



**APPLICATIONS:**

THIS BOX FOR CITY PLANNING STAFF USE ONLY

Case Number \_\_\_\_\_

Env. Case Number \_\_\_\_\_

Application Type \_\_\_\_\_

Case Filed With (Print Name) \_\_\_\_\_ Date Filed \_\_\_\_\_

Application includes letter requesting:

Waived hearing       Concurrent hearing       Hearing not be scheduled on a specific date (e.g. vacation hold)

Related Case Number \_\_\_\_\_

*Provide all information requested. Missing, incomplete or inconsistent information will cause delays.*  
*All terms in this document are applicable to the singular as well as the plural forms of such terms.*

**1. PROJECT LOCATION**

Street Address<sup>1</sup> 6731 N. Fallbrook Avenue, West Hills, CA 91307 Unit/Space Number \_\_\_\_\_

Legal Description<sup>2</sup> (Lot, Block, Tract) Lot 2 to 10 inclusive, 12, 13, 14, 17, and 18 of Tract no. 43447

Assessor Parcel Number 2038040012 Total Lot Area Approximately 75 acres

**2. PROJECT DESCRIPTION**

Present Use Multi-Screen Movie Theater

Proposed Use Service and consumption of Beer, Wine and Distilled Spirits in all 7 auditoriums and lobby areas.

Project Name (if applicable) AMC Fallbrook 7

Describe in detail the characteristics, scope and/or operation of the proposed project A Conditional Use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 44,426 square-foot theatre with seven auditoriums, lobby area, and 942 indoor seats. Hours of operation from 9:00 a.m. -- 2:00 a.m., daily.

Additional information attached       YES       NO

Complete and check all that apply:

**Existing Site Conditions**

- Site is undeveloped or unimproved (i.e. vacant)
- Site has existing buildings (provide copies of building permits)
- Site is/was developed with use that could release hazardous materials on soil and/or groundwater (e.g. dry cleaning, gas station, auto repair, industrial)
- Site is located within 500 feet of a freeway or railroad
- Site is located within 500 feet of a sensitive use (e.g. school, park)
- Site has special designation (e.g. National Historic Register, Survey LA)

<sup>1</sup> Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—<http://zimas.lacity.org>)  
<sup>2</sup> Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site)

**Proposed Project Information**

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Interior tenant improvement
- Additions to existing buildings
- Grading
- Removal of any on-site tree
- Removal of any street tree
- New construction: \_\_\_\_\_ square feet
- Accessory use (fence, sign, wireless, carport, etc.)
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Haul Route
- Uses or structures in public right-of-way
- Phased project

**Housing Component Information**

Number of Residential Units: Existing \_\_\_\_\_ – Demolish(ed)<sup>3</sup> \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_

Number of Affordable Units<sup>4</sup> Existing \_\_\_\_\_ – Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_

Number of Market Rate Units Existing \_\_\_\_\_ – Demolish(ed) \_\_\_\_\_ + Adding \_\_\_\_\_ = Total \_\_\_\_\_

Mixed Use Projects, Amount of Non-Residential Floor Area: \_\_\_\_\_ square feet

**3. ACTION(S) REQUESTED**

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought; follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC 12.36?  YES  NO

Authorizing section 12.24-W, 1 Section from which relief is requested (if any): \_\_\_\_\_

Request: A Conditional Use permit to allow the sale and dispensing of a full line of alcoholic beverages for on-site consumption in conjunction with a 44,426 square-foot theatre with seven auditoriums, lobby area, and 942 indoor seats. Hours of operation from 9:00 a.m. – 2:00 a.m., daily.

Authorizing section 12-24-W. 27 Section from which relief is requested (if any): \_\_\_\_\_

Request: A Conditional Use to permit deviations from Commercial Corner Mini Shopping Center Development provisions to allow for the hours of operation from 9:00 a.m. to 2:00 a.m., daily in lieu of the restricted 7:00 a.m. to 11:00 p.m., daily.

Authorizing section \_\_\_\_\_ Section from which relief is requested (if any): \_\_\_\_\_

Request: \_\_\_\_\_

Additional Requests Attached  YES  NO

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five (5) years.

<sup>4</sup> As determined by the Housing and Community Investment Department

4. RELATED DEPARTMENT OF CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site?  YES  NO

If YES, list all case number(s) Please see attachment.

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No. \_\_\_\_\_ Ordinance No.: 165479

- Condition compliance review
- Modification of conditions
- Revision of approved plans
- Renewal of entitlement
- Plan Approval subsequent to Master Conditional Use
- Clarification of Q (Qualified) classification
- Clarification of D (Development Limitations) classification
- Amendment to T (Tentative) classification

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?  YES  NO

Have you filed, or is there intent to file, a Subdivision with this project?  YES  NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

On March 5, 1990, Q conditions were established for Subarea 4440 to change Parcel A and B, P.M.2042

5. OTHER AGENCY REFERRALS/REFERENCE

To help assigned staff coordinate with other Departments that may have a role in the proposed project, please check all that apply and provide reference number if known.

Are there any outstanding Orders to Comply/citations at this property?  YES (provide copy)  NO

Are there any recorded Covenants, affidavits or easements on this property?  YES (provide copy)  NO

- Development Services Case Management Number \_\_\_\_\_
- Building and Safety Plan Check Number \_\_\_\_\_
- Bureau of Engineering Planning Referral (PCRF) \_\_\_\_\_
- Bureau of Engineering Hillside Referral \_\_\_\_\_
- Housing and Community Investment Department Application Number \_\_\_\_\_
- Bureau of Engineering Revocable Permit Number \_\_\_\_\_
- Other—specify \_\_\_\_\_

6. PROJECT TEAM INFORMATION (Complete all applicable fields)

Applicant<sup>5</sup> name AMC Fallbrook 7  
Company/Firm American Multi-Cinema, Inc  
Address: 1150 Ash Street Unit/Space Number \_\_\_\_\_  
City Leawood State KS Zip Code: 66211  
Telephone (913) 262-9095 E-mail: \_\_\_\_\_  
Are you in escrow to purchase the subject property?  YES  NO

Property Owner of Record  Same as applicant  Different from applicant *(Frank Lewis)*  
Name (if different from applicant) ROIC California, LLC  
Address 8905 Towne Center Drive, Unit/Space Number 108  
City San Diego State CA Zip Code: 92122  
Telephone (858) 255-4909 E-mail: kwertz@roireit.net

Agent/Representative name F. Michael Ayaz or Cindy Block  
Company/Firm LIQUORLICENSE.COM  
Address: 2222 Damon Street Unit/Space Number \_\_\_\_\_  
City Los Angeles State CA Zip: 90021  
Telephone (714) 376-0100 E-mail: MAYAZ@LIQUORLICENSE.COM

Other (Specify Architect, Engineer, CEQA Consultant etc.) \_\_\_\_\_  
Name \_\_\_\_\_  
Company/Firm \_\_\_\_\_  
Address: \_\_\_\_\_ Unit/Space Number \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Telephone \_\_\_\_\_ E-mail: \_\_\_\_\_

Primary Contact for Project Information  Owner  Applicant  
*(select only one)*  Agent/Representative  Other \_\_\_\_\_

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List, and the Abutting Property Owners List.

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An applicant is not someone filing the case on behalf of a client (i.e. usually not the agent/representative).

**PROPERTY OWNER**

9. **PROPERTY OWNER AFFIDAVIT.** Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service or process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the application form may be provided if the property is owned by a partnership, corporation, LLC or trust or in rare circumstances when an individual property owner is unable to sign the application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g. John and Jane Doe or Mary Smith and Mark Jones) notarized signatures are required of all owners.

- A. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this application or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC or trust as evidenced by the documents attached hereto.
- B. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
- C. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
- D. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

Signature 

Date 2/1/2017

Print Name Richard K. Schoebel  
Chief Operating Officer

Signature \_\_\_\_\_

Date \_\_\_\_\_

Print Name \_\_\_\_\_

Space Below For Notary's Use

California All-Purpose Acknowledgement

Civil Code ' 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Diego

On February 1, 2017 before me, Nicolette I. O'Leary  
(Insert Name of Notary Public and Title)

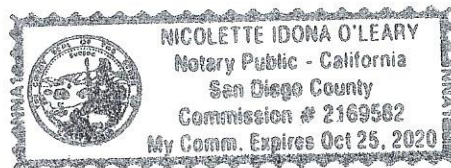
personally appeared Richard K. Schoebel, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Nicolette I. O'Leary  
Signature

(Seal)



**APPLICANT**

10. **APPLICANT DECLARATION.** A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.
- A. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
  - B. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
  - C. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
  - D. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
  - E. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
  - F. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
  - G. I understand that if this application is denied, there is no refund of fees paid.
  - H. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions"), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.
  - I. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature:  \_\_\_\_\_

Date: 6/11/17 \_\_\_\_\_

Print Name: F. Michael Ayaz \_\_\_\_\_

**OPTIONAL  
NEIGHBORHOOD CONTACT SHEET**

**SIGNATURES** of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (PRINT)	SIGNATURE	ADDRESS	KEY # ON MAP

**REVIEW** of the project by the applicable Neighborhood Council is not required, but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).



Attachment, item 4 of the Application

AMC West Hills

6731 Fallbrook Avenue

West Hills

CASE NUMBERS

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CPC-6745-ZBA	ENV-2014-2994-ND
CPC-1986-609-GPC	ENV-2013-276-MND
CPC-1983-524-PAD-ZC	ENV-2012-3112-ND
ORD-165479-SA4440	ENV-2007-5504-MND
ORD-159076	ENV-2005-8253-ND
ORD-114401	ENV-2005-6141-CE
ORD-109301	ENV-2003-2885-MND
ZA-2014-963-CUB	ENV-2001-1153-CE
ZA-2014-2993-CUB	MND-83-330-ZC
ZA-2013-275-CUB-ZAA	MND-86-80-YV
ZA-2012-3113-CUB	MND-88-71-CUB-CCR
ZA-2007-5503-CUB	MND-94-232-ZV
ZA-2005-6140-CUB	MND-94-322-CUB-CCR-SPR
ZA-2003-2884-CUB	MND-98-178-CUB
ZA-1991-725-CUZ-CUB	ND-86-480-CUB
ZA-1991-42-CUB	ND-86-840-CUB
ZA-1990-653-CUB	ND-90-273-CUZ
ZA-1986-149-YV	ND-91-1-CUB
ZA-1986-138-CUB	ND-91-303-CUB-CUZ
BZA-5175	ND-95-20-CUZ
PPM-2042	AF-92-2005606-MB
ENV-2014-964-CE	AF-90-1496340-MB
	CFG-2000

Special Instructions for:

**CONDITIONAL USE PERMIT (CUZ)  
COMMERCIAL CORNER DEVELOPMENTS and MINI SHOPPING CENTER**

The **MASTER LAND USE APPLICATION INSTRUCTION SHEET-500' RADIUS** should also be followed.

**ZONING CODE SECTIONS:** Development standards in 12.22 A 23 and Conditional Use in 12.24 W 27

1. The **MASTER LAND USE APPLICATION FORM CP-7771** must be filled out completely, typed or printed in black ink, with full answers to every statement and question. The application must be signed by the property owner or owners, lessee (only if the entire site is leased), authorized agent of the owner with power of attorney, or officers of a corporation (submit proof). A single application can be used for most projects that have multiple requests.
  
2. **ADDITIONAL INFORMATION/FINDINGS:** In order to grant your request the following findings/questions must be addressed by the Zoning Administrator. Please try to explain as best as possible how your request conforms to the following requirements:
  - a. That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.
  - b. That the project's location, size, height, operations and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.
  - c. That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.
  - d. That based on data provided by the City Department of Transportation or by a licensed traffic engineer, that ingress to and egress from the project will not create a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets
  - e. That project approval will not create or add to a detrimental concentration of Mini-Shopping Centers or Commercial Corner Developments in the vicinity of the proposed project.
  - f. Are you going to develop any or all of the following Yes/No

1)	A drive-thru fast food establishment?	<u>No</u>
2)	A business open any time between 11 p.m. and 7 a.m.?	<u>Yes</u>
3)	A multi-residential use?	<u>No</u>
4)	An amusement enterprise as enumerated in Sec. 12.14 A of the Los Angeles Municipal Code?	<u>No</u>
5)	An automobile laundry or washrack?	<u>No</u>
6)	A commercial swimming pool	<u>No</u>
  - g. How many parking spaces are being provided? 5,714 Standard? \_\_\_\_\_ Compact? \_\_\_\_\_
  - h. What is the Height \_\_\_\_\_ and number of stories 2 of the Project?

- i. List all the uses to be included in the development their hours of operation, square footage and the percentage of the total development to be occupied by each:

<u>Use</u>	<u>Hours of Operation</u>	<u>Square Ft.</u>	<u>Percentage</u>
1) Existing Movie Theater	11:00 a.m. to 2:00 a.m.	44,426	100%
2) _____			
3) _____			
4) _____			
5) _____			
6) _____			
7) _____			
8) _____			

- j. Describe any security measures that will be taken to prevent loitering, theft, vandalism, etc.

- k. For drive-through fast food establishments submit plans showing points of ingress and egress, the location of speakers, driveways and queuing lanes.

a. For drive-through fast food establishments submit plans showing points of ingress and egress, the location of speakers, driveways and queuing lanes.

b. For all applications the following items shall be delineated on plans in accordance with the applicable Zoning Code Section:

- 1) Exterior walls.
- 2) Lighting plans.
- 3) Landscaped and irrigated areas in the parking area.
- 4) Location of trash storage area(s).
- 5) Location of other storage area(s).
- 6) Parking layout indicating striping, landscaping, and driveways.

3. In addition, specify each and every requirement of Section 12.22 A 23 LAMC that you cannot or do not comply with, and explain (attach form CP-7755).