

A HISTORY OF C.U.P. VIOLATIONS AND PROBLEMS

1) Violations of the 1986 Conditional Use Permit "CUP", by the Museum of Tolerance:

- a) The Museum advertises a cafeteria providing light meals, snacks and refreshments - - in **violation of Condition #18**, which states: "No food service may be provided for the general public (i.e., restaurant or cafeteria)."
- b) The Museum advertises hours for group tours from 8:30 a.m. until 6:30 p.m. Monday – Thursday, from 8:30 a.m. until 5 p.m. on Friday, and from 8:30 a.m. until 7:30 p.m. on Sunday - - in **violation of Condition #6**, which states that: "Museum hours will be **10 a.m.** to 5 p.m. Monday – Friday and **11:00 a.m. to 5:00 p.m.** on Sunday". Indeed, the Museum does open Sunday mornings at 8:30 a.m., in violation of the CUP, and tour buses are often lined up on Pico Blvd. dropping off passengers early Sunday morning.

NOTE: The Museum is so brazen and cavalier about its violations of the 1986 CUP that it actually *advertises* the above violations on its own website.

- c) **School buses** regularly drive on the residential streets of Castello, Cashio and S. Roxbury Drive, and occasionally even park on the neighborhood streets, in **violation of Condition #23**. One resident of Roxbury Drive has complained repeatedly to the Museum that buses make turns in her driveway and have cracked the new driveway she installed a few years ago, but the Museum has done nothing to compensate her for the damage.
- d) An enormous construction trailer and construction equipment are currently parked on Roxbury Drive in connection with the interior renovations underway, and (according to the elderly residents of 1428 S. Roxbury Drive adjacent to the Museum) construction on the renovations has commenced at 7:00 a.m. and often earlier - - causing extreme distress to those homeowners, and in **violation of Condition #11**.
- e) The "Parking Lot Full" sign is frequently seen at the garage entrance, both on a regular basis on Sunday afternoons, as well as during various special events - - in **violation of Condition #20**, which states: "Events shall not be planned by the Center which cannot be accommodated by existing on-site parking. Events that require on street parking shall be prohibited."
- f) Due to the homeowners' concerns that the building's towering height of 60 feet would enable museum visitors to see into backyards and compromise homeowners' privacy, **Condition #13** requires that: "Residential use south of and immediately adjacent to the subject site shall not be visible from above this [i.e., the 45 foot] level." However, some visitors have commented that it is possible to peer into the property of several adjacent homeowners from the 4th level cafeteria.
- g) When construction of the Museum commenced shortly after the 1986 CUP was issued, a large artistic rendering of the building was posted at the construction site - - showing a building with no setbacks at the 45 foot height level on Roxbury Drive or on Pico Blvd., in **violation of condition #13**. This was immediately reported to Councilman Yaroslavsky, who hastily called a meeting in his City Hall office, during which the Museum representatives admitted that their architects appeared to have made a "mistake" in interpreting the very clear terms of the CUP. They told Yaroslavsky that more than a million dollars had already been spent on the structural steel, and thus it would be impossible to change the design of the building. At that point, a very exasperated and angry Yaroslavsky strongly chastised Alan Casden (the project manager at the time, who was and is still a member of the SWC's Board of Trustees), and told him that it didn't matter to him *what* it would cost - - the SWC had violated the conditions and they would have to start all over. So this very first violation (of many more to come) occurred (but was caught in time and cured at great expense to the SWC) even **before** construction of the Museum was completed!!

- 2) **Of the 1999 CUP, by Yeshiva of Los Angeles (“YOLA”) (Note: Rabbi Hier is also the Chief Executive Officer of YOLA):**
- a) Parking on residential streets by students, parents and others affiliated with YOLA has long been, and continues to be, a problem - - and **violates Condition #24.**
 - b) Students and others talking very loudly while walking or playing in the residential streets, often late at night, continues to be a problem, evidencing a total lack of consideration for neighborhood residents, in **violation of Condition #3.** Homeowner representatives have requested in writing that YOLA post a sign at the exit from the Castello Ave. parking lot, urging departing visitors to be quiet and respectful of the neighborhood residents (as is done at the Hollywood Bowl and Greek Theatre), but YOLA has not responded to this very simple request.
 - c) An outdoor celebration was held early on Sunday morning, August 26, 2007 in the parking lot and basketball area, with AMPLIFIED music (with speakers facing straight out in the direction of Castello Avenue), all in **violation of multiple sections of Condition #15.**
 - d) Loading and unloading of students has occurred regularly in the past on Castello Avenue, in **violation of Condition #26.** In addition, the reckless (and often speeding) teenage drivers driving to and from YOLA pose a constant danger. In one particularly upsetting recent (November 2007) incident, a YOLA student lost control of his vehicle and drove over the curb and onto the lawn of 9748 Saturn Street, in the exact spot where several of the neighbor’s infant children often play.
 - e) Trash is stored in open containers, located adjacent to the single family homes on the southern end of the YOLA property, all in **violation of Condition #s 35 and 36.**
 - f) YOLA *advertises* itself as a synagogue in The Jewish Journal, in **violation of Condition #7,** which states that prayer services may be held for a **maximum** of 25 neighbors (and on religious holidays for a maximum of 50 neighbors), the purpose of which was to enable only a limited number of nearby residents to participate in such services - - not to become a synagogue open to all.
 - g) It has only recently come to H.O.M.E.’s attention that the Simon Wiesenthal Center has been occupying space on the Yeshiva property for several years, in clear **violation of Conditions 46, 47, 48 and 52,** and of the express findings of the Zoning Administrator that such conditions were intended to “*diminish*” the *ability for the school space to evolve into a museum annex.*” In fact, according to the SWC’s financial statement for the year ending 6/30/07 (as posted on the SWC’s website), the SWC actually paid \$525,286 in rent to YOLA in order to occupy 21,332 sq. ft. of Yeshiva space that the SWC was *prohibited* under the 1999 CUP from using! This is especially disturbing in light of the fact that the main reason that YOLA was allowed to build the wing now occupied by the Museum (and which the SWC is now seeking to annex formally) was that YOLA claimed to need the additional space desperately for its students’ classroom needs.