to increase the number of drug and alcohol patients in our neighborhood. Our street, East Fairpoint is not designed to handle the traffic and parking which will be associated with such a large facility. It is very narrow and has no sidewalks. I do not believe that our neighborhood is a proper place for such a large drug and alcohol treatment facility and I strongly urge the planning commission to deny the requested CUP and not use any letter from me as a basis to grant the CUP.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 29 day of April 2010, at Pasadena, California.

JOSEPH MERDKHANIAN, Declarant

EATON CANYON TREATMENT CENTER

SUPPLEMENT TO C.U.P. APPLICATION

CASE NO. RCUP 200800131

HEARING DATE
May 18TH, 2010

SUPPLEMENTAL LETTER & ATTACHMENTS

EATON CANYON TREATMENT CENTER

A Human Service Provider

May 3, 2010

Tyler Montgomery, Zoning Permits II
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Hand Delivered

Re: Eaton Canyon Treatment Center – Project No. R2008-01555-(5);
Case No. RCUP 200800131; RENV 200900053; Hearing Date: 5/18/2010

Dear Mr. Montgomery:

This letter provides supplemental and updated information regarding Eaton Canyon Treatment Center's application for a conditional use permit (CUP) which will be heard on May 18, 2010. In August 2008, Eaton Canyon completed and filed its application for a CUP and this submittal updates and incorporates by reference the justification – burden of proof analysis submitted at that time. This letter also responds to the comments submitted in opposition to the requested entitlement. Supplemental and further documentation will be provided to the County prior to the hearing.

Background Information

Eaton Canyon Treatment Center is a state licensed residential Alcohol and Drug Program (ADP) that since 2003 has been helping adults regain their lives and become productive and contributing members of the community by providing rehabilitation from alcohol and other drug abuse. Eaton Canyon has been in the neighborhood for 14 years, inconspicuous to many because of its low key presence, effective management and diligent oversight. For seven years prior to licensure, Eaton Canyon was a sober living home. Since 2007, ADP has licensed the home for a maximum of 20 adults; **Attachment A1, A2 & A3** State Licenses. Eaton Canyon Treatment Center has also been accredited pursuant to the highest rehabilitation program standards by the Commission on Accreditation of Rehabilitation Services (CARF), an internationally recognized organization; **Attachment B**, CARF certification. Eaton Canyon has five daily staff members at any one given time, which are certified and highly trained persons providing 20 hours of service and monitoring. Staff has been reduced from eight to five at Eaton Canyon due to policy implementation requiring off site billing and accounting.

The residence is a large single family home that was enlarged by its previous owner, Mr. George Johnson, who conducted evening and week-end church activities at the residence. The home has remained 6, 100 square feet in size since Eaton Canyon Foundation leased the home in 1996 from former Youth Minister of All Saints Church of Pasadena for the purpose of providing sober living housing. No enlargements were made by Eaton Canyon to the premises

and none will be made in the future. The home was upgraded through a County grant to meet handicap accessibility requirements. The home has a living room, kitchen and large dining area for all of the residents to dine together, a room for rehabilitation classes and a larger room for resident group sessions and seven very large bedrooms, seven full bathrooms with an on site-laundry room. There are also offices within the home, a State ADP requirement for program management purposes. The exterior of the home is well maintained with landscaping that is compatible with the other homes on the block and the backyard has two protected, private patios for resident use. **Attachment C,** photographs of Eaton Canyon Treatment Center.

Eaton Canyon Functions Effectively In the Residential Neighborhood

Eaton Canyon has been quietly operating in the neighborhood for more than a decade without adversely impacting the neighborhood. The home has significant security measures, little vehicular and foot traffic and uses strict admission criteria to maintain safe operations in the residential neighborhood.

Traffic – Vehicular and Pedestrians

Eaton Canyon Treatment Center's presence has not increased traffic in the area nor will it do so. It provides sufficient parking and has consistently maintained strict rules regarding cars and parking, which has resulted in very limited daily trips at the residence. The home has ten parking spaces that are shielded behind a security gate, more than enough for its staff of five. Those residing in the home for treatment arrive by van and depart by van, through a metal controlled access gate operated by staff within the home. There are no "drop offs." All residents who come to Eaton Canyon have been cleared for the residential program by their doctors and arrangements have been made in advance for their stay. Services are provided only to residents. Eaton Canyon prohibits all street parking and has had signs indicating such since licensure. Residents are prohibited from having personal vehicles at Eaton Canyon. Eaton Canyon has consistently limited vehicles at the home, respectful of the neighborhood and is committed to continuing this practice.

Visitors are scheduled in advance for specific week-end time slots so that there is sufficient parking on the premises. There are no guests or visitors during the week due to the intensive rehabilitation program. This management practice will continue.

There is absolutely no foot traffic to or from Eaton Canyon as residents remain on the premises during their treatment stay. Any and all movement of residents from the premises is transported by a staff member. Within the 1,000 foot radius of the subject property, there are no public parks, schools, churches or other sensitive uses in the vicinity.

In sum, Eaton Canyon has successfully addressed traffic concerns with the following:

- ✓ Sufficient parking spaces for employees;
- ✓ Residents arrive and depart by vehicle or van;
- ✓ Residents are prohibited from having cars at the facility;
- ✓ Parking on the street by guest or staff is prohibited by Eaton Canyon;
- ✓ Week-end visitors are limited and by specific appointment times with parking on the property;

Eaton Canyon Resident Profile and Selection

The majority of persons who come to Eaton Canyon for rehabilitation services have private health insurance, primarily through their employment. Thus, Eaton Canyon residents represent a wide range of professions including, for example, teachers, airline pilots, realtors, contractors, housewives, film industry executives, police and fire and other municipal and County personnel, each of who desire a confidential, nurturing, and effective rehabilitative environment. **See Attachment D,** program residents' professions, 2005-2010. Referrals to Eaton Canyon come from Health Plan Contracted providers and Employee Assistance Programs of some of the largest corporations in the nation including, but not limited to, United States Postal Service, LAUSD, Teamsters Union, Pasadena Police, American Airlines, and Amtrak Railways in addition to all major insurance companies. **Attachment E**

Strict and careful screening for admission to Eaton Canyon Treatment program is designed to ensure success in the residential program. The key elements of this screening are:

- ✓ Eaton Canyon does not take any court referrals;
- ✓ Background checks are performed on every person;
- ✓ Eaton Canyon does not accept anyone convicted of a sexual offense, including pedophiles;
- ✓ Eaton Canyon screens out persons with a history of violence;
- ✓ Staff is subject to all of the above screening.

Further, any resident who fails to abide by the no alcohol or drugs requirement, must leave the program. This zero tolerance rule is the cornerstone of Eaton Canyon's success.

Premises Security

A substantial investment in effective security measures and procedures has led to Eaton Canyon's well managed program. These security measures include:

- ✓ Electric security gate and intercom system for access to the property;
- ✓ Intercom security control for all entrances and exits;
- ✓ Camera surveillance monitoring the interior residence common areas, perimeter of the home and the street area, 24- hours a day with a two-week retroactive review period.

Eaton Canyon has operated without incident as a residential treatment program: the Sheriff's Department and the Pasadena Police Department have substantiated that there are no violations at the home or otherwise related to the home in the community. Likewise, the state licensing agency has consistently found Eaton Canyon in compliance with the law. Residents are busy throughout the day, addressing their addiction problems through individual and group sessions and as noted earlier, are not free to leave the home. Residents' time spent at Eaton Canyon focuses on regaining one's health and developing the tools to remain free of all addictive substances.

In sum, Eaton Canyon has been operating in the neighborhood since 1996 to this date, approximately 14 years without incident. Since March 2006, the Eaton Canyon Treatment Center has operated at the capacity of 20 residents; **Attachment A1, A2 & A3 This CUP request is not for an increase, only to remain at the current capacity**. Eaton Canyon has carefully addressed traffic, parking, security and it maintains strict admission criteria and residency rules, all of which makes the residential rehabilitation program, in these circumstances, a compatible use within the neighborhood. Continuously from 2006 to date, nothing has changed at Eaton Canyon and there has been no negative impact on the community. While this may not be the case with other ADP's in other neighborhoods, Eaton Canyon's long presence in the neighborhood is proof that it works.

Justification - Burden of Proof

In 2008, Eaton Canyon Treatment Center set forth the mandated burden of proof extensively justifying the granting of a conditional use permit for 20 persons to reside at the home. Between that submittal and today, the status quo has been mandated: the program has continued to function in the same successful manner without any verified incidents.

Supplementing the 2008 burden of proof –justification statement is information confirming that the continued use of Eaton Canyon for 20 individuals in recovery will not adversely impact the physical environment. Both the County's Initial Study (2/17/2009) and Countywide departmental review of the Negative Declaration (8/13/09) found no adverse impact; Attachment **F1 & F2.** Further, the County Department of Health has approved the design for an upgraded septic tank for the home. **Attachment G**

Response to Community Opposition

It is well recognized that housing for people with disabilities, regardless of its specific licensure or population, faces significant opposition from surrounding neighbors. It is this historic opposition that led to the passage of federal and state fair housing laws which both prohibit discrimination in housing against people with disabilities and seek to further housing opportunities for people with disabilities to reside in the community in housing of their choice. Federal Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3604 et seq.; California Fair Employment and Housing Act, Gov't Code §§12927 et seq.

The Attorney General of the State of California succinctly described the all too common unsubstantiated assertions by those who do not want housing for people with disabilities in their neighborhood.

> "opposition to such housing is often grounded on stereotypical assumptions about people with disabilities and apparently equally unfounded concerns about the impact of such homes on surrounding property values. Numerous studies support the conclusion that such concerns about property values are unplaced."

Letter of Attorney General Bill Lockyer to all California cities and counties, encouraging the adoption of a fair housing reasonable accommodation procedure for land use and zoning determinations (May 2001); **Attachment H**

Over the years, Eaton Canyon has sought to explain to surrounding neighbors the type of residential rehabilitation program it provides, its management operations, safeguards and continuing respect for the neighborhood. Eaton Canyon has received in the past support from neighbors as well as the larger community because the home has functioned so smoothly and effectively in its location. However, despite this continuing effort, an emotional opposition still persists and it has escalated to an effort to quiet longstanding supporters of Eaton Canyon.

Unfounded Assertions Regarding Property Values and Crime

While complainants, including those within a wide vicinity of Eaton Canyon Treatment Center, assert that either there have been or will be reductions in their property values, they present no evidence to support that reductions, if any, are attributable to a well run ADP. This assertion is raised in virtually every circumstance in which someone opposes housing for people with disabilities but the evidence is to the contrary.

> "More than 50 studies have examined their impact on property values *more than for any other small land use.* Although they use a variety of methodologies, all researchers have discovered that group homes and halfway houses do not affect property values of even the house next door. They have no effect on how long it takes to sell neighboring property, including the house next door. They have learned that these residences are often the best maintained properties on the block."

The American Planning Association: Policy Guide on Community Residences, 1997.

Likewise, there is no evidence that rehabilitation programs in general lead to increases in crime in the neighborhood in which they are located. Health & safety problems follow alcohol and drug use, not abstinence from them. *Scribner, R.A., 1995, "Journal of Public Health," (85) 3 335-340.* See also, Community Residences Information Program (CRISP), *There Goes The Neighborhood* (1990). As for Eaton Canyon, there is no record of incidents that support the vague and unverified allegations of neighbors that the home's presence with 20 residents has led to crimes or that it will do so. There is no record of which some in opposition to Eaton Canyon complain. The complaints appear to be based on fears and stereotypical assumptions about those in recovery. However, Eaton Canyon's

history in the neighborhood substantiates that it has no impact on crime. The careful security and resident selection process are the basis of this result. Both the property value and crime myths have been rejected based on sound research yet some individuals continue to ignore this information based on personal bias.

Mischaracterization of Eaton Canyon Residents

Closely related to assertions regarding reductions in property values and increases in crime is the false portrayal of Eaton Canyon residents as drug addicts that roam the neighborhood, are likely to break into homes and that threaten the safety of residents. These fears have no basis in reality when reviewing Eaton Canyon Treatment Center's history in the neighborhood and its program management and structure. The home provides a residential program primarily to professionals who are engaged in a comprehensive program during the day and evening hours, are free of alcohol and drug use and simply not criminally minded. See Attachment E. Unfortunately, myths about recovery homes and the persons residing in them abound but it is the reality of how a program functions based on substantiating evidence that is the only legitimate basis when making land use determination. Unsubstantiated statements, prejudicial sentiments and community opposition are not a legal basis to deny a conditional use permit.

No Basis for Traffic and Parking Allegations

The manner in which Eaton Canyon controls vehicular traffic and parking on a daily basis has eliminated this concern and, yet, those who oppose this home continue to assert that there is a lot of traffic at the home and that there will be more. There is no evidence to support these assertions. Eaton Canyon has functioned with 20 residents for the past four years and it has publicly stated on numerous occasions that it will not increase in size. The home across the street, the subject of much rumor, upon purchase was always intended to be the personal home of Mr. and Mrs. Heard and it will remain so. Eaton Canyon's current restrictions and operations have led to limited traffic and no street parking. There is no evidence that others in the neighborhood have attended to these concerns as thoroughly and carefully as Eaton Canyon.

County of Pasadena

During the conditional use permit application and review process, there has been some comment by the City of Pasadena regarding Eaton Canyon. While we understand the close proximity of this neighboring City that historically we have had a good relationship with, Eaton Canyon is not aware that Pasadena has any jurisdiction over it as it is located within the unincorporated region of the County. Despite the foregoing jurisdictional concern, Eaton Canyon will continue to strive to maintain an excellent relationship with the City of Pasadena.

Fair Housing Reasonable Accommodation

Both federal and state fair housing laws provide for the granting of reasonable accommodations in the land use and zoning context where an exception to or waiver of a regulation is necessary to provide equal access to a housing opportunity for people with disabilities. 42 U.S.C. § 3604(f)(3)(B); Cal. Gov't. Code §12927(c)(1). Turning Point, Inc. v. Caldwell, 74 F.3d 941 (9th Cir. 1996). California Housing Element Law goes one step further in ensuring that local governments affirmatively further fair housing by requiring that all jurisdictions have a written reasonable accommodation procedure whereby special needs

housing developers as well as individuals with disabilities may seek exceptions to land use and zoning regulations. Gov't Code § 65583 (c)(3).

The Attorney General of the State of California, Bill Lockyer, explained the importance of relying on a reasonable accommodation procedure as opposed to reliance on a conditional use permit process when considering land use and zoning requests involving housing for people with disabilities. First, a civil rights analysis provides the correct legal standard of review for housing for people with disabilities while the conditional use permit fails to take into consideration the individual needs of persons with disabilities. Additionally, the conditional use permit process entails a public notice and hearing, procedural requirements that can be a lightening rod for opposition to special needs housing. **Attachment H, Attorney General Lockyer letter.**

While the County is still drafting its reasonable accommodation ordinance, it is nevertheless required to consider Eaton Canyon's request for one according to a statutorily based four-part analysis. **Attachment I.** This analysis is incorporated in virtually all accommodation procedures adopted by California cities (i.e. Long Beach, Los Angeles and Santa Rosa). This analysis gives great weight to furthering the housing needs of people with disabilities and also considers the impact of providing the requested accommodation on a city or county and its overall zoning scheme.

On May 1, 2008, Eaton Canyon requested a reasonable accommodation from the County; it was rejected and Eaton Canyon was advised that in addition to applying for a condition use permit, " [t]he application and public hearing process provide an opportunity for Eaton Canyon to present and the County to consider any requests for special accommodations." As part of this submittal and for the conditional use permit hearing, Eaton Canyon re-asserts its request for reasonable accommodation as further basis for granting the requested conditional use permit.

Letters in Support of Eaton Canyon

The following letters of support are submitted:

1. City of Los Angeles Resolution to the Eaton Canyon Treatment Center
2. Letters from Elected Public Officials acknowledging Eaton Canyon's 10 year Anniversary
   a) County of L.A. b) City of LA, c) City of Pasadena, d) The State of California
3. Neighborhood Letters of Support
4. General letters of support
5. Non-Profit Org. Letters of Support
6. Agencies, Attorney and Doctor Letter of Support
7. Eaton Canyon Treatment Center Alumni(s) letter of support

Conclusion

Eaton Canyon Treatment Center has set forth in its justification –burden of proof submittal and in this letter the basis for granting the requested conditional use permit for continued operation of its state licensed Alcohol and Drug Program for 20 persons in residential rehabilitation. Eaton Canyon has provided evidence of its careful operations that address parking, traffic, security and safety. Eaton Canyon has always been mindful of its presence in a beautiful neighborhood and has maintained an attractive home with landscaping and grounds that are compatible with the surrounding residences. The submittals to the County have established that Eaton Canyon's continuing presence will not adversely affect the surrounding area or its residents, it will not be materially detrimental to the vicinity nor will it endanger public health, safety or the general welfare. Eaton Canyon's application for the CUP has also established that the site is adequate in all respects and that it will be adequately served by roadways and public services. This supporting evidence stands in sharp contrast to the unfounded and unsubstantiated generalized assertions of those who oppose housing for people with disabilities in the neighborhood.

Eaton Canyon is available to provide any additional information requested by the County of Los Angeles or answer any questions. Thank you for your careful consideration.

Sincerely,

James Heard
Executive Director

State of California

Department of Alcohol and Drug Programs

License and Certification

In accordance with applicable provisions of the Health and Safety Code of California and its rules and regulations, and standards, the Department of Alcohol and Drug Programs hereby licenses and certifies:

EATON CANYON RECOVERY SERVICES, INC.

to operate and maintain an adult residential alcohol and/or drug abuse/ recovery or treatment facility using the following name and location:

EATON CANYON TREATMENT CENTER
3323 EAST FAIRPOINTE STREET
PASADENA, CALIFORNIA 91107

This license and certification extends to the following services:

RESIDENTIAL ALCOHOL AND/OR OTHER DRUG SERVICES; INDIVIDUAL SESSIONS; RECOVERY OR TREATMENT PLANNING; DETOXIFICATION; GROUP SESSIONS; AND EDUCATIONAL SESSIONS

Limitations or conditions are listed as follows:
Treatment/Recovery Capacity: **20**
Total Occupancy for location is limited to: **20**
(Increase in Treatment/Recovery Capacity and Total Occupancy Effective 07/10/2007)

MALES AND FEMALES

License/Certification Number:
190521AP

Effective Date: **04/19/2006**
Expiration Date: **03/31/2008**

ATTACHMENT A1

Ann MacDowell
Authorized Representative

Complaints regarding services provided in this facility should be directed to:
Complaint Coordinator, Program Compliance Branch
1700 K Street, Sacramento, California 95811-4037
(916) 322-2911 FAX: (916) 324-4505 E-mail: LCBcomp@adp.state.ca.us

Post in a prominent location. This License and Certification is not transferable

State of California

Department of Alcohol and Drug Programs

License

In accordance with applicable provisions of the Health and Safety Code of California and its rules and regulations, the Department of Alcohol and Drug Programs hereby licenses:

EATON CANYON RECOVERY SERVICES, INC.

to operate and maintain an adult residential alcohol and/or drug abuse recovery or treatment facility using the following name and location:

EATON CANYON TREATMENT CENTER
3323 EAST FAIRPOINT STREET
PASADENA, CALIFORNIA 91107

This license extends to the following services:

INDIVIDUAL SESSIONS; RECOVERY OR TREATMENT PLANNING; DETOXIFICATION; GROUP SESSIONS; AND EDUCATIONAL SESSIONS

Limitations or conditions are listed as follows:
*Treatment/Recovery Capacity: **20***
*Total Occupancy for location is limited to: **20***
(Certification Removed as of 01/04/2010)

MALES AND FEMALES

License Number:
190521AP

Effective Date: ***04/01/2008***
Expiration Date: ***03/31/2010***

ATTACHMENT
A2

Diane Stark
Authorized Representative

Complaints regarding services provided in this facility should be directed to:
Complaint Coordinator, Program Compliance Branch
1700 K Street, Sacramento, California 95811-4037
(916) 322-2911 FAX: (916) 324-4505 E-mail: LCBcomp@adp.ca.gov

Post in a prominent location. This License is not transferable.

State of California

Department of Alcohol and Drug Programs

License

In accordance with applicable provisions of the Health and Safety Code of California and its rules and regulations, the Department of Alcohol and Drug Programs hereby licenses:

EATON CANYON RECOVERY SERVICES, INC.

to operate and maintain an adult residential alcohol and/or drug abuse recovery or treatment facility using the following name and location:

EATON CANYON TREATMENT CENTER
3323 EAST FAIRPOINT STREET
PASADENA, CALIFORNIA 91107

This license extends to the following services:

INDIVIDUAL SESSIONS; RECOVERY OR TREATMENT PLANNING; DETOXIFICATION; GROUP SESSIONS; AND EDUCATIONAL SESSIONS

Limitations or conditions are listed as follows:
Treatment/Recovery Capacity: **20**
Total Occupancy for location is limited to: **20**

MALES AND FEMALES

License Number:
190521AP

Effective Date: **04/01/2010**
Expiration Date: **03/31/2012**

ATTACHMENT A3

Diane Stark
Authorized Representative

Complaints regarding services provided in this facility should be directed to:
Complaint Coordinator, Program Compliance Branch
1700 K Street, Sacramento, California 95811-4037
(916) 322-2911 FAX: (916) 324-4505 E-mail: LCBcomp@adp.ca.gov

Post in a prominent location. This License is not transferable.

carf INTERNATIONAL

A Three-Year Accreditation is awarded to

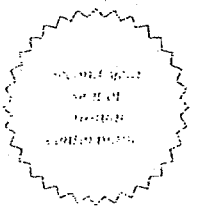
Eaton Canyon Treatment Center

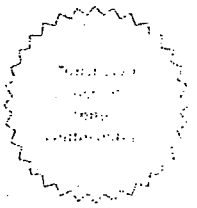
for the following identified program:

Residential Treatment: Alcohol and Other Drugs/Addictions (Adults)

This accreditation is valid through
October 2012

The accreditation seals in place below signify that the organization has met annual conformance requirements for quality standards that enhance the lives of persons served.





This accreditation certificate is granted by authority of:

Cathy Ellis P.T.

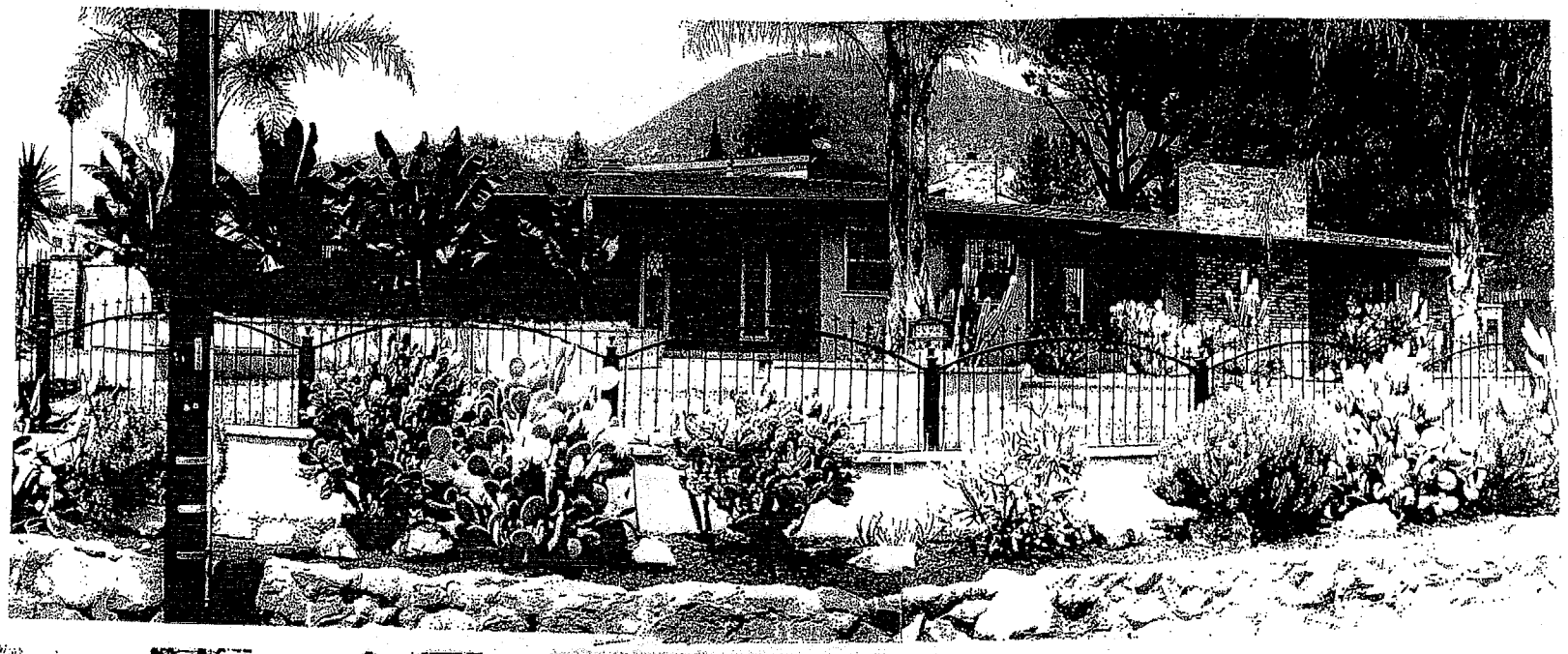
Cathy Ellis, PT
Chair
CARF International Board of Directors

Brian J. Boon Ph.D.

Brian J. Boon, Ph.D.
President/CEO
CARF International

ATTACHMENT B

carf carfccac carf CANADA



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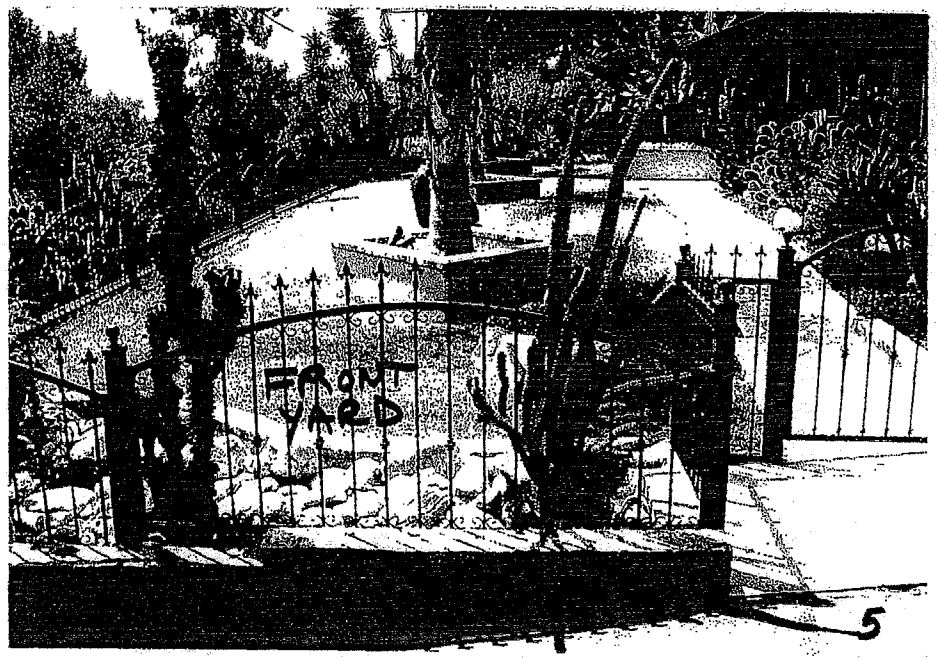
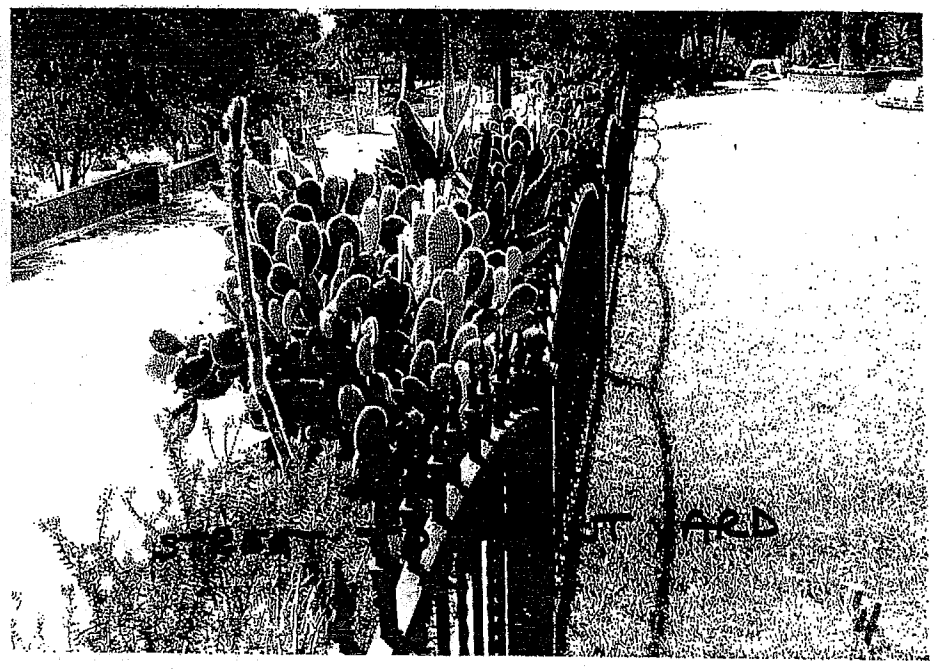
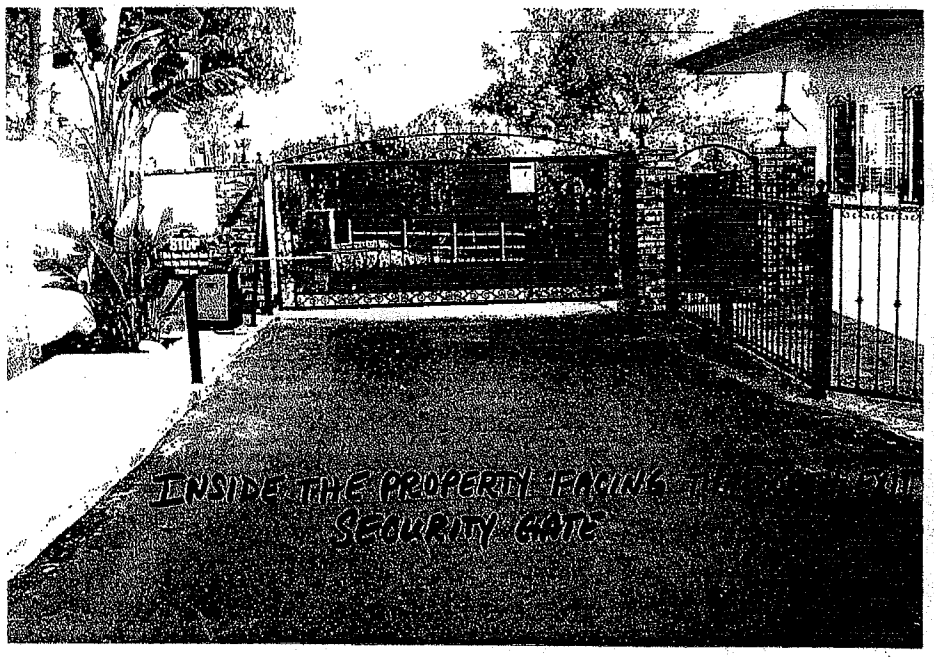
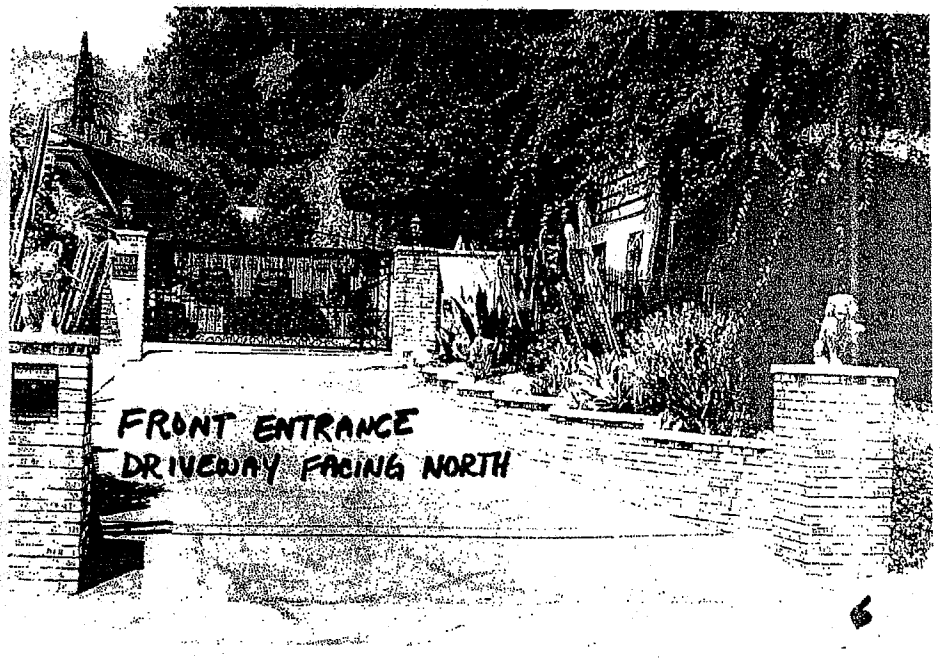
ATTACHMENT
C





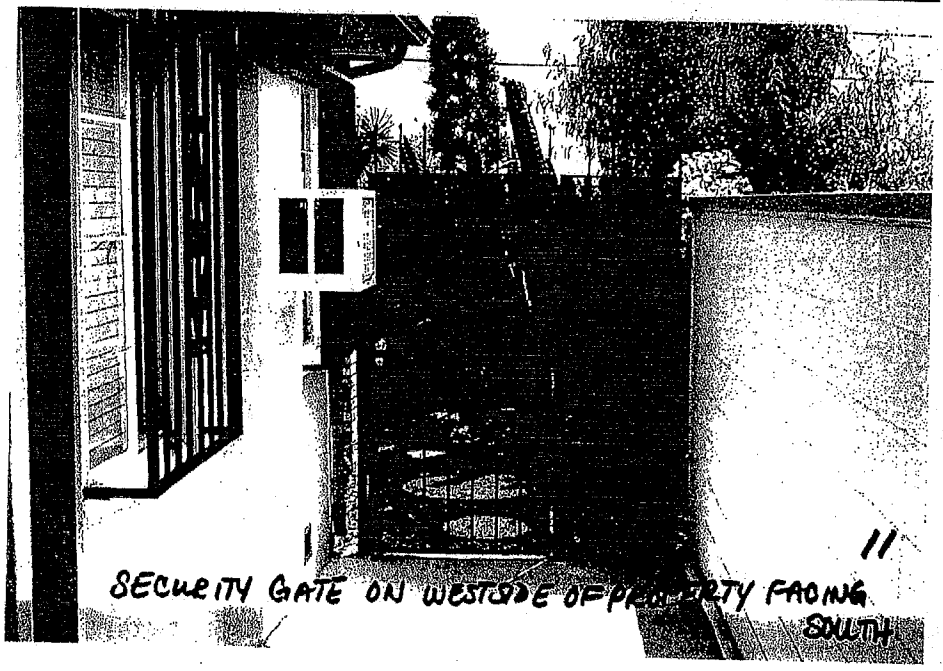




ATTACHMENT C

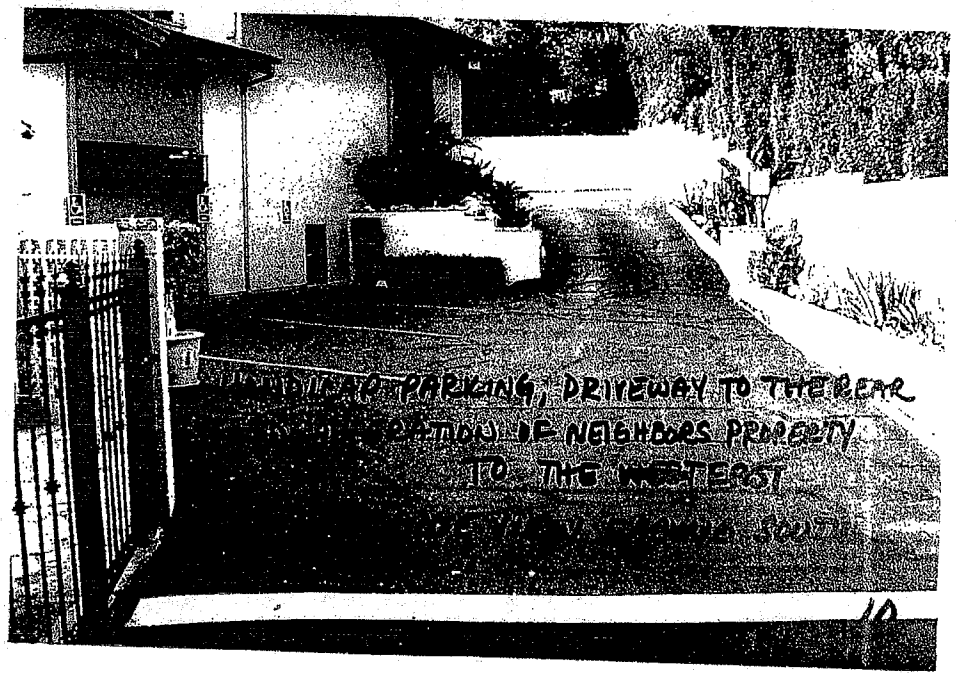
PIC

PICTURE TAKE
THE PROPERTY FROM
THE FRONT GATE
EAST SIDE



11

SECURITY GATE ON WESTSIDE OF PROPERTY FACING
SOUTH

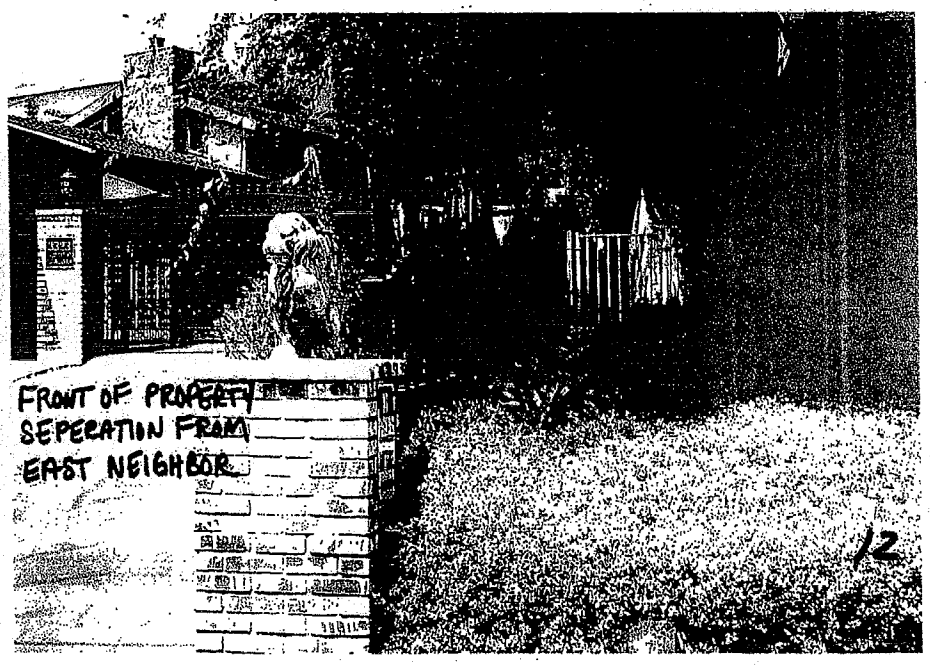


PARKING, DRIVEWAY TO THE REAR
OF NEIGHBORS PROPERTY
TO THE WEST

10

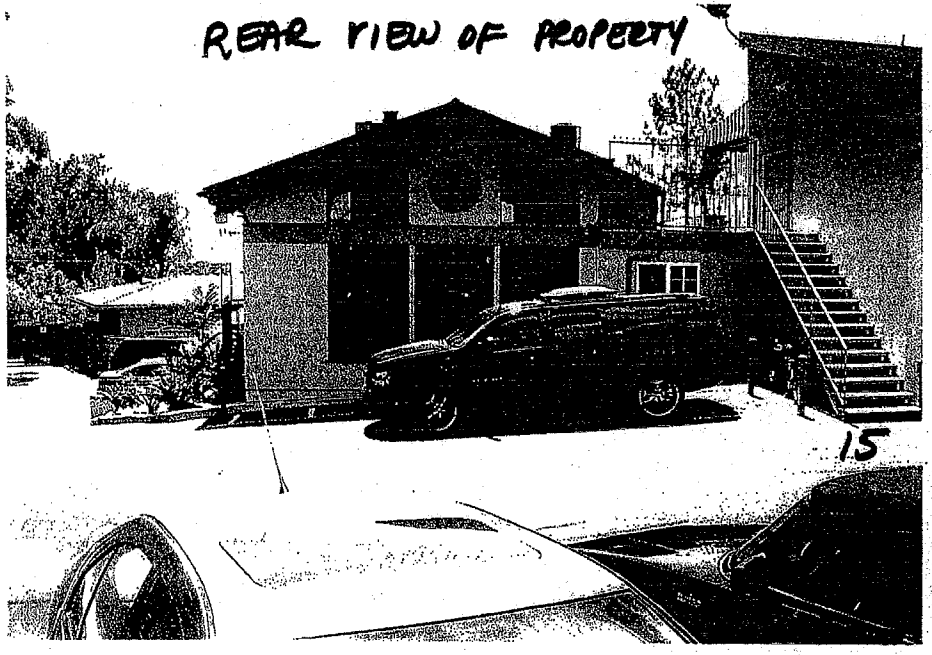
ATTACHMENT
C

PROPERTY LINE ADJACENT NEIGHBOR TO THE [redacted] WEST 13



FRONT OF PROPERTY SEPERATION FROM EAST NEIGHBOR 12

REAR VIEW OF PROPERTY



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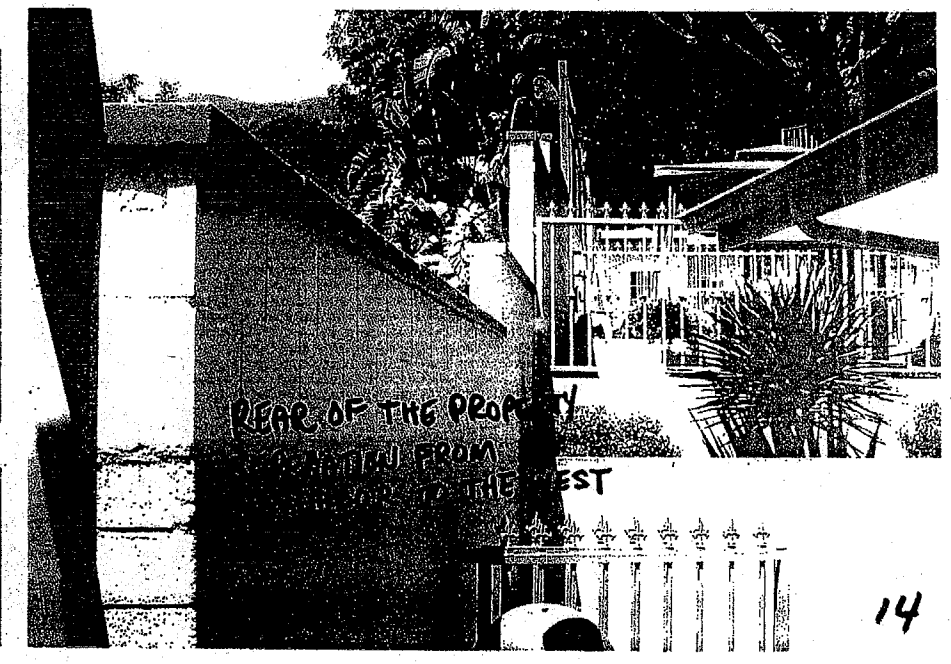
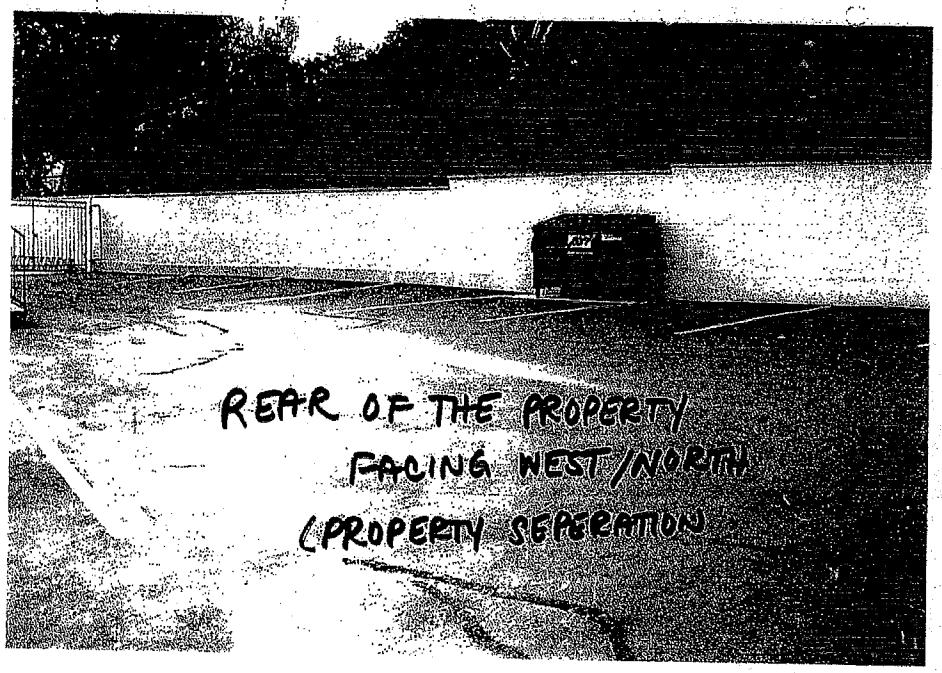
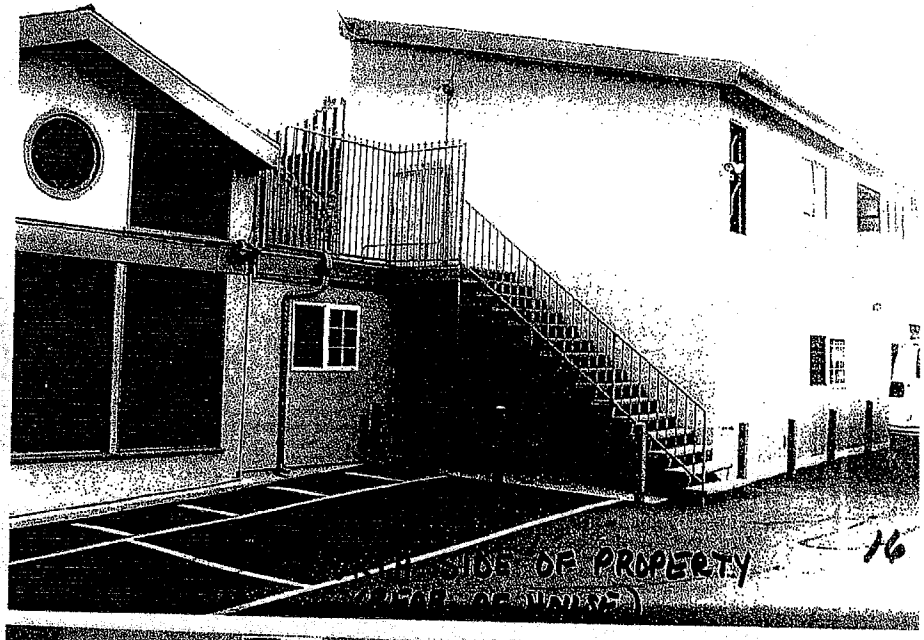


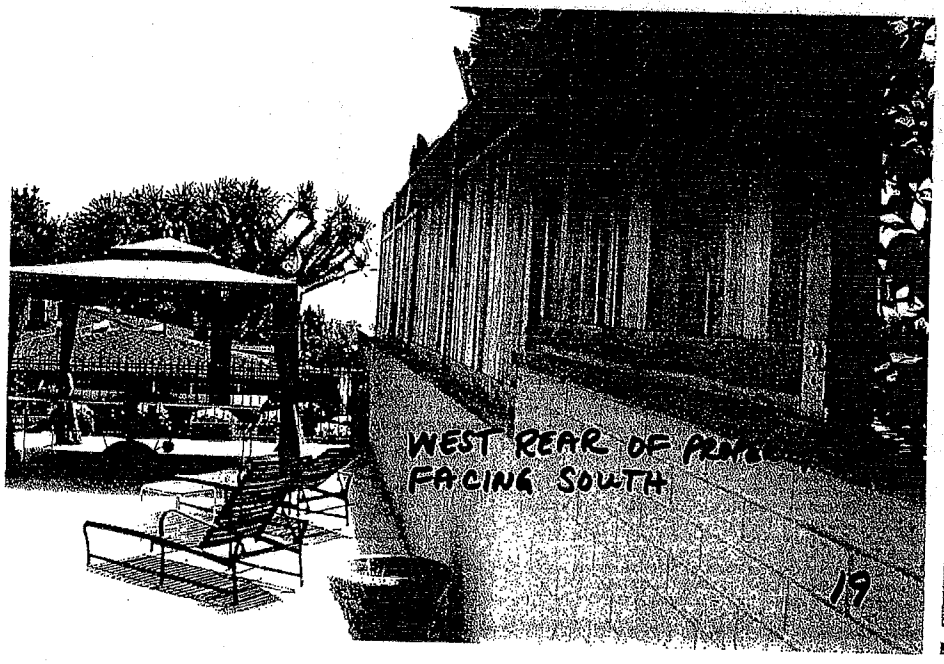
REAR OF THE PROPERTY SEPARATION FROM THE WEST

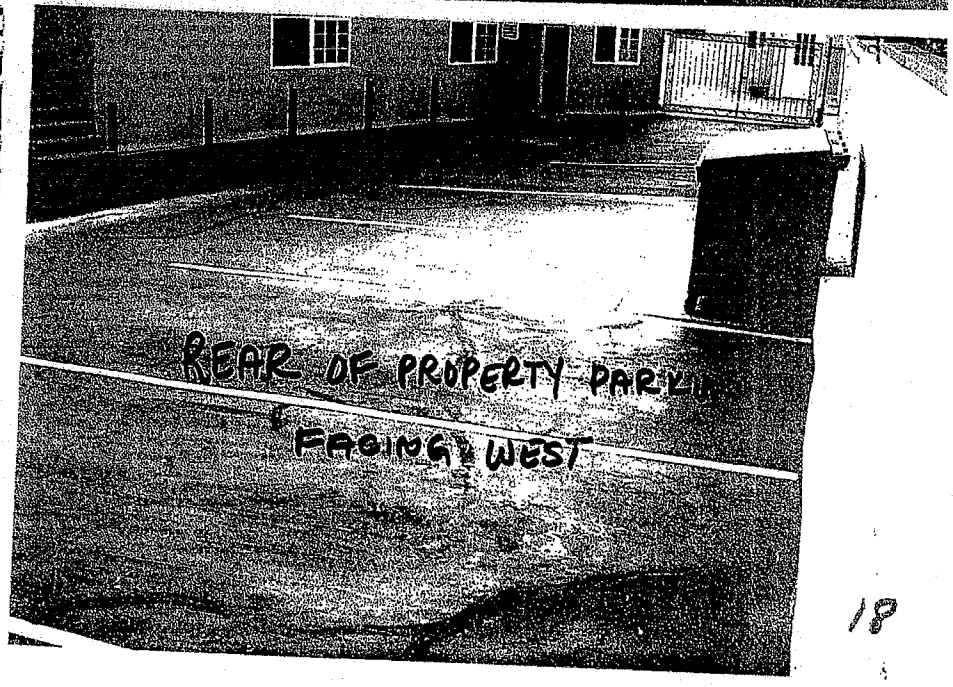
14

ATTACHMENT C









ATTACHMENT
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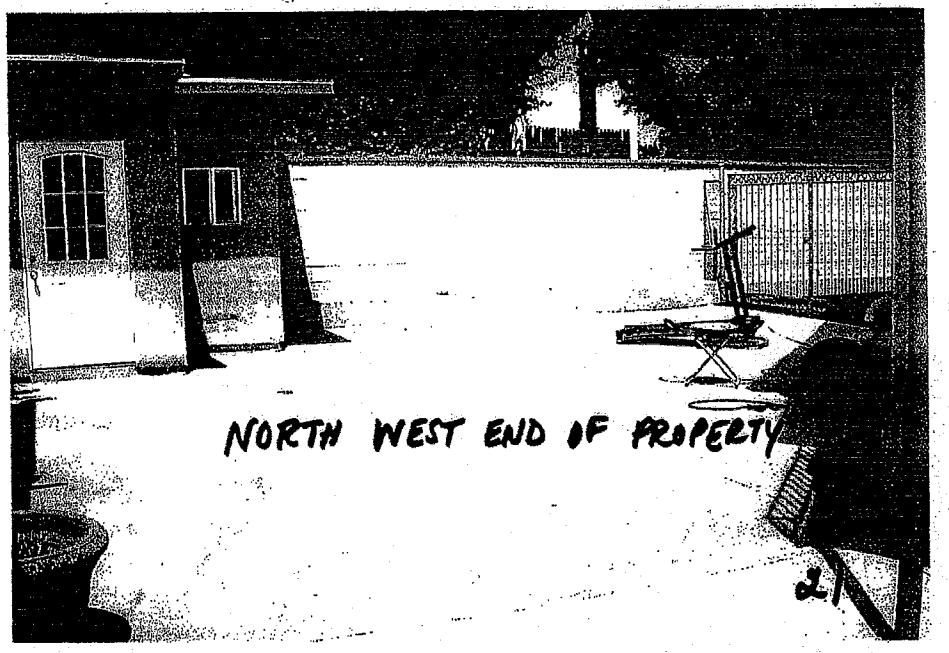

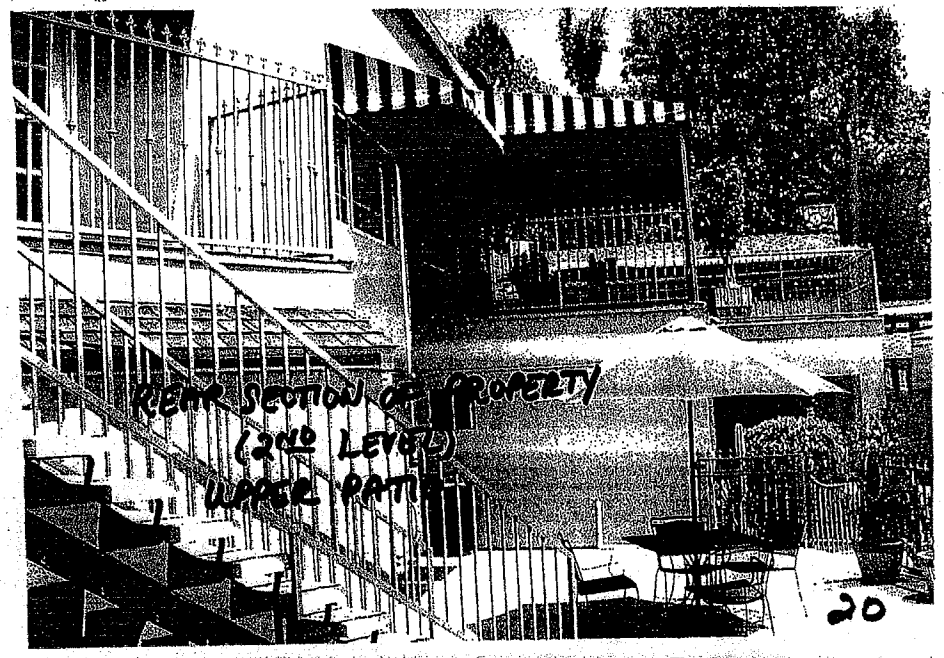

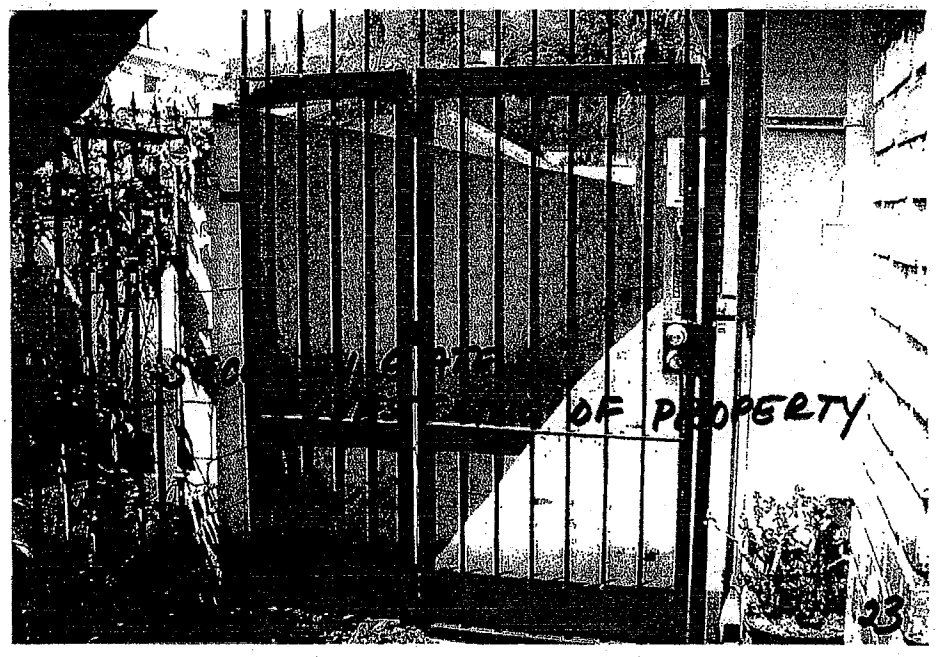

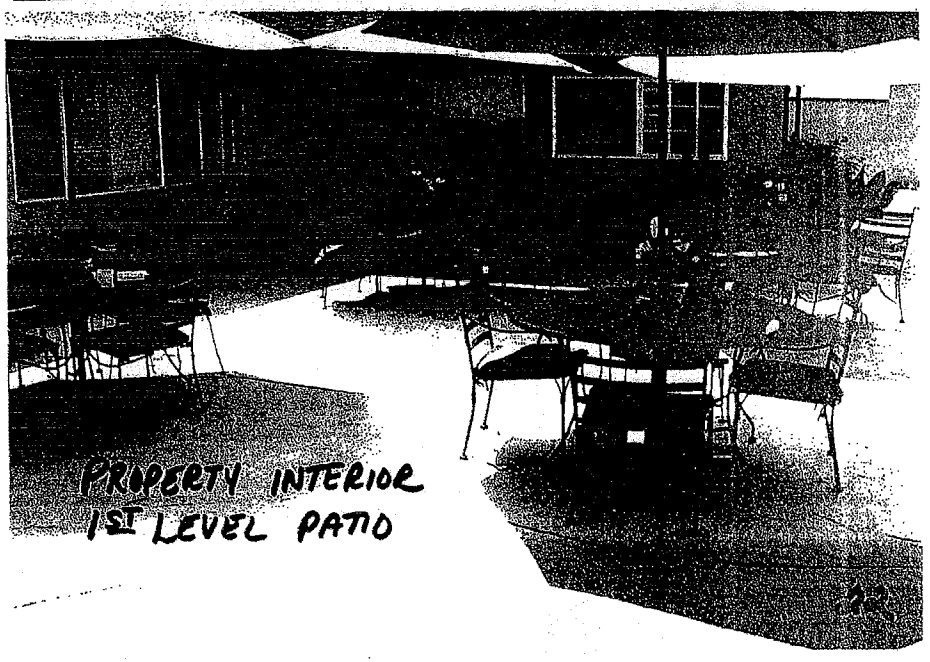

ATTACHMENT
C

Eaton Canyon Treatment Center
Client(s) Professional

Professions	2005	2006	2007	2008	2009	2010
Teachers	3	11	9	13	7	3
Lawyers	4	3	2	5	2	0
Doctors	2	0	1	3	0	0
Fireman/ Retired & Policeman	4	2	0	3	2	0
College Students	27	31	27	24	22	5
Housewives	43	41	36	36	37	8
Retired Professionals	36	45	38	44	42	9
Postal Employees	3	7	4	9	5	1
Railroad Emp. + Family	2	4	1	3	1	0
Contractors	18	18	19	16	18	3
Motion Picture/SAG	21	14	26	18	21	3
Realtors	4	2	3	5	2	0
City Employees	11	4	6	3	0	0
County Employees	8	5	3	8	4	3
Pharmacists	2	3	4	11	3	2
Other	27	25	27	15	24	6

ATTACHMENT
D

Eaton Canyon Treatment Center
Client Referral Sources

1.	Anthem Blue Cross	-	14%
2.	Blue Cross/Blue Shield	-	06%
3.	Aetna	-	08%
4.	Cigna	-	05%
5.	Value Options/Screen Actors Guild (SAG)	-	09%
6.	APS (Teamsters Union (Grocery & Pharmacy)	-	05%
7.	United Health Care	-	05%
7.	LAUSD	-	10%
8.	LAPD Memorial Fund	-	05%
9.	United States Postal Service	-	12%
10.	Direct Hospital Employee Referrals	-	07%
11.	Others	-	14%

** Please note, the above insurance plans are offered for the LA County worker, hospital workers, etc.

ATTACHMENT E

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

AUG 17 2009

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

August 13, 2009

Mr. Tyler Montgomery
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Montgomery:

NEGATIVE DECLARATION, SUBJECT: ENVIRONMENTAL REVIEW AND COMMENT, PROJECT: R2008-01555-(5), CASE: CONDITIONAL USE PERMIT CASE NO. 200800131, ENVIRONMENTAL REVIEW CASE NO. 200900053, NEGATIVE DECLARATION, ADDRESS: 3323 FAIRPOINT STREET, PASADENA (FFER #200900118)

The Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

1. We have no comments at this time.

LAND DEVELOPMENT UNIT:

1. We have no comments at this time.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance.

ATTACHMENT F1

2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. We have no comments at this time.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,

Frank Vidales

FRANK VIDALES, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

FV:lj

ATTACHMENT
F1

PLANNING & DEVELOPMENT DEPARTMENT

PLANNING DIVISION

July 22, 2009

Tyler Montgomery
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: Conditional Use Permit Case No. 200800131 and Environmental Review Case No. 200900053 for 3323 Fairpoint Street

Dear Mr. Montgomery:

The City of Pasadena Planning and Development Department has received the environmental assessment prepared in connection with the CUP for a drug and alcohol treatment facility in the unincorporated area of Los Angeles County at 3323 Fairpoint Street. A careful review by staff identified several topics in the Draft Initial Study which warrant more in-depth discussion of the mitigating measures to the potential impacts. This additional information should assist us in making a determination that there will be no potential detrimental impacts resulting from the proposed project. Please, refer to the attached marked-up copy of the Draft Initial Study. The Pasadena Fire Department has also reviewed the project and has incorporated their comments.

Thank you for the opportunity to comment on this case. If you have any questions, please contact me at (626) 744-6776.

Sincerely,

Lanny Woo
Associate Planner

JUL 28 2009

ATTACHMENT F2

175 North Garfield Avenue · Pasadena, CA 91101-1704
(626) 744-4009
www.cityofpasadena.net

COUNTY OF LOS ANGELES
Public Health

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

ALFONSO MEDINA, REHS
Director of Environmental Protection Bureau

Land Use Program
Patrick Nejadian, REHS
Chief Environmental Health Specialist
5050 Commerce Drive
Baldwin Park, California 91706
TEL (626) 430-5380 • FAX (626) 813-3016

BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

March 2, 2010

Mr. James Heard
3323 East Fairpoint Street
Pasadena, CA 91107

RE: Project No. R2008-01555-(5) / CUP 2008800131; 3323 East Fairpoint Street, Pasadena

Dear Mr. Heard:

This is in response to your request for an approval of the project identified above. Land Use Program has reviewed the information provided regarding the proposed new onsite wastewater treatment system prepared by A.V. Environmental Technologies and has no objection to the approval of this project. This conceptual approval is intended for the project review process only that encompasses the requirements applicable to an Onsite Wastewater Treatment System (OWTS), and does neither authorize any land development nor continued operation until the following conditions have been satisfactorily fulfilled:

1. Approval for the project shall be obtained from the Department of Regional Planning. The design and installation of OWTS shall be in conformance with the guidelines established by this Department and other applicable regulations. Obtain authorization from the Department of Public Works, Building and Safety Division to proceed with this project.

2. Your letter dated December 17, 2009 states that, "Additionally, we are actively exploring the possibility with other contractors of attaching to the sewer line operated by the City of Pasadena which is less than 100 feet from the subject property." If public sewer connection is available within 200 feet of the subject property, any part of the building sewer or building's exterior drainage and all future sewage drainage and piping shall be connected to such public sewer. If for any unforeseen reasons, the City of Pasadena refuses to extend the sewer lines to your property, provide an official written letter from the City Planning Department explaining the reasoning for their decision. Upon submittal of such letter, the Department will review the basis for the decision and may render a ruling that OWTS could be accepted as an alternative to public sewer.

ATTACHMENT
G

3. Prior to the installation of the proposed OWTS, a complete feasibility report shall be completed in accordance with the requirements outlined in the Department's guidelines: "Onsite Wastewater Treatment System (OWTS) Guidelines." The data submitted supports the feasibility for the installation of OWTS in conjunction with supplemental treatment.

4. If due to the proposed development, grading, geological limitations, required setbacks and flood or surface/ground water related concerns or for any other related reasons, conformance with all applicable requirements cannot be achieved, this conceptual approval shall be render void.

If there are any questions or further information is needed, please contact me at 626-430-5380.

Respectfully,

Patrick Nejadian, Chief REHS
Land Use Program

ATTACHMENT
G

STATE OF CALIFORNIA

OFFICE OF THE ATTORNEY GENERAL

BILL LOCKYER
ATTORNEY GENERAL

May 15, 2001

RE: Adoption of A Reasonable Accommodation Procedure

Dear

Both the federal Fair Housing Act ("FHA") and the California Fair Employment and Housing Act ("FEHA") impose an affirmative duty on local governments to make reasonable accommodations (*i.e.*, modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations "may be necessary to afford" disabled persons "an equal opportunity to use and enjoy a dwelling." (42 U.S.C. § 3604(f)(3)(B); see also Gov. Code, §§ 12927(c)(1), 12955(l).) [1] Although this mandate has been in existence for some years now, it is our understanding that only two or three local jurisdictions in California provide a process specifically designed for people with disabilities and other eligible persons to utilize in making such requests. In my capacity as Attorney General of the State of California, I share responsibility for the enforcement of the FEHA's reasonable accommodations requirement with the Department of Fair Employment and Housing. Accordingly, I am writing to encourage your jurisdiction to adopt a procedure for handling such requests and to make its availability known within your community. [2]

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[1] Title II of the Americans with Disabilities Act (42 U.S.C. §§ 12131-65) and section 504 of the Rehabilitation Act (29 U.S.C. § 794) have also been found to apply to zoning ordinances and to require local jurisdictions to make reasonable accommodations in their requirements in certain circumstances. (See *Bay Area Addiction Research v. City of Antioch* (9th Cir. 1999) 179 F.3d 725; see also 28 C.F.R. § 35.130(b)(7) (1997).)

[2] A similar appeal has been issued by the agencies responsible for enforcement of the FHA. (See Joint Statement of the Department of Justice and the Department of Housing and Urban Development, *Group Homes, Local Land Use and the Fair Housing Act* (Aug. 18, 1999), p. 4, at < http://www.bazelon.org/cpfha/cpfha.html> [as of February 27, 2001].)

1300 I STREET • SUITE 1740 • SACRAMENTO, CALIFORNIA • 95814 • 916-324-5437

ATTACHMENT H

It is becoming increasingly important that a process be made available for handling such requests that operates promptly and efficiently. A report issued in 1999 by the California Independent Living Council makes it abundantly clear that the need for accessible and affordable housing for Californians with disabilities will increase significantly over the course of the present decade.[3] The report's major findings include the following:

- Between 1999 and 2010, the number of Californians with some form of physical or psychological disability is expected to increase by at least 19 percent, from approximately 6.6 million to 7.8 million, and may rise as high as 11.2 million. The number with severe disabilities is expected to increase at approximately the same rate, from 3.1 million to 3.7 million, and may reach 6.3 million.[4] Further, most of this increase will likely be concentrated in California's nine largest counties.[5]

- If the percentages of this population who live in community settings—that is, in private homes or apartments (roughly 66.4 percent) and group homes (approximately 10.8 percent)—is to be maintained, there will have to be a substantial expansion in the stock of suitable housing in the next decade. The projected growth of this population translates into a need to accommodate an additional 800,000 to 3.1 million people with disabilities in affordable and accessible private residences or apartments and an additional 100,000 to 500,000 in group homes.

I recognize that many jurisdictions currently handle requests by people with disabilities for relief from the strict terms of their zoning ordinances pursuant to existing variance or conditional use permit procedures. I also recognize that several courts called upon to address the matter have concluded that requiring people with disabilities to utilize existing, non-

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[3]See Tootelian & Gaedeke, *The Impact of Housing Availability, Accessibility, and Affordability On People With Disabilities* (April 1999) at <http://www.calsilc.org/housing.html> [as of February 27, 2001].

[4]The lower projections are based on the assumption that the percentage of California residents with disabilities will remain constant over time, at approximately 19 percent (*i.e.*, one in every five) overall, with about 9.2 percent having severe disabilities. The higher figures, reflecting adjustments for the aging of the state's population and the higher proportion of the elderly who are disabled, assume that these percentages will increase to around 28 percent (*i.e.*, one in every four) overall, with 16 percent having severe disabilities. (*Ibid.*)

[5]These are: Alameda, Contra Costa, Los Angeles, Orange, Riverside, Sacramento, San Bernardino, San Diego, and Santa Clara. (*Ibid.*)

ATTACHMENT
H

discriminatory procedures such as these is not of itself a violation of the FHA.[6] Several considerations counsel against exclusive reliance on these alternative procedures, however.

Chief among these is the increased risk of wrongfully denying a disabled applicant's request for relief and incurring the consequent liability for monetary damages, penalties, attorneys' fees, and costs which violations of the state and federal fair housing laws often entail.[7] This risk exists because the criteria for determining whether to grant a variance or conditional use permit typically differ from those which govern the determination whether a requested accommodation is reasonable within the meaning of the fair housing laws.[8]

Thus, municipalities relying upon these alternative procedures have found themselves in the position of having refused to approve a project as a result of considerations which, while sufficient to justify the refusal under the criteria applicable to grant of a variance or conditional use permit, were insufficient to justify the denial when judged in light of the fair housing laws' reasonable accommodations mandate. (See, e.g., *Hovson's Inc. v. Township of Brick* (3rd Cir. 1996) 89 F.3d 1096 (township found to have violated the FHA's reasonable accommodation mandate in refusing to grant a conditional use permit to allow construction of a nursing home in a "Rural Residential—Adult Community Zone" despite the fact that the denial was sustained by the state courts under applicable zoning criteria); *Trovato v. City of Manchester, N.H.* (D.N.H. 1997) 992 F.Supp. 493 (city which denied disabled applicants permission to build a paved parking space in front of their home because of their failure to meet state law requirements for a variance found to have violated the FHA's reasonable accommodation mandate).

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[6] See, *U.S. v. Village of Palatine, Ill.* (7th Cir. 1994) 37 F.3d 1230, 1234; *Oxford House, Inc. v. City of Virginia Beach* (E.D.Va. 1993) 825 F.Supp. 1251, 1262; see generally Annot. (1998) 148 A.L.R. Fed. 1, 115-121, and later cases (2000 pocket supp.) p. 4.)

[7] See 42 U.S.C. § 3604(f)(3)(B); Gov. Code, §§ 12987(a), 12989.3(f).

[8] Under the FHA, an accommodation is deemed "reasonable" so long as it does not impose "undue financial and administrative burdens" on the municipality or require a "fundamental alteration in the nature" of its zoning scheme. (See, e.g., *City of Edmonds v. Washington State Bldg. Code Council* (9th Cir. 1994) 18 F.3d 802, 806; *Turning Point, Inc. v. City of Caldwell* (9th Cir. 1996) 74 F.3d 941; *Hovsons, Inc. v. Township of Brick* (3rd Cir. 1996) 89 F.3d 1096, 1104; *Smith & Lee Associates, Inc. v. City of Taylor, Michigan* (6th Cir. 1996) 102 F.3d 781, 795; *Erdman v. City of Fort Atkinson* (7th Cir. 1996) 84 F.3d 960; *Shapiro v. Cadman Towers, Inc.* (2d Cir. 1995) 51 F.3d 328, 334; see also Gov. Code, § 12955.6 [explicitly declaring that the FEHA's housing discrimination provisions shall be construed to afford people with disabilities, among others, no lesser rights or remedies than the FHA].)

ATTACHMENT
H

Further, and perhaps even more importantly, it may well be that reliance on these alternative procedures, with their different governing criteria, serves at least in some circumstances to encourage community opposition to projects involving desperately needed housing for the disabled. As you are well aware, opposition to such housing is often grounded on stereotypical assumptions about people with disabilities and apparently equally unfounded concerns about the impact of such homes on surrounding property values.[9] Moreover, once triggered, it is difficult to quell. Yet this is the very type of opposition that, for example, the typical conditional use permit procedure, with its general health, safety, and welfare standard, would seem rather predictably to invite, whereas a procedure conducted pursuant to the more focused criteria applicable to the reasonable accommodation determination would not.

For these reasons, I urge your jurisdiction to amend your zoning ordinances to include a procedure for handling requests for reasonable accommodation made pursuant to the fair housing laws. This task is not a burdensome one. Examples of reasonable accommodation ordinances are easily attainable from jurisdictions which have already taken this step[10] and from various nonprofit groups which provide services to people with disabilities, among others.[11] It is, however, an important one. By taking this one, relatively simple step, you can help to ensure the inclusion in our communities of those among us who are disabled.

Sincerely,

Bill Lockyer

BILL LOCKYER
Attorney General

---

[9]Numerous studies support the conclusion that such concerns about property values are misplaced. (See Lauber, *A Real LULU: Zoning for Group Homes and Halfway Houses Under The Fair Housing Amendments Act of 1988* (Winter 1996) 29 J. Marshall L. Rev. 369, 384-385 & fn. 50 (reporting that there are more than fifty such studies, all of which found no effect on property values, even for the homes immediately adjacent).) A compendium of these studies, many of which also document the lack of any foundation for other commonly expressed fears about housing for people with disabilities, is available. (See Council of Planning Librarians, *There Goes the Neighborhood . . . A Summary of Studies Addressing the Most Often Expressed Fears about the Effects Of Group Homes on Neighborhoods in which They Are Placed* (Bibliography No. 259) (Apr. 1990).)

[10] Within California, these include the cities of Long Beach and San Jose.

[11] Mental Health Advocacy Services, Inc., of Los Angeles for example, maintains a collection of reasonable accommodations ordinances, copies of which are available upon request.

ATTACHMENT
H

Reasonable Accommodations Ordinance

The Los Angeles County Department of Regional Planning is currently drafting an ordinance to implement State and Federal fair housing laws. While it is the policy of the County to provide individuals with disabilities reasonable accommodation to rules, policies, procedures and practices that may be necessary to ensure equal access to housing opportunities, this ordinance will establish a clear and streamlined procedure to request a reasonable accommodation in the application of zoning laws and other land use regulations, policies and procedures.

Who can request a Reasonable Accommodation?

A person with a disability, or someone acting on their behalf, such as an advocate or a developer of housing for persons with disabilities, may request a reasonable accommodation. According to the California Fair Employment and Housing Act, and the Government Code, a person with a disability is someone who has a physical or mental impairment that limits a major life activity; has a record of such impairment; or is regarded as having such impairment. The law is specific in its definition of disability:

- "Physical and mental impairment" includes medical conditions such as cancer, genetic characteristics, emotional or mental illness, learning disabilities, HIV or AIDS, among many other diseases and health impairments, regardless of whether they are chronic, recurring, asymptomatic or treatable. Also included in the definition are persons in recovery from substance abuse, but not persons currently engaging in the unlawful use of drugs.
- "A major life activity" broadly includes physical, mental and social activities, and working.
- "Limits" a major life activity means it make the achievement of the activity difficult. The limiting factor is determined without regard to mitigating measures such as medications, assistive devices, or previous reasonable accommodations.

Why adopt a Reasonable Accommodations Ordinance?

Numerous State and Federal laws prohibit discrimination against persons with disabilities, whether intentional or in effect. In 2001, the California attorney general issued a statement to notify all local jurisdictions of their obligation to make reasonable accommodations in planning and development. Also, the recently adopted 2008 Housing Element commits the County to developing a reasonable accommodations procedure. By adopting an ordinance to the zoning code, the County is taking an affirmative step to ensure persons with disabilities have fair and equal access to housing.

Reasonable Accommodations Ordinance Highlights

- This ordinance will not require any additional accessibility features. It will allow an exception to existing rules, policies, practices or procedures if they impede housing access.
- Each request for a reasonable accommodation will be reviewed on a case-by-case basis to ensure that the requested accommodation meets specified findings.

For more information, please contact the Housing Section at 213/974-6425 or housing@planning.lacounty.gov 10/16/08

ATTACHMENT T

City of Los Angeles
State of California

RESOLUTION

Eaton Canyon Treatment Center

WHEREAS, Eaton Canyon Treatment Center is an exemplary organization that has served the greater Los Angeles metropolitan community well with its invaluable programs and human services support in partnership with Eaton Canyon Foundation; and

WHEREAS, substance abuse is a serious problem that Eaton Canyon Treatment Center gives dedicated attention to through its chemical dependency program, community outreach and various human services efforts such as the Holiday Basket Program for those with less, and the Toy Drive for children without; and

WHEREAS, the quality of service provided for substance abuse treatment to our greater Los Angeles community by Eaton Canyon Treatment Center sets a standard for all to follow and appreciate; and

WHEREAS, Eaton Canyon Treatment Center is celebrating its Tenth Anniversary; and

WHEREAS, Eaton Canyon Treatment Center is to be congratulated on its Tenth Anniversary for its pace setting tenacity, drive, community service and quality of service; and

WHEREAS, their efforts in community service, in partnership with Eaton Canyon Foundation, are to be commended; and

WHEREAS, Eaton Canyon Treatment Center is to be commended for its continual growth, expansion and foresight in providing services which meet the needs of both individuals and their families dealing with substance abuse and other related issues; and

WHEREAS, Eaton Canyon Treatment Center's commitment to addressing these special issues is both recognized and appreciated:

NOW THEREFORE, BE IT RESOLVED, that by the adoption of this resolution, the Los Angeles City Council along with the Mayor, City Attorney, and City Controller do hereby recognize EATON CANYON TREATMENT CENTER for their outstanding contributions and community services that help enhance the quality of life of others and extend best wishes for much future success.

RESOLUTION BY

Councilmember 8th District

MAYOR

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Los Angeles at its meeting held September 2, 2008.

President of the Council

SECONDED BY ALL COUNCILMEMBERS:

Councilmember 1st District
Councilmember 5th District
Councilmember 11th District
Councilmember 2nd District
Councilmember 6th District
Councilmember 12th District
Councilmember 3rd District
Councilmember 7th District
Councilmember 13th District
Councilmember 4th District
Councilmember 9th District
Councilmember 14th District
Councilmember 10th District
Councilmember 15th District
City Attorney
City Controller

ANTONIO R. VILLARAIGOSA
MAYOR

July 15, 2008

Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear Friends,

On Behalf of the City of Los Angeles, it is my pleasure to congratulate you on the *Tenth Anniversary* of Eaton Canyon Treatment Center.

Eaton Canyon Treatment Center is an exemplary organization that has well served the greater Los Angeles metropolitan community. In partnership with Eaton Canyon Foundation, Eaton Canyon Treatment Center has provided invaluable programs and human services support for many individuals. I commend Eaton Canyon Treatment Center's dedicated staff for their efforts to improve the quality of life for so many individuals and families.

Substance abuse is a serious problem to which you give serious attention, through your chemical dependency program, community outreach and various human services efforts. I have also been told of your Holiday Basket program for those with less, your Toy Drive for children without, and the various other programs you initiate to address the needs of the broader community. I look forward to your continuation and participation in the growth of positive life styles in our community.

I extend my best wishes for continued success.

Very truly yours,

ANTONIO R. VILLARAIGOSA
Mayor

ARV:as

200 NORTH SPRING STREET • LOS ANGELES, CALIFORNIA 90012
PHONE: (213) 978-0600 • FAX: (213) 978-0750

California State Assembly

Certificate Of Appreciation

PRESENTED TO:

Eaton Canyon Treatment Center

IN HONOR OF:

More than 10 years of providing recovery services to overcome chemical dependencies.

Anthony J Portantino

MEMBER OF THE ASSEMBLY

44th ASSEMBLY DISTRICT

CALIFORNIA STATE LEGISLATURE

Certificate of Special Congressional Recognition

Presented to

Eaton Canyon Treatment Center

in recognition of outstanding and invaluable service to the community.

September 27, 2008

DATE

MEMBER OF CONGRESS
ADAM B. SCHIFF

CITY COUNCIL
CHRIS HOLDEN
COUNCILMEMBER
DISTRICT 3

July 24, 2008

Mr. James Heard, CEO
Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear Mr. Heard,

I am especially pleased to write this letter of congratulations on the Tenth Anniversary of Eaton Canyon Treatment Center because I can recall my first visit to the Center and my positive impression at that time. I have watched as the organization has grown and reached out to the greater community over the years. I know how hard you and your staff work to address the serious issue of chemical dependency and how dedicated you are. I also know that Eaton Canyon Treatment Center reaches out to the rest of the community in partnership with Eaton Canyon Foundation, with its human services programs like the Holiday Basket and Toy Drives and the many other efforts you make.

I am proud to be able to write this letter of congratulations on the Tenth Anniversary of Eaton Canyon Treatment Center because you have accomplished so much in so little time, and you have done it by providing quality services to those in need.

On behalf of my constituents, I want to thank you for your ten years of service to our community and say let this be the beginning of continued success and longevity here in our City.

Best wishes for continued success.

Sincerely,

CHRIS HOLDEN
Councilmember

100 North Garfield Avenue - Pasadena, CA 91109

JAN PERRY
COUNCILWOMAN
NINTH DISTRICT
ASSISTANT PRESIDENT PRO TEMPORE

City Council
of the
City of Los Angeles
City Hall

ENERGY AND THE ENVIRONMENT
CHAIR

ARTS, PARKS, HEALTH & AGING
VICE-CHAIR

HOUSING, COMMUNITY &
ECONOMIC DEVELOPMENT
MEMBER

July 14, 2008

Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear Friends,

Congratulations on the occasion of your Tenth Anniversary. It is with great pleasure that I recognize Eaton Canton Treatment Center for your outstanding efforts on behalf of the successful treatment of individuals seeking help for their problems with substance abuse.

Eaton Canyon Treatment Center has long been recognized as an organization that understands the profound impact of substance abuse on families and communities. Your integrated program approach brings comprehensive treatment that includes human services. It is this approach that improves treatment outcomes and long term benefits for those that seek treatment.

Thank you for your service to the community.

Sincerely,

Jan Perry
Councilwoman CD 9

CITY HALL • 200 NORTH SPRING STREET • SUITE 420 • LOS ANGELES, CA 90012 • (213) 473-7009
DISTRICT OFFICE • 4703 S. BROADWAY AVE. • LOS ANGELES, CA 90037 • (323) 846-2651

COMMITTEES:

Chair
Budget & Finance
Ad Hoc Stadium

Vice Chair
Transportation Committee

Member
Coliseum Commission
Public Safety
Board of Referred Powers
Los Angeles County Metropolitan Transportation Authority (MTA)
Exposition Metro Line Construction Authority

Los Angeles City Council

BERNARD C. PARKS
Councilmember, Eighth District

CONTACT INFORMATION:

City Hall Office
200 North Spring Street
Room 460
Los Angeles, CA 90012-4873
(213) 473-7008
(213) 485-7683 fax
TDD: (213) 473-6991

Constituent Service Center
8475 S. Vermont Ave.
Los Angeles, CA 90044-3424
(213) 485-7616
(213) 485-8156 fax
TDD: (323) 789-2758

Crenshaw Office
3847 S. Crenshaw Blvd.
Los Angeles, CA 90008
(323) 293-9467
(323) 293-3696 fax

July 14, 2008

James Heard
Eaton Canyon Treatment Center
3323 E. Fairpoint Street
Pasadena, California 91107

Re: Eaton Canyon Treatment Center's Tenth Anniversary

Dear Mr. Heard,

Eaton Canyon Treatment Center is to be congratulated on its Tenth Anniversary for its pace setting tenacity, drive, community service and quality of service. It is with pleasure that I write this congratulations because of the quality of service you have provided for substance abuse to our greater Los Angeles community. Your efforts in community service, in partnership with Eaton Canyon Foundation are to be commended as well. We are thankful for organizations like yours.

Eaton Canyon Treatment Center is to be commended for its continual growth, expansion and foresight in providing services which meet the needs of both individuals and their families dealing with substance abuse and other related issues. Your commitment to addressing these special issues is both recognized and appreciated.

On behalf of the residents of the 8th Council District of the City of Los Angeles, I extend best wishes for the continued success of a special program.

Respectfully,

Bernard C. Parks
Councilmember, 8th District

e-mail: councilmember.parks@lacity.org
website: www.lacity.org/council/cd8

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
500 WEST TEMPLE STREET, 866 KENNETH HAHN HALL OF ADMINISTRATION
LOS ANGELES, CALIFORNIA 90012
(213) 974-2222 / FAX (213) 680-3283

YVONNE B. BURKE
CHAIR OF THE BOARD
SUPERVISOR, SECOND DISTRICT

MEMBERS OF THE BOARD

GLORIA MOLINA
YVONNE B. BURKE
ZEV YAROSLAVSKY
DON KNABE
MICHAEL D. ANTONOVICH

August 11, 2008

Mr. James Heard
Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear Mr. Heard:

I am pleased to extend sincere congratulations to Eaton Canyon Treatment Center, a division of Eaton Canyon Foundation, for ten successful years of operation in our county.

Since 1998, Eaton Canyon Foundation has maintained a strong record of outstanding service to the people of this County. I commend its many accomplishments and outstanding community involvement. The program provides a variety of services, resources and hope in a positive environment to help individuals and families understand their recovery process. My highest praise to the staff and volunteers for their tireless efforts and outstanding community service.

On behalf of the more than 10 million people who live in the 88 cities and 138 unincorporated communities of the County of Los Angeles, I extend sincere best wishes for a very successful future.

Sincerely,

Yvonne B. Burke

YVONNE B. BURKE
Chair of the Board
Supervisor, Second District

JOHN CHIANG
California State Controller

June, 2008

Mr. James Heard
Executive Director
Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, CA 91107

Dear Friends:

It is my great pleasure to extend my warmest congratulations on the celebration of the 10th anniversary of Eaton Canyon Treatment Center.

Since 1998, Eaton Canyon Treatment Center has dedicated itself to helping individuals and families prevail over substance abuse and related issues. The Center offers critical support to individuals in need. Through services that include shelter, food, clothing and education, clients have been able to overcome difficult challenges. Thanks to your work, individuals and families now have a new beginning in life.

Again, congratulations on your success, and I know Eaton Canyon Treatment Center will continue to open new doors and avenues of hope for the people you serve. I wish the Center continued success on its future endeavors.

Very truly yours,

JOHN CHIANG
California State Controller

300 Capitol Mall, Suite 1850, Sacramento, CA 95814 • P.O. Box 942850, Sacramento, CA 94250 • (916) 445-2636 • Fax: (916) 322-4404
777 S. Figueroa Street, Suite 4800, Los Angeles, CA 90017 • (213) 833-6010 • Fax: (213) 833-6011
www.sco.ca.gov

JAN PERRY
COUNCILWOMAN
NINTH DISTRICT
ASSISTANT PRESIDENT PRO TEMPORE

City Council
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ENERGY AND THE ENVIRONMENT
CHAIR

ARTS, PARKS, HEALTH & AGING
VICE-CHAIR

HOUSING, COMMUNITY &
ECONOMIC DEVELOPMENT
MEMBER

July 14, 2008

Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear Friends,

Congratulations on the occasion of your Tenth Anniversary. It is with great pleasure that I recognize Eaton Canton Treatment Center for your outstanding efforts on behalf of the successful treatment of individuals seeking help for their problems with substance abuse.

Eaton Canyon Treatment Center has long been recognized as an organization that understands the profound impact of substance abuse on families and communities. Your integrated program approach brings comprehensive treatment that includes human services. It is this approach that improves treatment outcomes and long term benefits for those that seek treatment.

Thank you for your service to the community.

Sincerely,

Jan Perry
Councilwoman CD 9

CITY HALL • 200 NORTH SPRING STREET • SUITE 420 • LOS ANGELES, CA 90012 • (213) 473-7009
DISTRICT OFFICE • 4703 S. BROADWAY AVE. • LOS ANGELES, CA 90037 • (323) 846-2651

HERB J. WESSON, JR.
COUNCILMEMBER, 10TH DISTRICT

July 24, 2008

Mr. James Heard
Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, CA 91107

Dear Mr. Heard:

On behalf of the residents of the 10th Council District in the City of Los Angeles, I am pleased to extend my congratulations to the Eaton Canyon Treatment Center (Eaton Canyon) on the auspicious occasion of its tenth anniversary. I commend Eaton Canyon and the Eaton Canyon Foundation for continuing to provide high quality services to those in need.

Eaton Canyon continues to recognize and address the changing needs of our community by providing programs and services which meet the diverse needs of both individuals and their families dealing with substance abuse and other related issues. Eaton Canyon offers those at-risk with a secure, positive and educationally enriched environment where they develop life skills which empower them to direct their lives in a positive and rewarding direction.

Best wishes and continued success.

Sincerely,

Herb J Wesson Jr

HERB J. WESSON, JR.
Councilmember, Tenth District

HJW:JT3:slw

CITY HALL OFFICE: 200 NORTH SPRING STREET, ROOM 430 • LOS ANGELES, CALIFORNIA 90012 • PHONE: (213) 473-7010 • FAX: (213) 485-9829
DISTRICT OFFICE: 1819 SOUTH WESTERN AVENUE • LOS ANGELES, CALIFORNIA 90006 • PHONE: (323) 733-8233 • FAX: (323) 733-5833
E-MAIL: COUNCILMEMBER.WESSON@LACITY.ORG

JAN PERRY
COUNCILWOMAN
NINTH DISTRICT
ASSISTANT PRESIDENT PRO TEMPORE

City Council
of the
City of Los Angeles
City Hall

ENERGY AND THE ENVIRONMENT
CHAIR

ARTS, PARKS, HEALTH & AGING
VICE-CHAIR

HOUSING, COMMUNITY &
ECONOMIC DEVELOPMENT
MEMBER

July 14, 2008

Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear Friends,

Congratulations on the occasion of your Tenth Anniversary. It is with great pleasure that I recognize Eaton Canton Treatment Center for your outstanding efforts on behalf of the successful treatment of individuals seeking help for their problems with substance abuse.

Eaton Canyon Treatment Center has long been recognized as an organization that understands the profound impact of substance abuse on families and communities. Your integrated program approach brings comprehensive treatment that includes human services. It is this approach that improves treatment outcomes and long term benefits for those that seek treatment.

Thank you for your service to the community.

Sincerely,

Jan Perry
Councilwoman CD 9

CITY HALL • 200 NORTH SPRING STREET • SUITE 420 • LOS ANGELES, CA 90012 • (213) 473-7009
DISTRICT OFFICE • 4703 S. BROADWAY AVE. • LOS ANGELES, CA 90037 • (323) 846-2651

PASADENA NAACP

595 Lincoln Avenue, Suite 103 • Pasadena, California 91103 • (626) 793-1293 • Fax (626) 793-1555

May 15, 2008

Mr. James Heard, CEO
Eaton Canyon Treatment Center
3323 East Fairpoint Street
Pasadena, California 91107

Dear James,

Congratulations on the **Tenth Anniversary** of Eaton Canyon Treatment Center, a division of Eaton Canyon Foundation. I am so pleased that Eaton Canyon Treatment Center has been available to serve our community for the last ten years, particularly with the high quality service you provide.

We strongly support your efforts in obtaining a **Conditional Use Permit for the continuation of your twenty bed facility** that is well needed in our Pasadena/Altadena community.

The Eaton Canyon Treatment Center is a strong leader in the community providing chemical dependency treatment services, outreach and other community building services to individuals and their families. Your leadership has touched an important component of our community and given hope where none existed. Through its various programs and outreach efforts, families have a secure and positive environment where they can regain health, hope, belief, earn self respect and learn skills to lead a productive lifestyle.

Your approach to providing human services to the community has always been open and far reaching. You have given so much to the community through your outreach programs, holiday baskets and toy drives. Many who are not chemically dependent have benefited from your kindness and generosity. Eaton Canyon Treatment Center is a model community program and sets a standard for others to follow.

As stated above, we fully support your request for a Conditional Use Permit for the continuation of a twenty bed facility which is sorely needed in our community and the loss of which would be devastating.

Sincerely,

Joe Brown

Joe Brown
President

Metropolitan Baptist Church

2283 North Fair Oaks Avenue
Altadena, CA 91001
Rev. Tyrone Skinner, Pastor
Church Office (626) 798-8611 E-Mail: MBCALTA@sbcglobal.net

Prayer Line (626) 798-8630 *Fax (626) 798-6245*

To: L.A. County Regional Planning Commission

From: The Metropolitan Baptist Church

Date: August 10, 2008

In re: Letter of support for conditional users permit

To Whom It May Concern:

The Metropolitan Baptist Church would like to first congratulate the Eaton Canyon Treatment Center on their (10th) year of outstanding services throughout the Pasadena, San Gabriel Valley and surrounding areas of the Los Angeles County.

The Eaton Canyon Treatment Center has provided our church and community with overwhelming social services, toy giveaways for the less fortunate with their outreach programs without hesitation here at Metropolitan. In addition, their commitment in providing human services has touched the hearts of many as well as given individuals and families a new beginning.

In essence, the Metropolitan Baptist Church strongly supports the efforts of the Eaton Canyon Treatment Center in obtaining a Conditional Users Permit for their current existing (20) bed facility which is in dire need throughout the Pasadena, Altadena, San Gabriel Valley and surrounding areas.

Yours truly,

Pastor Tyrone Skinner

Pastor Tyrone Skinner

KATRINA M. CAMPBELL, ESQ.
1646 SIERRA MADRE VILLA AVENUE
PASADENA, CA 91107

April 30, 2010

Mr. Tyler Montgomery, Hearing Officer
Commission on Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

COPY

Re: Eaton Canyon Treatment Center
Application for Conditional Use Permit
Project #R2008-01555-(5)

Dear Mr. Montgomery:

The purpose of this correspondence is to provide input for the public hearing concerning the land use proposal for the above-referenced facility. The property is located at 3323 E. Fairpoint Street, Pasadena, CA 91107. I am a homeowner who lives approximately 100 yards from the facility. I have lived in my home for five years.

When I first learned about the Treatment Center approximately two years ago, I was outraged to learn that such a facility existed in my neighborhood. Since then, I have taken the time to learn about the facility, its services, and its residents. I met the owners of the facility, Mr. and Mrs. Heard, and had conversations with two of the facility residents. I can now say that my initial concerns appear to have been unfounded. I routinely jog and walk my dogs in the neighborhood, and have not been negatively impacted by the presence of the Treatment Center or its residents.

I have no objection to the continued operation of the Treatment Center at its current residential capacity. I make no attempt to vouch for the continued public health, safety or general welfare of the community. However, I can say that based on the past practices of the facility and its resident selection process, I have not experienced personally any negative impact on the community.

Very truly yours,

KATRINA M. CAMPBELL, ESQ.

IVIE, McNEILL & WYATT
A PROFESSIONAL LAW CORPORATION

RICKEY IVIE †
ROBERT H. McNEILL, JR.
W. KEITH WYATT
EULANDA L. MATTHEWS*†
BYRON M. PURCELL
RUPERT A. BYRDSONG
LILIA E. DUCHROW
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444 S. FLOWER STREET, 18th FLOOR
LOS ANGELES, CALIFORNIA 90071
TELEPHONE (213) 489-0028
FACSIMILE (213) 489-0552
www.imwlaw.com

*Also Member of Illinois Bar
**Also Member of Georgia State Bar
†Also Member of U.S. Supreme Court Bar

JENNIFER R. JACOBS
Special Counsel

RANDALL H. KENNON
Special Counsel

April 30, 2010

Tyler Montgomery, Hearing Officer
Los Angeles County
Commission on Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Re: Letter of Support for Conditional Use Permit – Eaton Canyon Treatment Center

Dear Mr. Montgomery:

I am writing this letter to voice my support for the continued operation of Eaton Canyon Treatment Center. **I fully support the request for the Conditional Use Permit.** As a local resident, attorney and former Commissioner with the Los Angeles County Narcotics and Dangerous Drugs Commission, I can personally attest to the value of substance abuse treatment. The Treatment Center uses established techniques which are geared toward achieving positive outcomes.

I live within 1/2 mile or less from the facility on Villa Mesa Road, and I drive by the facility on a daily basis and have never observed any inappropriate activities such as loitering, graffiti, or excess noise from the residents.

Should you have any questions, feel free to contact me at (626) 797-4673 (home) or (213) 489-0028 (office.)

Sincerely,

IVIE, McNEILL & WYATT

Robert H. McNeill Jr.

ROBERT H. McNEILL, JR.

Dr. and Mrs. Raphael Johnson
1753 N. Country Ln.
Pasadena, Ca. 91107

Tyler Montgomery, Hearing Officer
Los Angeles County
Commission on Regional Planning
320 Temple St.
Los Angeles, Ca. 90012

Ref: Letter of Support for Eaton Canyon Treatment Center's CUP

Dear Mr. Montgomery,

I am a homeowner in the Eaton Canyon community and have had the pleasure of visiting the Eaton Canyon Treatment Center on several different occasions. The Eaton Canyon Treatment Center's request for continued operation at their current twenty bed capacity has my utmost support.

During each of my visits to the Eaton Canyon Treatment Center I found the facility to be a very safe and serene environment. I was able to witness the ways in which the owner, Mr. James Heard and his board certified staff provided services to all clients with great passion and professionalism. Mr. Heard was very open to answering any of my questions. Based on what I have seen it is evident that the Eaton Canyon Treatment Center has a commitment to excellence and strives to provide a positive and safe environment for the clients it services as well as the surrounding community.

The Eaton Canyon Treatment Center has my full support for continued operation of their residential treatment center at their current location.

Thank you.

Raphael

Dr. Raphael Johnson

DANNY BAKEWELL
3488 BARHITE
PASADENA, CA 91107

April 24, 2010

Tyler Montgomery, Hearing Officer
Los Angeles County
Commission on Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

RE: Letter of Support

Dear Mr. Montgomery:

I am a home owner on the abutting street, and property owner near the Eaton Canyon Treatment Center referenced above. In addition, I have known the existence of the Treatment Center and had conversations with the owner, James Heard, over the years.

It is my understanding that the Treatment Center services many individuals that are in need of their services without placing any burden on our community. The building and grounds are always meticulously kept which allows the facility to blend in, unassumingly, with the rest of the beautiful homes in the community. I have not known of any disturbances or inconveniences related to this location.

Therefore, I support its continued operation and I wish them well.

Sincerely,

Danny Bakewell
APN # 5860-021-011
APN # 5760-010-001

28 April 2010

Mr. Tyler Montgomery

C.U.P. Hearing Officer
Eaton Cayon Treatment Center

Ref: Letter of Support

Dear Mr. Montgomery,

I live at 1340 Sierra Madre Villa Ave, in close proximity to the Eaton Canyon treatment Center.

I live on the main street, 1340 Sierra Madre Villa, this is the man street that leads into our nice neighborhood, so, any cars that visit the Center must past by my house.

I have not notice any additional traffic because the center is in our neighborhood. Nor I have noticed any additional people walking up and down the street or loitering about the neighborhood. The center does not have a lot of deliveries, or other vistors that have cuased additipnal unwarranted traffic.

The cenetr is in a nice home, that is on par with all the other homes in the neighborhood. You would not know it was a cenetr just by driving or wlaking by it. The center is well maintained, the yard, landscaping and outer apperance is of exceelent quality, and above par for our neighborhood. The center does not have a negative effect on our property values, because of its great condition; it helps maintain our property values when realtors do appraisals and comps.

I would like to add, that this type of center is needed in our area and neighborhood. A lot of people want to stereo type people that have addiction problems, and think they our people for low income families, but the truth is that people of all income levels have addition problems and need centers such as Eaton Canyon to help them. Ocenetrs are need

Our neighborhood is considered an upscale neighborhhod and having a center were people can come and get the conseling they need, in this relaxed setting, may even help them overcome there addictions. We should not have the attitude, "not in our neighborhood". So I am gald to give my 100% support to Eaton Cayon Tretament Center in the zoning/hearing matter before you,

If you have any questions, please call me, 626-379-2282

Dexter E. Myers

Dexter E. Myers
Senior Vice President Pacific Engineering

PASADENA TABERNACLE
The Salvation Army
a church that cares

Majors Ronald & Keilah Toy
Corps Officers/Pastors

April 26, 2010

Attn: Mr. Tyler Montgomery
C.U.P. Hearing Officer

I am writing this letter in support of Eaton Canyon Recovery Systems. The Salvation Army in Pasadena has been working with this agency since 2004. In that time Eaton Canyon has helped us with obtaining funds for our annual, "Back-to-School" events as well as helping us with our Saturday Morning Feeding Program where we feed both seniors on fixed incomes, as well as low and no income individuals. Eaton Canyon has been an asset to the Pasadena community as well as a positive partner with The Salvation Army.

If you have any questions, or if I can clarify anything, please do not hesitate to contact me at 626-773-4400.

Respectfully Submitted,

Patrick O. Riley MS, CATC
Director of Social Services

960 East Walnut Street • Pasadena, California 91106
Office: (626) 773-4400 • Fax: (626) 773-4459 • Internet: www.pasadenatab.org
"We are a church family proclaiming the good news of Jesus Christ through faith, word, and deed"

UNION STATION
HOUSING + EMPLOYMENT + LIFE SKILLS

825 E. Orange Grove Blvd.
Pasadena, CA 91104
P 626. 240. 4550
F 626. 798. 1640
www.unionstationhs.org

April 26, 2010

Tyler Montgomery, Hearing Officer
Los Angeles County
Commission on Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

In Re: Eaton Canyon Treatment Center CUP Request

Dear Mr. Montgomery:

Union Station Foundation is very pleased to express our support for the continued operation of Eaton Canyon Treatment Center, partnering with the Eaton Canyon Foundation, which has provided over a decade of Chemical Dependency services to the Altadena/Pasadena area.

There is an increasing need for substance abuse treatment in the city of Pasadena and throughout Los Angeles county. Eaton Canyon's request to continue operating its twenty bed residential facility is will help meet the need for these services. Eaton Canyon Treatment Center provides services by professional licensed and board certified staff to ensure quality of care.

Please feel free to contact my office between 9am and 5pm if you have any additional questions or concerns.

Larry Johnson, LCSW
Director of Program Services

Programs
Passageways
Adult Center
Family Center
Euclid Villa
Sources
Centennial Place

Chief Executive Officer
Marvin M. Gross

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Gregory R. Vanni
Lyla L. White

Just Rite Community Programs, Inc. *"Because We Care..."*
17050 Chatsworth St., Suite 234, Granada Hills, CA 91344 (818) 366-9753 Toll Free (877) 366-9753 Fax (818) 366-1520

April 28, 2010

Tyler Montgomery, Hearing Officer
Los Angeles County
Commission on Regional Planning
320 W. Temple Street
Los Angeles, California 900012

Ref: Letter of Support for Eaton Canyon's CUP Request

Dear Mr. Montgomery:

Just Rite Community Programs, Inc. is a non-profit agency which provides in-home care, personal care, day care and support services for the elderly.

It is a pleasure to extend our support to Eaton Canyon Foundation partnering with Eaton Canyon Treatment Center's request for a CUP to continue the operation of their twenty-bed residential treatment program. All ages of individuals are affected with addiction throughout Los Angeles County, and there certainly is a shortage of residential treatment beds. Therefore, we certainly support Eaton Canyon's CUP request, as there exists an absolute need for such services.

Thank you in advance for your favorable consideration regarding Eaton Canyon's CUP request. For any further information, please contact my office.

Sincerely,

I. K. Weaver

Irene K. Weaver
Executive Director

BILL MOORE COMMUNITY HEALTH CLINIC
URDC Human Services Corporation

April 22, 2010

Tyler Montgomery
L. A. County C.U.P. Officer
320 W. Temple Street
Los Angeles, CA 90012

Re: Eaton Canyon Treatment Center C.U.P.

Dear Mr. Montgomery:

The Bill Moore Community Health Clinic is very pleased to express our support for the continued operation of Eaton Canyon Treatment Center and Eaton Canyon Foundation, which has provided many years of community health services to the Altadena/Pasadena area.

We have worked closely with Eaton Canyon for the past ten years. Our ongoing relationship with this agency has been instrumental in facilitating substance abuse needs for our clients and for the community. For their services not to continue would be very detrimental and would leave a significant vacuum for these services in the community.

We strongly support Eaton Canyon's request to continue their operation of a (20) twenty-bed facility, and to continue to meet the social service and substance abuse needs in the Altadena/Pasadena area.

We thank you in advance for your favorable consideration in this matter. If you have any questions, please feel free to call me at 626-398-3796, ext. 301.

Sincerely,

Al Sorkin, Ph.D.
Executive Director

1460 N. Lake Ave., Suite 107 • P.O. Box 41274 • Pasadena, CA 91114-8274 Tel: (626) 398-3796 • FAX: (626) 398-3895

CHOICES
URDC Human Services Corporation

April 22, 2010

Tyler Montgomery
L. A. County C.U.P. Officer
320 W. Temple Street
Los Angeles, CA 90012

Re: **Eaton Canyon Treatment Center C.U.P.**

Dear Mr. Montgomery:

URDC Human Services Corporation, and its CHOICES program, an approved program of the Los Angeles County Department of Public Health Substance Abuse Control and Prevention office, is pleased to support the continued operation of Eaton Canyon Treatment Center and Eaton Canyon Foundation. Eaton Canyon Foundation has provided high quality and very important and needed services in their many years of community health services to the Altadena/Pasadena area.

We have networked with Eaton Canyon Treatment Center and Eaton Canyon Foundation for over a decade. Eaton Canyon Treatment Center provides the community with primary care and CHOICES provides secondary care for substance abusers. CHOICES fully supports the need for services and has had a very positive experience working with Eaton Canyon Treatment Center.

We fully support the continuation of Eaton Canyon Treatment Center's program at the capacity in which they are currently operating, and we look forward to their ongoing work and maintaining this very positive relationship with them.

Thank you in advance for your favorable consideration in this matter. If you have any questions, please feel free to call me 626-398-3796, ext. 301.

Sincerely,

Al Sorkin, Ph.D.
Executive Director

1460 N. Lake Ave., Suite 107 • P.O. Box 41274 • Pasadena, CA 91114-8274 Tel: (626) 398-3796 • FAX: (626) 398-3895

April 28, 2010

Tyler Montgomery, Hearing Office

Los Angeles County

Commission on Regional Planning

320 W. Temple Street

Los Angeles, California 90012

REF: Letter of Support for Eaton Canyon's CUP Request

Dear Mr. Montgomery:

Southland Christian Church supports Eaton Canyon Foundation and Eaton Canyon Treatment Center's request for CUP to continue the operation of their twenty-bed residential treatment facility. There is an obvious need for substance abuse treatment throughout the community affecting all demographics of Los Angeles County.

Proceeds from Eaton Canyon Treatment Center have financially supported outreach efforts through Eaton Canyon Foundation, outlining their compassion for human services and the well-being of the greater community.

Thanking you in advance for favorable consideration regarding Eaton Canyon's CUP request. For any further information, please contact my office.

Sincerely,

Jeffrey a. Cox

Pastor Jeff Cox

Phone: 323.326.1566 • Fax: 323.326.1565
6200 King Avenue • Bell, California 90201

CLINICAL SUPERVISOR, LAEAP
LOS ANGELES EMPLOYEE ASSISTANCE PROGRAM

April 23, 2010

To: L.A. County C.U.P Officer

From: Los Angeles Employee Assistance Program

RE: Long-term contracting/relationship with the Eaton Canyon Treatment Center

Dear L.A. County C.U.P. Hearing Officer,

Please be informed that the Los Angeles Employee Assistance Program and the Eaton Canyon Treatment Center have worked together consistently for over 10 years to this date successfully.

During this working relationship, the Eaton Canyon Treatment Center has continued to be instrumental in facilitating Substance Abuse Treatment to numerous employees and family members of the Los Angeles District Postal Service. In addition, the Eaton Canyon Treatment Center has provided our employees the foundation, direction and dignity as productive members of society and responsible employees and family members with their structured residential treatment plans of recovery. I am in support of their continued operation at the existing capacity.

The Los Angeles Employee Assistance Program appreciates the professionalism and quality services of the Eaton Canyon Treatment Center in saving the lives of others.

Sincerely,

Brenda Logan

Brenda Logan
Clinical Supervisor LAEAP
323-586-2617

900 E. GAGE AVE. ROOM 145
LOS ANGELES CA 90052-9403
323-586-2617FAX: 323-586-3988

The Center to
Overcome Addiction
Los Angeles

April 30, 2010

Mr. Tyler Montgomery:

This letter is in support of Eaton Canyon Treatment Center in Pasadena.

We have been sending patients to Eaton Canyon for residential addiction treatment for the past three years, and have found them to provide the highest quality of care anyone could ask for. Patients are brought in by us from all over the country, are from different socioeconomic background, patients from different orientation and they have all left singing very high praises about the treatment they received there.

At The Center to Overcome Addiction, an outpatient facility in Santa Monica, we have utilized them for most of our residential treatment needs. We enjoy a very professional relationship with them and would absolutely love to see them continue serving patient struggling with the disease of addiction.

Respectfully yours,

Nevin Powell

Nevin Powell
Manager, Patient Relations
Center to Overcome Addiction
310-567-6950

JAY KUMAR SHAH, M.D.
INTERNAL MEDICINE

ARCADIA MEDICAL ARTS BLDG.
623 WEST DUARTE ROAD #7
ARCADIA, CALIFORNIA 91006
PHONE: (818) 446-4404

APRIL 19, 2010

L.A. County
C.U.P. hearing Officer

In re: Letter Of Support for the
Eaton Canyon Treatment Center

Dear L.A. County C.U.P. Hearing Officer;

Please be informed that I, Dr. Jay Kumar Shah have worked with th Eaton Canyon Treatment Center for over (7) years plus successfully.

Working with the Eaton Canyon Treatment Center I have experienced 1st hand flawless services and professionalism that this treatment center has provided over the years.

Working with their clients from all over the world, each client is seeking treatment to regain their quality of life and sobriety with the help of the Eaton Canyon Center and is very successful with the education and guidance provided by this treatment center. The need of residential treatment is gigantic and I am supportive of the current capacity of 20 beds to remain.

I can state that I am honored to work with this treatment center and their relentless efforts in helping those individuals in need of long term sobriety and remaining clean and sober.

Sincerely,

Jay Shah MD

Dr. Jay Kumar Shah, M.D.
Addiction Specialist

LAW OFFICES OF STULL & STULL

15615 ALTON PARKWAY, SUITE #450
IRVINE, CALIFORNIA 92618
TEL: (949) 271-6485
FAX: (949) 271-6486

April 28, 2010

Tyler Montgomery, Hearing Officer
Los Angeles County
Commission on Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

RE: Eaton Canyon - CUP Support Letter

Dear Mr. Montgomery:

I am writing this letter to give you a first hand direct account of my relationship and experience with Eaton Canyon. I support the continued operation of the Eaton Canyon Treatment Center 20 bed treatment program. I will assist in any way or manner to help this program, because I believe in the program and I know it works.

With respect to myself, I have been a criminal law attorney for the past 21 years, as both a prosecutor, defense attorney and Judge Pro Tem. I have practiced exclusively in criminal law and have a great deal of practical and legal experience with substance abuse cases.

I first met James Heard in 1999 and was given a tour of Eaton Canyon Treatment Center. I was impressed from the very beginning with Mr. Heard, his ideas, and his vision.

Over the past 11 years, I have referred many clients to Eaton Canyon. Most of those referrals were professionals, which included doctors, lawyers, former police officers, firemen and other professional individuals. In addition, I referred many relatives of professionals to Eaton Canyon Treatment Center.

I personally visit Eaton Canyon Treatment Center between 5 and 10 times per year. During the times I have visited Eaton Canyon, I parked my car in a parking lot behind Eaton Canyon. I have never seen any unprofessional, negative or unruly behavior at all during my visits. I have taken potential clients to Eaton Canyon and, from driving on the street to Eaton Canyon, have inquired if they were able to identify where Eaton Canyon is located. No one has ever been able to notice its location.

The facility looks like a normal home and is proportionate with the landscaping and esthetics of the other homes. There is no way you would know it exists. The reason for this is that no one in the treatment facility center ever loiters, hangs out or makes themselves visible to anyone in the public eye in any way, shape or form. If you were not aware where the center was, you would not be able to notice it as it blends into the community.

Being a part of the court system daily, and seeing the people who need treatment, I know for a fact that there are not enough quality residential treatment facilities in Los Angeles County. We need more treatment facilities like Eaton Canyon to satisfy the professionals, their families and relatives in Los Angeles County.

I have personally visited no less than 10 other treatment facilities within the state and none of them compare to Eaton Canyon. I, myself, make a yearly donation for their Christmas program because I believe Eaton Canyon is the finest treatment facility in this state. More importantly, my clients have gotten tremendous results from attending Eaton Canyon—some clients which I did not believe had any chance of success.

If you have any further questions, please do not hesitate to contact me.

Very truly yours,

Adam R. Stull

ARS:mj

April 22, 2010

TO: C.U.P Hearing Officer for Eaton Canyon Treatment, Los Angeles Regional Planning
320 West Temple Street
Los Angeles, CA 90012

RE: Letter of Support for Eaton Canyon Treatment Center

FR: Conrad L. Watson, CADC/CAS Executive Director Retired
1180 Oneonta Drive
Los Angeles, CA 90065-4264

To Whom It May Concern:
I have been affiliated with Eaton Canyon for over (14) fourteen years and I must say that during that time It is one of the best run treatment centers I have had the pleasure to be involved with. As a former executive director of The Salvation Army for over 25 years I know and have first-hand knowledge of what it takes and how treatment centers should be operated. I have had the opportunity on several occasions to conduct classes and see the Eaton Canyon operation up close. I can honestly say that during all of my visits and interaction with the treatment center it was always clean and well organized.

For more than a decade the Eaton Canyon foundation has studied and worked toward solutions for substance abuse issues that will ensure alcoholics and addicts will receive a high quality treatment program through good counselors and administrators. As we enter the year 2010, it is imperative we recognize a quality treatment program such as Eaton Canyon and make sure that we keep as many beds available as we can. We all know that there are not enough beds for the many individuals who need them.

Eaton Canyon is a quality treatment program and this is demonstrated by the careful care of the participants in a closed and contained environment which offers not only privacy to the patients, but to the community as well. The patients are transported to and from the facility which offers privacy to the community as well. Therefore, the CUP should be granted.

I have no hesitation in writing this letter of support for Eaton Canyon Treatment. I have known Mr. James Head not only as a college but as a fellow member of the recovery community and the good work he and his staff do and have done for many years.

Respectfully,

Conrad L. Watson, CADC/CAS Retired

WOLFE AND COMPANY
FILMS

April 22, 2010

Mr. Tyler Montgomery
C.U.P. Hearing Officer For
Eaton Canyon Treatment Center

Dear Mr. Montgomery,

Simply stated, Eaton Canyon Foundation is a first-class facility.

My wife Patricia and I were integrated into the Eaton Canyon program. From the very beginning we were impressed and pleased with the organization and their straightforward methods in helping individuals and their co-dependants deal with chemical dependency.

Patricia has been struggling with addiction for most of her adult life and her experiences with Eaton Canyon have helped her immensely. The Saturday meetings, which bring family members like our children and me into the treatment regimen, give us the opportunity to be involved and to assure Patricia that we are all supporting her as well as providing us with the tools to provide that support in our home and family setting.

James and Judith are truly very caring individuals. They are strongly focused on helping people succeed in overcoming the stress and challenges that chemical dependency can inflict on them and their loved ones. There is no doubt that what motivates James and Judith comes from the heart.

I highly recommend Eaton Canyon for anyone needing help with chemical addiction. In addition, it is clear to the families and individuals who have become involved with treatment at Eaton Canyon that continued treatment is available at their current capacity in order to continue the mission of saving the lives of others.

Sincerely,

Dan Wolfe

39 East Walnut Street
Pasadena, CA 91103
626-584-4000
Fax 626-584-4099
www.danwolfe.com

April 18, 2010

To whom it may concern,

Re: Eaton Canyon Treatment Center
3323 Fairpoint St.
Pasadena, CA 91107

As an alumnus of Eaton Canyon Treatment Center, I can testify to the foundation they give their clients in the start of their recovery. I was a client at Eaton Canyon and the foundation I received has been instrumental in my ongoing recovery journey. I have stayed in touch with many friends I made during my stay, and the percentage that still struggles with this disease is minimal. I have built an ongoing support group that continues to be part of my daily life.

Due to my outstanding experience with Eaton Canyon, I have confidently referred my mother and other loved ones to the facility, knowing it would give them the foundation they will need in their journey to stay sober.

The staff and counselors do an excellent job in getting the root of the pain that is masked by addiction, and at the same time, use discernment when addressing very difficult areas. The balance that is used taught me how to address my issues in steps to prevent me from being overwhelmed by issues, taking each issue as I am mentally able to deal with it.

The owners, James and Judith, are hands on with the clients, giving back their strength and hope from their own experiences. They give a great 12th step example, in the way they give back to others that are taking their first steps in recovery. Their example and my stay at Eaton Canyon, has inspired me to work with others just starting their recovery journey, or need help getting back/staying on track.

With a grateful heart,

Kathy Patrick

Kathy Patrick

To: Tyler Montgomery
c/o Lyso Dept. of Planning

My Residency at the Eaton Canyon Treatment Center was for a period of 30 days as a resident. Upon my arrival at Eaton Canyon the staff was friendly & informative. I was addicted to alcohol, was hopeless, & without a future.

My experience at Eaton Canyon gave me the tools & hope I needed to function in society without using drugs & alcohol. I have now been clean & sober for 41 days.

If it were not for Eaton Canyon & their staff I would not have been successful in gaining the knowledge to be not only a productive member of society but the sober person I always wanted to be.

I am truly grateful for the services Eaton Canyon provided me, I am excited about the future for the first time in many years.

With warmest regards,
Tracy

April 24, 2010
Mr. Tyler Montgomery
CUP hearing Officer

Re: Eaton Canyon

Dear Mr. Montgomery,

I was a resident client of Eaton Canyon during August and September of 2005. I am a recovering alcoholic and I started my recovery at Eaton Canyon. Eaton Canyon not only provided a safe, healthy environment in which to recover physically but through its staff and program gave me the tools required to recover mentally and spiritually. Their staff and program are solidly anchored in the 12 steps of Alcoholics Anonymous.

I was 60 when I entered Eaton Canyon and will be 65 this July. I am living proof that an old dog can be taught new tricks by the right teacher. During the past five years of sobriety, I have been involved in helping a number of people by way of Alcoholics Anonymous. I have seen a lot of different recovery and rehab programs through the people I sponsor and I firmly believe that Eaton Canyon with its small residential scale and hands-on management style made the difference in my recovery.

Alcoholics Anonymous gave me a life and Eaton Canyon saved my life!

Very truly yours,

EMAILED

Bob Smith

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Subject: Fw: Re: Letter of support
From: "kent Schmedes" <schmedes1835@yahoo.com>
Date: Thu, April 22, 2010 9:48 pm
To: judithw@eatoncanyon.com
Priority: Normal
Options: View Full Header | View Printable Version | Download this as a file

Kent Schmedes

--- On Thu, 4/22/10, kent Schmedes <schmedes1835@yahoo.com> wrote:

From: kent Schmedes <schmedes1835@yahoo.com>
Subject: Re: Letter of support sample
To: judithw@eatoncanyon.com
Date: Thursday, April 22, 2010, 5:12 PM

Dear L. A. County CUP Hearing Officer:

This letter is in support of the Eaton Canyon Treatment Center and my experience as a client participating in their program.

When I came to Eaton Canyon, my life was becoming out of control and very unmanageable. I started my treatment at Eaton Canyon on April 2008. I remained at Eaton Canyon and followed the directions and treatment plan that was designed especially to meet my needs as an alcoholic. Through the direction of, Eaton Canyon and the intense treatment and education, I was taught a life of recovery and long term sobriety. To this day, I am sober, productive as a engineer . Today I have 2 years of sobriety. They made a difference in my life anc I know that they are continuing to give this same dedication to other people attempting to gain their life back sober. Please grant them a renewal.Eaton Canyon's impact in human lives far outweighs anything put against them.

Kent Schmedes

Emailed

April 15, 2010

Cyrene Houdini

Eaton Canyon
3233 E. Fair Point St
Pasadena, CA 91107

To LA County C.U.P.

Hearing Officer,

It was October 10, 2006 when I checked into Eaton Canyon, I was scared, alone, angry and a complete mess, I could not stop drinking. I wanted to die!!!

However through the love, care and patience of you and your staff I was able to make it 30 days sober - in those 30 days I made friends, I ate good food, I got the best sleep ever and I felt safe for the first time in years... I even learned to laugh again and played board games with my trudging buddies. I took all the classes even when I did not want to because you made them fun. I learned to be a lady again and what that truly means, thank you. I recommend Eaton Canyon to anyone who needs help with drugs and alcohol. Your program works.

If you recall I had been to another "rehab" in Florida "Behop" was the name and after 10 months I went out because they did not supply me with the proper tools I needed to make it. Eaton Canyon taught me to walk thru my hard times sober, and gave me a second chance at life.

I'm proud to say that I am 3 1/2 years sober. Thank you, thank you all :)

Emailed

Cyrene Houdini

April 24, 2010

Lee Hatfield
6889 N Tulane Ave
Moorpark, CA 93021

Eaton Canyon Foundation
Eaton Canyon Recovery System Residential Treatment
3323 East Fairpointe Street
Pasadena CA 91107
Atten: Tyler Montgomery

Dear Sir,

Let me introduce myself, my name is Lee Hatfield and I am a former client of the Eaton Canyon Recovery Center located in Pasadena, Ca. The treatment and care provided during my stay at Eaton Canyon in September and October of 2005, I am able to say that without that help, I would not be here today. I arrived at Eaton Canyon after an alcohol induced seven day comma and a 30 day hospital recovery. The voluntary sixty days I spent there provided me with the foundation and tools necessary for me to choose to live without drinking. The medical truth is, if I begin drinking again, I will die. The choice is mine. I am therefore eternally grateful to the management, professional staff and my fellow clients of Eaton Canyon for allowing me to make that choice, which is to live and I am doing very well in today.

Should you have any questions regarding my stay at Eaton Canyon, please feel free to contact me at RLHATFIELD52@AOL.com

Best Regards,

EMAILED

Lee Hatfield

Dear James and Judith, 8/24/09

Eaton Canyon Treatment Center is truly a house of healing - the peace, tranquility and the surroundings give clients a sense of harmony and serenity that provide a will and determination to overcome the handicaps of our addictions. Your love, encouragement and understanding help me face painful issues that for fear I had previously been unable to face. You helped me open doors that set me free and gave me peace of mind. My self-esteem is enhanced and I feel I am finally on the path of recovery. No longer am I in the darkness and held back by despair.

I now feel confident that I can overcome and face the challenges of life. I am forever grateful for the experience at Eaton Canyon and the open door policy extended to clients. It gives me great confidence and assurance to know you continue to be there for me – my extended family. I love you both from the bottom of my heart.

Forever
Grateful,

Angie H.

Eaton Canyon Treatment Center
3323 Fairpoint St.
Pasadena, Ca. 91107

To whom it may concern,

Upon finally realizing I had a drinking problem that was unmistakably alcoholism I sought out the services of in-house treatment centers. I was given a recommendation to Eaton Canyon and luckily my health insurance covered the stay. I found my stay there to be life changing. I was unfamiliar and scared of treatment centers and your staff made my accommodations as pleasant as possible. Your curriculum was comprehensive addressing the physical and well as mental aspects of addiction.

I appreciated the exposure to Alcoholics Anonymous in a professional and non-condescending manner and the ways you individually counseled each patient based on their own unique circumstances. Your approach helped me through the 1st 30 days of sobriety but more importantly prepared me for life on the outside once my stay there was over.

You provided the foundation for the next chapter in my life and I will be forever grateful for the care and attention your program provided on my behalf. Especially noteworthy were Emmons and John as counselors and teachers whose styles complement each other and Marilyn and David as administrators.

As with anything in life that is paid for everything you receive is taken with a grain of salt but I can honestly say your staff treated me with great respect and cared. When someone is going through a difficult period in their life this means more than anything money can buy.

Thanks again-

Paul A. Rossi

To Whom it may Concern:

While attending Eaton Canyon Treatment Center, I received a solid beginning and established a foundation in the critical first 30 days of my recovery from methamphetamine addiction and alcoholism.

During my treatment, I was introduced to many new coping/living skills, which continue to assist me in my day to day life. I learned structured living, which taught me how to live on a schedule, and care for myself; for instance: eating three meals a day, having a definite time to go to bed and wake up, how to be in class promptly and consistently, how to be accountable in general.

Classes at Eaton Canyon educated me about the physical harm caused by drugs and alcohol, showed me in great detail what happens to my brain and my body when under the influence. It really opened my eyes to facts that I was totally unaware of, gave me a new perspective of the biology of these chemicals/how they affect me.

New, healthy behaviors were taught regarding boundaries, my behavior, and ways to cope with many different feelings and emotions-no longer being anesthetized with drugs and alcohol. This was done in a classroom setting, which encouraged me to do a lot of writing and studying that I would not ordinarily do. It helped me put my life into perspective/see *my* part in the problems I had been experiencing, which made a beginning for actively seeking solutions in my life.

My family has also benefited from the information made available through Eaton Canyon Treatment Center. We learned that addiction/alcoholism is a family disease, it does not affect only the addict/alcoholic. We all watched DVDs on addiction and recovery, were given supplemental handouts, and participated in a discussion, which gave us an opportunity to ask questions openly. The weekly family education program helped my family understand why I did the things I did, and how to look for relapse warning signs. There is also a support staff available to family, by phone or in person, in case of any problems. It is a comfort that this support is available as needed, even now that I have left treatment.

Through my treatment at Eaton Canyon, I was introduced to Alcoholics Anonymous, which I still attend regularly. I have a sponsor, am in the process of working the 12 Steps, and have commitments. It was clearly and strongly emphasized during my in-patient treatment that my involvement and commitment in A.A. (or other appropriate 12-Step programs) is critical to my recovery. The concept of being of service to others in recovery/the fellowship was also introduced, and sharing my experience, strength, and hope with others has really helped me with my program.

Since completing my treatment, I have realized that the life I was living before getting sober was complete chaos and insanity; something I might never have recognized on my own. The circumstances I used to put myself in and the consequences that followed are no longer a price I'm willing to pay. I am accountable for my choices and actions, and enjoy the trust and responsibility that I have today. By following through on my word, my family and my peers are noticing, through my actions, that I am working hard and recovering every day.

I now have 18 months of sobriety. As a newly enrolled student, wife, and mother of two young children, I have a chance every day to be the person and the mother that I want to be, free of drugs and alcohol. I have hope that I will not repeat mistakes of the past. As I learn and grow in my sobriety, I will have more to offer myself, my family, and others.

I completely believe and have every confidence that others who attend Eaton Canyon will have the chance to enjoy the prospects of a new, sober life. Although there are no guarantees for anyone to have a perfect sobriety, Eaton Canyon gave me the chance, the education, and the option to make the choices I needed to make in order to start getting well. Eaton Canyon has been such a big support in my life, I'm sure that others would also benefit, by having a place they could go to get the help that they need in their lives.

Bonnie O.

Bonnie O.

12/16/08

Ms Judith Wilson
Eaton Canyon Treatment Center
3323 Fairpoint St
Pasadena, Ca 91107

Dear Judith,

I've been meaning to write this letter for the longest time, so I apologize for taking so long. I just want to say how grateful I am to you and your excellent staff there at Eaton Canyon! I cannot tell you how much I appreciate working with counselors John and Emmons. They had very different styles, but were extremely effective in their own ways. I enjoyed working with both of them.

Although the circumstances that brought me to your doorstep were not at all pleasant, I can now look back and honestly say I am a better person for it. I owe your facility a debt of gratitude I am not certain I can ever repay completely. It may sound crazy, but I do look back on my days there very fondly.

During my stay, I formed some very strong bonds with other patients. I remain friends with Darrel, Jill and Alicia to this day. I remember having speakers come in and say if 1 or 2 of us stayed sober, it would be a "miracle". So far, I am pleased we have proven them wrong!

January 1 will mark six months of sobriety for me. I consider myself fortunate that I adjusted to the outside world with relatively little difficulty. I found a great sponsor that helped me a great deal with the transition. I attend 5-7 AA meetings a week and have the ever loyal support of my wife. I have a very patient and understanding boss that allowed me to transition back to life at work. The urge to drink has not surfaced once since leaving ECTC. I am a very lucky man indeed.

In closing, I would like to wish you, Mr. Heard, and all your staff and patients a very Merry Christmas and all the best for the coming New Year. I always felt there was a certain "magic" in the rooms of Eaton Canyon, I hope your present patients feel it as well and take advantage of all the opportunities your facility has to offer.

Thanks again.

Sincerely,

Al Esquibel
Alcoholic and Eaton Canyon Alum

Print Message Close this window

From tam8686@aol.com
Date 2008/04/23 Wed PM 06:39:58 CDT
To ltgrip@verizon.net
Subject Fwd: ECTC

-----Original Message-----
From: Staviean Swanson <staviean@gmail.com>
To: tam8686@aol.com
Sent: Sat, 19 Apr 2008 9:08 pm
Subject: Fwd: ECTC

---------- Forwarded message ----------
From: Staviean Swanson <staviean@gmail.com>
Date: Sun, 13 Apr 2008 14:26:54 -0700
Subject: ECTC
To: staviean@gmail.com

To Whom It May Concern:

Eaton Canyon Treatment Center is not only a life changing treatment facility but a life saving treatment facility. My disease had taken complete control of my life and was guiding me to a place that I did not want to go. I self-checked myself into the ECTC thirty-day treatment program, and beyond all possible expectations, I left with a completely new perspective in regards to myself and my own well being.

The treatment program at ECTC ("Eaton Canyon Treatment Center") is very well designed and conducted. The program not only provided me with the tools needed to begin and continue my new journey of sobriety, but also taught me how to use those tools with the expertise required to succeed. The counseling staff at ECTC are beyond exceptional. Not only is the counseling staff very knowledgeable, they are extremely compassionate and truly have the welfare of the client in mind.

The program and the counseling staff helped me identify all of my weaknesses and strengths in regards to my disease and sobriety. They helped me work through the weaknesses so that I may either eliminate them from my life, or change a particular weakness into a strength. They helped me fine tune my strengths and gave me invaluable knowledge on how to use them to my best advantage and apply them to my daily life.

While ECTC is the only treatment center I have been in, I do believe it is a very helpful, productive, positive and compassionate center and environment that provides only the highest quality treatment for varying addictions. I am truly blessed that I was able to be part of the wonderful experience and treatment program at ECTC and will not only hold it in the highest regard, but will be the one place that I recommend first when somebody I either know or meet wants help. Unfortunately, words cannot describe to the fullest extent how grateful I am to ECTC.

Sincerely,

Staviean S. Swanson

Plan your next roadtrip with MapQuest.com: America's #1 Mapping Site.

4/14/08

My name is Vincent Cervantes. I am 37 yrs. old I first went through Eaton Canyon Treatment Center in July of 2007. I was there for 30 days. After a few months of sobriety I relapsed. In November of 2007 I returned to Eaton Canyon, I stayed for another 30 days and I have been sober ever since. I feel that Eaton Canyon saved my life. Eaton Canyon has a great staff that cares for their clients. They tought me many things about my alcoholism, they gave me the tools to survive in the real world. I world recomend Eaton Canyon Treatment Center to anyone who is desperately seeking help.

V. Cervantes

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Subject: Re: My daughter (Lisa Halip) at Eaton Canyon
From: "The Halip's" <halipn001@hawaii.rr.com>
Date: Fri, April 18, 2008 4:27 am
To: judith@eatoncanyon.com
Priority: Normal
Options: View Full Header | View Printable Version | Download this as a file

The Halip's wrote:

> To whom it may concern:
> My name is Norman Halip. I a father of Lisa Halip. My daughter was
> client of Eaton Canyon for about a month and half. I must say my wife
> and I were very cautious about the facility at first. After all, Lisa
> had been to to Treatment Centers in California and Oregon before and
> unfortunately it did not work. She also was very scared to go . After
> all, she was was using drugs for several years , lived with drug
> attics (one died at ripe old age of 33 years old) , could not hold a
> job, got pregnant three times, was a pure hell to be around. She was
> stuck at that vicious circle with no way out despite years of mental
> therapy, our desire to do anything to help her and all to no avail.
> I and my wife loved our daughter with all our hearts,yet there was
> absolutely nothing we could do.After all she was 22 years old with no
> means to support herself and as a result relaying on the next "junky"
> to give her a place to stay and paying a huge price in the process
> (pregnancy etc) I must say it was the most painful l experience ever
> for me. Still today I have tears in my eyes as I write this.Finally,
> she agreed to get on the plane , we were also very scared for her how,
> would she managed at the airport ,considering her state of extensive
> use of mind altering drug (ice). My wife got on the plane with her and
> returned the next day, slept at the airport to save money.
> About a week later , when we first talked with her and she said " I
> like it here " we could not believe our ears . At first we thought
> give it a few more days and she will be saying as before "get me out
> of here" , yet that never happened.
> It is my firm believe that if not due to their program of recovery ,if
> my daughter to come back to Hawaii, I am not sure how long she would
> of been around, living the life style she did.So then the time came
> closer to leaving Eaton Canyon and she said " I do not want to live
> like that anymore" , I choke up and could not stop crying hysterically.
> While nobody knows what the future holds and every day is a struggle
> for our family when the phone rings, I must say ,based on the results
> today, I am eternally great full to the stuff of Eaton Canyon for
> ,without exaggeration saving my daughter"s life.
> Norman Halip
>
>

April 18, 2008

To Whom It May Concern:

This letter is written to express my joy and appreciation that Eaton Canyon Treatment Center exists. I was devastated and devoid of hope two years ago and at the end of my sanity because I was in the grips of a profoundly miserable cocaine addiction. I remember well placing the call, crying my heart out for help and the lady on the other end of the phone, Miss Judith hear the urgency in my voice, listened and in return, I listened to her. I agreed to seek treatment at the facility away from my family. In the serene setting which added to my peace of mind, I was able to get a hold of myself and start solving my life problems without the aid of numbing drugs.

The classes and the daily written work helped me see my way clear and I followed the advice of my counselors, who were equipped with kindness and had the professional demeanor that allowed me to stop my habits that were causing myself and my family harm.

To the staff at Eaton Canyon my heartfelt thanks for doing what you do and for having a staff and a beautiful setting that allowed me to step back into the world fully functional. I am still clean and will be thanks to your good help. May God bless the staff, I will never forget you.

Respectfully Yours,

Valencia Shelton

Valencia Shelton

May 22, 2008

To Whom It May Concern:

As a woman of thirty-four, who spent twenty years in addiction not realizing there was anything unusual about my behavior, I entered Eaton Canyon Treatment Center per the direction of a medical hospital and my life drastically changed. Upon admittance to Eaton Canyon I was confused and afraid. I had zero knowledge of the disease concept of alcoholism, nor of the treatment available to deal with the disease. I was blind, broken, fragile, and desperate for sanity. Eaton Canyon welcomed me with caring arms and compassion from the moment I crossed the threshold, instantaneously providing a safe environment amidst my fear and confusion, clearly doing for me what I could not do for myself.

Eaton Canyon Treatment Center proceeded to offer treatment undoubtedly intended to save my life and restore my soul. Every step of the way I was guided towards my own realization and want of a happy, sane, sober life. I was offered the tools to live a sober and satisfying life, and the safe environment to practice utilizing these tools, have failures, and successes towards a better understanding of myself and the future available to me if I so choose to want it. By no means was my personal transformation an easy one. Patience, understanding, and guidance never left my side until the day came we all agreed I was ready to practice all I had learned in a societal environment.

Eaton Canyon Treatment Center is an intensive program that incorporates all aspects of healthy and sober living. They offer a safe space for discovery and growth through academic knowledge of the disease concept, emphasis on personal care, providing inclusive avenues to explore spirituality, and daily group and individual counseling. Structured treatment incorporates daily meditation, informational classes such as anger management, relapse prevention, life-skills, and family groups. Healthy eating habits, constructive time management, proper rest, and interpersonal interaction are all a part of Eaton Canyon's daily regiment, all of which play an integral role in continued sobriety. Effective introduction to the twelve-step program, necessary for a satisfying and effective sober life, is gentle, yet substantial, as many alcoholics and addicts approach the philosophy with fear and hesitancy. Additionally, competent, experienced, and understanding staff is available twenty-four hours a day providing emotional support, encouragement, and safety to all clients ensuring a secure environment for the transformative and delicate process of recovery.

Eaton Canyon Treatment Center understands the fragile nature of moving from life threatening active addiction into sobriety. My individual process was always acknowledged and I was directed to move through my new awareness at a pace conducive to my personal recovery. Eaton Canyon changed my life and saved my life. I now have a sense of freedom and joy that I had never even imagined, equipped with the skills for continued growth. Without Eaton Canyon I surely would be in a continued cycle of self-destruction. Yet now, I continue to live in sobriety and work the twelve-step program in my daily affairs. I have a strong hope, a secure faith, and a life of renewal and serenity that supersedes my wildest dreams. I am eternally grateful.

With Blessings and Grace,

Emailed

Michelle Kolzow

August 8, 2008

Eaton Canyon Treatment Center
3323 Fairpoint Street
Pasadena, California
91107-1203

Dear Judith,

I am writing to express my sincere gratitude to you and all the members of the Eaton Canyon Treatment Center (ETCT) staff. You, as a collective whole took me from a dismal state of not wanting to continue my life to a place of peacefulness, love and a desire to live.

As a professional in the medical field, admitting that I was in desperate need of help to others and myself was difficult. When I arrived at ETCT I expected the worst and believed that you had nothing to offer me, no one could help such a hopeless case as I. In my diseased mind, the first 24 hours of my stay proved me right. You cute me off from any contact with the outside world, no caffeine except for an hour in the morning and chores to do, how would that help to keep me sober?

Forty-five days later, after intensive group sessions, private sessions, AA meetings and learning how to build relationships in a safe setting, I have come to understand how very ignorant I was. Every required and non-required event for ECTC clients, has a well thought out purpose by ECTC leadership and staff. That purpose, to provide the tools and foundation for not only recovery but also a life of sobriety, I now understand is essential for success.

Since I have left ECTC I have been attending 7 AA meetings a week. Through these meetings I have met many fellow alcoholics who are surprised at my understanding of the things I need to do to keep sober: taking a commitment at the meeting I like the least, go to more than one meeting a day if I need to, do my steps, stayed in sober living until I was ready for the challenges at home, fellowship with the women, follow my sponsor's direction, keep busy and yes, continue to make my bed every morning. These tools etched in my brain during my stay at ECTC are life and sobriety saving.

Thank you ECTC for allowing me to see that I never have to feel "that" way again and happiness and laughter can be a part of my daily living. I could have never realized such a sense of hopefulness without you. My family also thanks you for giving them their wife, mother, daughter and sister back after many years of fear and disappointment.

Much love and gratitude,

Kelly B

Kelly B.

August 19, 2008

To whom it may concern:

Eaton Canyon saved my life. It's as simple as that.

When I was brought to Eaton Canyon on July29th, 2005, I was broken physically, mentally and spiritually. At the age of 60, thirty years of alcohol abuse left me in a state of, as the big book of Alcoholics Anonymous says, "pitiful and incomprehensible demoralization". I knew I would be dead within a year.

Though not affiliated with AA, Eaton Canyon is deeply rooted in the twelve steps of Alcoholics Anonymous. At the time I was there, the entire staff was made up of recovering substance abusers. There program of recovery is completely compatible with the teachings of the big book, so when I left Eaton Canyon, the transition to living on my own again was relatively seamless.

I stayed at Eaton Canyon as a resident for sixty days followed by two weeks of out-patient treatment. The facility and grounds are very pleasant, providing the "safe environment" for recovery, but more than that, the staff and owners (being in the program themselves) interacted with us with a very personal interest. I always felt that even though it was there business and/or their jobs, they really cared for each and every one of us.

I have been sober now for more than three years. The principles I learned at Eaton Canyon and AA have served me well. My continuing recovery, one day at a time, began at Eaton Canyon. I made friends there that I will have for a lifetime. I am now physically, mentally and spiritually healthy and have a peace and happiness far beyond my expectations.

Thank you, Eaton Canyon. I love you all.

Sincerely,

Bob Smith

September 20, 2008

Mr. Heard and Staff at Eaton Canyon,

I would like to thank everyone at Eaton Canyon for their professional care and treatment while I was their client. I personally don't believe that there is a better facility around. I am truly indebted to the staff of Eaton Canyon for my spiritual, mental, and physical well being.

When I got to Eaton Canyon, I was broken. With the excellent council of John and Emmens they taught me to believe in myself and my higher power and I did not have to do it alone. They guided me through feelings whether good or bad that I didn't have to live my life the way I was living it. Eaton Canyon is a first class facility that will bend over backward to make sure the client gets the very best care. At no time did I feel that I was not getting the finest quality of counseling and spiritual awareness that any facility could give. Eaton Canyon is truly a first class, safe environment.

I owe them my life. Thank you all at Eaton Canyon.

Sincerely,

Jeff Riley

P.S. The meals that were prepared were as good as any five star restaurant.

September 20, 2008

Dear Mr. Heard, Judith, and Staff,

There are no words humanly possible to express the depth of my love and admiration I have for Eaton Canyon. My husband, Jeff, came into your facility a broken down man. He left feeling respectable, responsible, and hopeful. I didn't have very much hope in Jeff's recovery from alcohol because of how he was living his life. Alcohol had a grip on him and he couldn't recover from his addiction alone. Day by day when I would talk to Jeff I could hear his voice and attitude changing. You were giving him exactly what he needed to get to the root of his problems. You made him see and accept things in his life that were keeping him from his sobriety.

Eaton Canyon is truly a House of Hope. I have my husband back and he is working at being better than ever. He is as solid as a rock starting his sobriety because of your excellent counseling, love, and compassion. God puts people in our lives to help us when needed, and you were those people. You are my angels and I can never thank you enough for all you have given to Jeff and me. You took care and loved and accepted him when I could not. God bless you and thank you for everything, including saving my marriage.

With all my love and appreciation,

Karla Riley

Karla Riley

April 10, 2008

Dear Eaton Canyon Treatment Center,

I just wanted to take a moment to thank each and every one of you at Eaton Canyon for not just providing more than adequate care, but truly caring about me as a person. I truly believe that Eaton Canyon saved my life, both physically and mentally. I have taken all of your suggestions and advice and applied them to my every day life. I now can say I live an honest and productive life. I hold my head high and respect myself for the first time.

Today, I have a brand new life in sobriety. I look forward to the future and actually have plans for my future. Thank you all so very much for your support! You all had faith in me when nobody else did. My hope is that Eaton Canyon will stay open for many many years, helping and transforming the lives of others. Words could never express what you did for me and my children. Thank you all so very much for everything.

Sincerely,

Michelle Field

PLANNING AND DEVELOPMENT DEPARTMENT

May 5, 2010

Tyler Montgomery
County of Los Angeles
Department of Regional Planning
320 W. Temple St., Room 1346
Los Angeles, CA 90012

RE: May 18, 2010 Hearing Officer Hearing
Proposed Eaton Canyon Recovery Center at 3323 Fairpoint Street (R2008-01555)

Dear Mr. Montgomery:

This letter serves as notification that the City of Pasadena opposes the Eaton Canyon Recovery Center at 3323 Fairpoint Street in unincorporated Los Angeles County, adjacent to the City of Pasadena.

It is understood that this facility currently exists and was established without the appropriate reviews or permits. The application under consideration by the Hearing Officer would legalize the facility.

The City of Pasadena opposes the facility for the following reasons:

1) The facility would generate an inordinate amount of vehicle traffic and on-street parking for a single-family residential neighborhood;
2) The septic system is inadequate for a 20-bed facility, plus staff and visitors;
3) There is inadequate fire access to the rear of the structure; and
4) A facility of this size is inappropriate for a single-family neighborhood.

The fact that the facility has been in operation without first obtaining the required approvals should also be considered in making your determination.

The City of Pasadena understands the benefit recovery centers can provide to certain members of our community; however, it is vitally important that such facilities be located in areas with sufficient capacity to support their activity and given the reasons stated above, 3323 Fairpoint Street is not a suitable location.

175 North Garfield Avenue · Pasadena, CA 91101-1704
(626) 744-4650
www.cityofpasadena.net

TYLER MONTGOMERY
3323 FAIRPOINT STREET – R2008-01555

Please see that the Hearing Officer receives a copy of this letter and that our objections are noted. Should you desire any additional input, please don't hesitate to contact me at 626-744-6936.

Sincerely,

Steve Mermell
Assistant City Manager

SM: ds

xc: Richard Bruckner, Director of Planning, Los Angeles County
Michael Beck, City Manager, City of Pasadena
Steve Haderlein, Councilmember, City of Pasadena

Law Office of Kim Savage
Post Office Box 41580
Long Beach, California 90853
Telephone: (562) 930-1113
Facsimile: (562) 930-0003

May 5, 2010

Tyler Montgomery, Zoning Permits II
County of Los Angeles
Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Via Facsimile & Electronic Mail

Re: Eaton Canyon Treatment Center – Project No. R2008-01555-(5);
Case No. RCUP 200800131; RENV 200900053; Hearing Date: 5/18/2010

Dear Mr. Montgomery:

Eaton Canyon requests your review of the County Regional Planning Department's Memorandum from Connie Chung to Jon Sanabria, dated 10/1/09 (within the file), regarding application of reasonable accommodation principles to the conditional use permit review. This memorandum, while recommending deferring a decision based on reasonable accommodation, provides some important information regarding Eaton Canyon and the review process.

First, the memorandum confirms that Eaton Canyon Treatment Center "has been operating without disrupting neighbors" . . . and " . . . each adjacent neighbor has attested that the facility poses no negative impacts from the facility." The County Memorandum then identifies the five factors that should "guide" the analysis for determining whether Eaton Canyon will fundamentally alter the residential character of the neighborhood:

- Eaton Canyon is not proposing to expand the home in any way;
- A family of 20 would be permitted to reside in this zone;
- All adjacent neighbors have attested to the lack of negative impacts on the residence for 20 persons;
- Other similar uses in single family residential zones have been approved by the County and there has been no adverse impact in the neighborhood;
- The granting of the clean hands waiver further supports that the home is operating well within the neighborhood.

Regional Planning's analysis concludes that providing the request, approval of the home for 20 residents, would not burden the County nor impose a fundamental alteration of the zoning code. As next steps, Regional Planning suggests that the County consider the reasonable accommodation analysis findings within the conditional use permit process. This has already been suggested by Eaton Canyon in its May 3, 2010 letter to you. As to the questions posed within the "Next Steps" section, Eaton Canyon responds as follows:

- Eaton Canyon provides residential treatment services only to those residing at the home; no one else may receive services at the home;
- Parking is sufficient at the home based on the number of staff plus additional spaces; residents are prohibited from having cars at the home; no one associated with Eaton Canyon is permitted to park on the street;
- Eaton Canyon has asserted that its home functions like a "family" as residents dine together for their meals, engage in social activities at the home and derive substantial emotional support from one another as they go through the rehabilitation process.

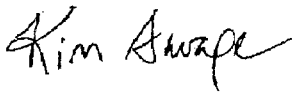
Finally, Regional Planning suggests possible utilization of the ex parte procedure for making a determination on Eaton Canyon's request based on the likelihood that community opposition will organize around the hearing and opponents may express discriminatory sentiments regarding people with disabilities. It is suggested that the Department could consider this matter while avoiding potentially discriminatory statements that might influence decision makers.

This suggested approach by the County echoes the Attorney General's 2001 letter, previously provided to you and it is particularly relevant at this time as community opposition has organized in response to the noticed public hearing. The public comments repeatedly assert generalized fears of people with disabilities in recovery without any evidence of problems from the home in the neighborhood. Unsubstantiated statements regarding reduction in property values and increases in crime are unfounded and these prejudicial sentiments potentially influence decision-makers in a public setting. Further, the County Memorandum notes that in late 2009 Eaton Canyon had support from adjacent neighbors; however, without any problems at the home since that time, curiously, the support has been withdrawn. This further evidences the influence of organized community opposition that is fueled by emotion and not facts. Although Eaton

Canyon continues to operate without incident in the neighborhood, the level of community opposition and its potential influence due to relationships with the County make it unlikely that Eaton Canyon will receive an even- handed review of the application now before the County.

Eaton Canyon appreciates your consideration of the County's October 2009 Memorandum as guidance in granting the requested conditional use permit. We urge the County to use the ex parte determination procedure after it has received from Eaton Canyon a response to the conditions proposed by the County. Should the County and Eaton Canyon reach agreement on the conditions, the matter could be resolved more expeditiously and without the cost of a hearing. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,



Kim Savage
Attorney At law

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6443

PROJECT NO. R2008-01555-(5)
CONDITIONAL USE PERMIT NO. 200800131
ENVIRONMENTAL ASSESSMENT NO. 200900053

RPC MEETING DATE	CONTINUE TO
July 7, 2010	July 21, 2010
AGENDA ITEM	
PUBLIC HEARING DATES July 7, 2010; July 21, 2010	

APPLICANT	OWNER	REPRESENTATIVE
Eaton Canyon Treatment Center	Eaton Canyon Recovery Services, Inc.	Kim Savage

REQUEST
Conditional Use Permit: To authorize the operation of an adult residential facility for drug and alcohol rehabilitation in an R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size) zone. The facility would house a maximum of 20 patients.

LOCATION/ADDRESS
3323 Fairpoint Street, unincorporated Pasadena, Los Angeles County

ACCESS
From the south, via Fairpoint Street

ZONED DISTRICT
Northeast Pasadena

COMMUNITY
Kinneloa Mesa

EXISTING ZONING
R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
0.5 acres	Adult residential facility	Rectangular	Slightly sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)	East: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)
South: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size); City of Pasadena	West: Single-family residences—R-1-20,000 (Single-family Residence—20,000 square-foot minimum lot size)

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Countywide Land Use Plan	1 (Low Density Residential)	1 to 6 dwelling units/acre	See Staff Analysis

ENVIRONMENTAL STATUS
A Negative Declaration has been prepared for this project, subject to the requirements of the California Environmental Quality Act (CEQA). The draft environmental document concludes that the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of no significance.

DESCRIPTION OF SITE PLAN
The applicant, Eaton Canyon Treatment Center, is requesting a Conditional Use Permit to continue the operation and maintenance of an adult residential facility for drug and alcohol rehabilitation. The 5,650 square-foot adult residential facility includes offices, a classroom and assembly room, and residence facilities, as well as a patio, approximately 5,000 square feet of landscaping, and an eight-space parking lot. The facility was originally permitted in 1996 as a sober living facility for 12 adults or less; however, since 2003 the facility has operated, without Regional Planning approval, as a drug and alcohol treatment center. The adult residential facility is currently licensed by the state for the treatment of 12 to 20 adults. The facility takes access from Fairpoint Street to the south via a controlled-access metal gate, and there is 24-hour surveillance and on-site security provided. The facility is permitted by the state to house a maximum of 20 adults, who are transported to and from the site. The maximum height of the structure is 26 feet. Eight (8) parking spaces would be provided on-site.

KEY ISSUES
- Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON Tyler Montgomery, Zoning Permits II		
RPC HEARING DATE(S) 07/07/10, 07/21/10	RPC ACTION DATE 07/21/10	RPC RECOMMENDATION Denial
MEMBERS VOTING AYE Rew, Modugno, Valadez, Bellamy	MEMBERS VOTING NO None	MEMBERS ABSTAINING None
STAFF RECOMMENDATION (PRIOR TO HEARING) Denial		
SPEAKERS* (O) 5 (F) 7	PETITIONS (O) 0 (F) 0	LETTERS (O) 95 (F) 53

*(O) = Opponents (F) = In Favor