

MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

APPEAL TO THE: LOS ANGELES CITY COUNCIL
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: ENV - 2012 - 1470 - EIR

PROJECT ADDRESS: CITY WIDE

FINAL DATE TO APPEAL: SEPTEMBER 10, 2013

- TYPE OF APPEAL:
1. Appeal by Applicant
 2. Appeal by a person, other than the applicant, claiming to be aggrieved
 3. Appeal by applicant or aggrieved person from a determination made by the Department of Building and Safety

APPELLANT INFORMATION – Please print clearly

Name: DOMINICK W. RUBALCAVA

- Are you filing for yourself or on behalf of another party, organization or company?
 - Self
 - Other: SHANNIS ROTO (MUIP)
(DARREL HOLTER)

Address: 714 WEST OLYMPIC, BLDG.
LOS ANGELES CA Zip: 90016

Telephone: (213) 746-6300 E-mail: dholter@shannisrotomui.com
743-5519

- Are you filing to support the original applicant's position?
 - Yes
 - No

REPRESENTATIVE INFORMATION

Name: DOMINICK W. RUBALCAVA

Address: 2115 MAIN STREET
SANTA MONICA CA Zip: 90405

Telephone: (310) 202-0868 E-mail: DRUBALW@GMAIL.COM

This application is to be used for any appeals authorized by the Los Angeles Municipal Code for discretionary actions administered by the Department of City Planning.

JUSTIFICATION/REASON FOR APPEALING – Please provide on separate sheet.

Are you appealing the entire decision or parts of it?

- Entire Part

Your justification/reason must state:

SEE ATTACHMENT

- The reasons for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

ADDITIONAL INFORMATION/REQUIREMENTS

- Eight (8) copies of the following documents are required (1 original and 7 duplicates):
 - Master Appeal Form
 - Justification/Reason for Appealing document
 - Original Determination Letter
- Original applicants must provide the original receipt required to calculate 85% filing fee.
- Original applicants must pay mailing fees to BTC and submit copy of receipt.
- Applicants filing per 12.26 K “Appeals from Building Department Determinations” are considered original applicants and must provide notice per 12.26 K 7.
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the City (Area) Planning Commission must be filed within 10 days of the written determination of the Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (i.e. ZA, APC, CPC, etc...) makes a determination for a project that is not further appealable.

*“If a nonelected decision-making body of a local lead agency certifies an environmental impact report, approves a negative declaration or mitigated negative declaration, or determines that a project is not subject to this division, that certification, approval, or determination may be appealed to the agency's elected decision-making body, if any.”
--CA Public Resources Code § 21151 (c)*

I certify that the statements contained in this application are complete and true:

Appellant Signature: *[Signature]* Date: 9/10/13

Planning Staff Use Only

Amount: <i>\$106.80</i>	Reviewed and Accepted by:	Date:
Receipt No: <i>13095</i>	Deemed Complete by:	Date:

Determination Authority Notified

Original Receipt and BTC Receipt (if original applicant)

①

ATTACHMENT TO MASTER APPEAL FORM
ENV-2012-1470-EIR

JUSTIFICATION FOR APPEALING:

9/10/13

JUSTIFICATION

1. THE REASON FOR THE APPEAL SHAMMAS AUTO GROUP, A LOS ANGELES AUTO DEALER, HAS BEEN IN BUSINESS SINCE 1955. SHAMMAS OWNS SEVEN AUTO DEALERSHIPS IN THE PROJECT AREA.

SHAMMAS BELIEVES THE ECONOMIC IMPACT OF THE PROJECT HAS NOT BEEN ADEQUATELY CONSIDERED, MANY BUSINESS WILL BE NEGATIVELY IMPACTED BY THE PROPOSED PROJECT.

2. SHAMMAS AND THE OTHER AREA BUSINESSES IN THE PROJECT WILL SUFFER BECAUSE THEIR CUSTOMER WILL BE SUBJECT TO SUBSTANTIAL TRAFFIC DELAYS THE REDUCTION OF TRAFFIC LANES NORTH BOUND AND SOUTH BOUND WILL NEARLY DELAY TRAFFIC, AND DISCOUAGE BUSINESS ACTIVITY IN THE PROJECT AREA.

ARRIVING AT THE DEALERSHIPS

2. WILL BE SLOWED AND IMPEDED.
POTENTIAL NEW CUSTOMERS WILL
BE DETERRED FROM STOPPING
IN THE PROJECT AREA. SERVICE
CUSTOMERS WILL SUFFER UNNECESSARY
DELAYS ARRIVING AND LEAVING THE
DEALERSHIPS.

SHAWMUT RESERVES THE
RIGHT TO PRESENT ADDITIONAL
INFORMATION AND EVIDENCE FOR
THIS APPEAL.

3. THE PROPOSAL WILL ELIMINATE
TWO TRAFFIC LANES FROM
THE SOUTH TO THE NORTHERN
PORTION OF THE PROJECT
AREA.

4. THE NEGATIVE ECONOMIC
IMPACT ON THE BUSINESSES
ALONG FINEST STREET WERE NOT
ADEQUATELY CONSIDERED.

- SHAWMUT WILL BE REQUIRED TO MORE
FULLY ADDRESS EACH OF THE ABOVE
QUESTIONS AT A LATER TIME

CITY OF LOS ANGELES
CALIFORNIA

Jaime de la Vega
GENERAL MANAGER



ERIC GARCETTI
MAYOR

DEPARTMENT OF TRANSPORTATION
100 South Main Street, 10th Floor
Los Angeles, California 90012
(213) 972-8470
FAX (213) 972-8410

Date: August 27, 2013
Public Hearing: Public Hearing held
February 4, 2013
Reference 08-3193, 08-3193-S1,
Council File 10-2385-S1
Nos.: 10-2385-S2
CEQA No.: ENV-2012-1470-EIR
Council No.: 1-Cedillo, 9-Price,
14-Huizar
Plan Area: Central City, South Los
Angeles, Southeast Los
Angeles

**SUBJECT: NOTICE OF GENERAL MANAGER'S DETERMINATION -- FIGUEROA
STREETSCAPE PROJECT**

To Interested Parties:

The Figueroa Streetscape Project (Proposed Project) consists of 4.5 miles of new bicycle facilities and streetscape improvements. The new bicycle facilities consist of three miles of a combination of new buffered bicycle lanes and cycle tracks along South Figueroa Street, from 7th Street to Martin Luther King Jr. Boulevard; a one-way westbound buffered bicycle lane along six blocks of 11th Street, from Broadway to South Figueroa Street; and new buffered bicycle lanes along Bill Robertson Lane between Martin Luther King Jr. Boulevard and Exposition Boulevard. Cycle tracks (also known as protected bicycle lanes) are similar to Class II bicycle lanes, but physically separated from the adjacent travel lane. They are typically installed within the existing roadbed in the direction of adjacent traffic, either between the curb and on-street parking, or separated from vehicular traffic lanes by physical barriers. Buffered bicycle lanes are Class II bicycle lanes with a painted gore area between the bicycle lane and adjacent travel lane.

The Proposed Project also includes - where cycle tracks are installed - modified traffic signals to provide dedicated bicycle signal heads and phasing, combined with two-stage left-turn queuing space at signalized intersections to allow bicyclists to safely turn left from Figueroa Street onto perpendicular streets. Demarcations, using colored paint and signage, will be provided through intersections and conflict zones, such as driveways or at other potential bicycle/vehicle and bicycle/pedestrian mixing areas. Outboard bus platforms will be constructed between the cycle tracks and travel lanes to facilitate boarding and alighting of passengers without requiring buses to cross or block the cycle tracks.

Streetscape improvements along South Figueroa Street include new pedestrian-scale street lighting and roadway lighting, new street trees and planting areas, repaired and enhanced sidewalk paving at transit stops, enhanced crosswalk treatments, transit furniture and public art. Similar improvements are also proposed along 11th Street, from Figueroa Street to Broadway, along Bill Robertson Lane, from Martin Luther King Jr. Boulevard to Exposition Boulevard and along Martin Luther King Jr. Boulevard, from Figueroa Street to Bill Robertson Lane.

The Proposed Project would include restriping of lanes, installation of new curbs and minor excavation and construction associated with the streetscape improvements in the public right-of-way. There would be no change in access to existing facilities and properties.

The former Community Redevelopment Agency of the City of Los Angeles (CRA/LA) initiated the Proposed Project through a \$20 million Proposition 1C grant to promote economic development and improve the bicycle, pedestrian and transit experience along the Figueroa Street corridor. After the State dissolved the CRA/LA in 2011, the Proposed Project was transferred to the Department of Transportation (LADOT).

LADOT is also the implementing agency of the 2010 Bicycle Plan, and serves as the Lead Agency pursuant to review required by the Division 13 of the Public Resource Code (PRC). The Bicycle Plan, adopted on March 1, 2011 identifies a 1,684-mile bikeway system and includes a comprehensive collection of programs and policies. The Proposed Project implements several programs of the 2010 Bicycle Plan, including completion of a backbone bicycle network (Program 1.1.2 A), and development of protected bicycle lanes (Program 1.1.7 B). LADOT is also coordinating the Bicycle Plan's Five-Year Implementation Strategy in the Central Area, which includes a number of bicycle lane segments in Central Los Angeles, in addition to those on Figueroa and 11th Streets.

The Department of City Planning (DCP) released a Final Environmental Impact Report (EIR) on August 7, 2013, and a Staff Recommendation Report on August 19, 2013 that concluded that City of Los Angeles is in compliance with Division 13 of the PRC, also known as the California Environmental Quality Act (CEQA). DCP evaluated the environmental impacts of the Proposed Project, included measures to mitigate environmental impacts, and held a hearing in the area affected by the Proposed Project as described in the DCP Staff Recommendation Report. The DCP Staff Recommendation Report included the following recommended actions:

1. That the Department of Transportation (LADOT) install 4.5 miles of new bicycle facilities and streetscape improvements (including 3.0 miles of a combination of cycle tracks and buffered bicycle lanes along South Figueroa Street, from Martin Luther King Jr. Boulevard to 7th Street; 0.5 miles of one way buffered bicycle lane along 11th Street from Broadway to South Figueroa Street; and 0.5 miles of buffered bicycle lanes along Bill Robertson Lane from Exposition Boulevard to Martin Luther King Jr. Boulevard; and 0.5 miles of streetscape elements along

Martin Luther King Jr. Boulevard, from Figueroa Street to Bill Robertson Lane) in accordance with the Figueroa Streetscape Project and the 2010 Bicycle Plan.

2. That LADOT Certify the Environmental Impact Report ENV-2012-1470-EIR included as Attachment 1.
3. That LADOT Adopt the Environmental Findings included as Attachment 2.
4. That LADOT Adopt the Statement of Overriding Considerations included as part of Attachment 2. (See Section IX)
5. That LADOT Adopt the Mitigation Monitoring Program included as Attachment 3.

DETERMINATION

Pursuant to the Los Angeles Municipal Code (LAMC) Sections 80.08.2 and Section 89.01, I hereby:

1. **APPROVE** to install 4.5 miles of new bicycle facilities and streetscape improvements (including 3.0 miles of a combination of cycle tracks and buffered bicycle lanes along South Figueroa Street, from Martin Luther King Jr. Boulevard to 7th Street; 0.5 miles of one way buffered bicycle lane along 11th Street from Broadway to South Figueroa Street; and 0.5 miles of buffered bicycle lanes along Bill Robertson Lane from Exposition Boulevard to Martin Luther King Jr. Boulevard; and 0.5 miles of streetscape elements along Martin Luther King Jr. Boulevard, from to Figueroa Street to Bill Robertson Lane) in accordance with the Figueroa Streetscape Project and the 2010 Bicycle Plan.
2. **CERTIFY** that the Environmental Impact Report (EIR) (EIR No. ENV-2012-1470-EIR; State Clearinghouse Number 2012061092, included as Attachment 1 of the DCP Staff Recommendation Report) has been completed in compliance with the California Environmental Quality Act, the State Guidelines and the City Guidelines, and that the General Manager of LADOT has reviewed the information contained therein and considered it along with other factors related to this project; that this determination reflects the independent judgment of the City of Los Angeles; and that the documents constituting the record of proceedings in this matter are located in the files of DCP in the custody of the Citywide Section; and **ADOPT** the EIR.
3. **ADOPT** the **FINDINGS** made pursuant to and in accordance with Section 21081 of the Public Resources Code (included as Attachment 2 of the DCP Staff Recommendation Report), and the Statement of Overriding Considerations prepared by DCP included as part of Attachment 2 (See Section IX) of the DCP Staff Recommendation Report.

4. ADOPT the FINDINGS made pursuant to and in accordance with Section 21081.6 of the California State Public Resources Code, the Mitigation Monitoring and Reporting Program as the Findings of the General Manager of LADOT and ADOPT the Mitigation Monitoring Program included as Attachment 3 of the DCP Staff Recommendation Report.

EFFECTIVE DATE

The Determination in this matter will become effective and final fifteen (15) days after the date of mailing the Notice of General Manager's Determination.


for Jaime de la Vega
General Manager

Attachments

ORIGINAL FILED
COUNTY CLERK'S USE

AUG 27 2013

LOS ANGELES, COUNTY CLERK

CITY OF LOS ANGELES
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF DETERMINATION

(California Environmental Quality Act Guidelines Section 15094)

DOCUMENT FILED
City Clerk's Office
CLERK'S USE
9-100-13-07
Certified by [Signature]
Date: AUG 27 2013

Public Resources Code Section 21152(a) requires local agencies to submit this information to the County Clerk. ^{Guideline 15094} requires submittal of this notice to the State OPR if the project requires discretionary approval from a state agency. (State OPR, 1400 Tenth St, Rm 121 Sacramento, CA 95814). The filing of the notice starts a 30-day statute of limitations on court challenges to the approval of the project pursuant to Public Resources Code Section 21167. Failure to file the notice results in the statute of limitations being extended to 180 days.		
LEAD CITY AGENCY AND ADDRESS (Bldg, Street, City, State) Los Angeles Department of Transportation 100 S. Main Street, Los Angeles, CA 90012		COUNCIL DISTRICT 1, 9, and 14
PROJECT TITLE (INCLUDING ITS COMMON NAME, IF ANY) The Figueroa Streetscape Project	CASE NO. ENV-2012-1470-EIR	
PROJECT DESCRIPTION AND LOCATION The Figueroa Streetscape Project (Proposed Project) is located within the public right-of-way along S. Figueroa Street (from 7th Street to Martin Luther King Jr. Boulevard); 11th Street (from Broadway to Figueroa Street); Martin Luther King Jr. Boulevard (from Figueroa Street to Bill Robertson Lane); and Bill Robertson Lane (from Martin Luther King Jr. Boulevard to Exposition Boulevard). The Proposed Project consists of 4.5 miles of new bicycle facilities and streetscape improvements. The new bicycle facilities consists of three miles of a combination of new buffered bicycle lanes and cycle tracks along S. Figueroa Street, from 7th Street to Martin Luther King Jr. Boulevard; a one-way westbound buffered bicycle lane along six blocks of 11th Street, from Broadway to Figueroa Street; and new buffered bicycle lanes along Bill Robertson Lane between Martin Luther King Jr. Boulevard and Exposition Boulevard. The streetscape improvements include pedestrian scale street lighting, new street trees and planting areas, repaired and enhanced sidewalk paving at transit stops, enhanced crosswalk treatments, transit furniture, and public art. The Proposed Project would also involve reconfiguration of roadway striping as necessary, which would result in the loss of several vehicular travel lanes and loss of existing parking spaces throughout the corridor.		
CONTACT PERSON David Somers	STATE CLEARING HOUSE NUMBER 2012061092	TELEPHONE NUMBER (213) 978-3307
This is to advise that on the City of Los Angeles has approved the above described project and has made the following determinations:		
SIGNIFICANT EFFECT	<input checked="" type="checkbox"/> Project will have a significant effect on the environment. <input type="checkbox"/> Project will not have a significant effect on the environment.	
MITIGATION MEASURES	<input checked="" type="checkbox"/> Mitigation measures were made a condition of project approval. <input type="checkbox"/> Mitigation measures were not made a condition of project approval.	
MITIGATION REPORTING / MONITORING	<input checked="" type="checkbox"/> A mitigation reporting or monitoring plan was adopted for the project. <input type="checkbox"/> A mitigation reporting or monitoring plan was not adopted for the project.	
OVERRIDING CONSIDERATION	<input checked="" type="checkbox"/> Statement of Overriding Considerations was adopted. <input type="checkbox"/> Statement of Overriding Considerations was not adopted. <input type="checkbox"/> Statement of Overriding Considerations was not required.	
ENVIRONMENTAL IMPACT REPORT	<input checked="" type="checkbox"/> An Environmental Impact Report was prepared and certified and findings were made for project pursuant to the provisions of CEQA. The final Environmental Impact Report with comments and responses and record of project approval may be examined at the Office of the City Clerk.* <input type="checkbox"/> An Environmental Impact Report was not prepared for the project.	
NEGATIVE DECLARATION	<input type="checkbox"/> A Negative Declaration or Mitigated Negative Declaration was prepared for the project and may be examined at the Office of the City Clerk.* <input checked="" type="checkbox"/> A Negative Declaration or Mitigated Negative Declaration was not prepared for the project.	
SIGNATURE (Lead Agency)	TITLE	DATE OF PREPARATION
[Signature]	Transportation Engineer Associate III	8/27/13
SIGNATURE (Office of Planning and Research if applicable)	TITLE	DATE
DISTRIBUTION: Part 1 - County Clerk Part 2 - City Clerk Part 3 - Agency Record Part 4 - Resp. State Agency (if any) Part 5 - Office of Planning and Research (if applicable)		* OFFICE OF THE CITY CLERK Room 395, City Hall 200 N. Spring Street Los Angeles, CA 90012

10/22/2010

Office: Downtown
Applicant Copy
 Application Invoice No: 13095

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.

City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

Applicant:
Representative: SHAMMAS AUTO GROUP - HOLTER, DARRYL (B:213-7435519)
Project Address:

NOTES:

ENV-2012-1470-EIR-1A			
Item	Fee	%	Charged Fee
APPEAL BY AGGRIEVED PARTIES OTHER THAN THE ORIGINAL APPLICANT *	\$89.00	100%	\$89.00
Case Total			\$89.00

Item	Charged Fee
Fees Subject to Surcharges*	\$89.00
Fees Not Subject to Surcharges	\$0.00
Plan & Land Use Fees Total	\$89.00
Expediting Fee	\$0.00
OSS Surcharge (2%)	\$1.78
Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
General Plan Maintenance Surcharge (5%)	\$4.45
Grand Total	\$106.80
Total Credit	\$0.00
Total Invoice	\$106.80
Total Overpayment Amount	\$0.00
Total Paid (this amount must equal the sum of all checks)	\$106.80

LA Department of Building and Safety
 LA 0012 101019575 9/10/2013 3:40:26 PM

PLAN & LAND USE \$106.80
 Sub Total: \$106.80

Receipt #: 0101199300

Council District: CITYW
 Plan Area: Citywide
 Processed by AVILA, RALPH on 09/10/2013
 Signature: *Ralph Avila*