

MASTER APPEAL FORM

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FEB 20 2014

City of Los Angeles – Department of City Planning

CITY PLANNING DEPT.

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

REGARDING CASE #: ENV-2012-83-MND-REC 1

PROJECT ADDRESS: 2003 OAK ST. (904 W. 20TH)

FINAL DATE TO APPEAL: _____

- 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: JAMES R. CHILDS

Are you filing for yourself or on behalf of another party, organization or company?

Self

Other: A.D.H.O.C / ADAMS

Address: 2341 SCARFE ST.
DOCKWEILER HERITAGE ORGANIZING COMMITTEE

UNIVERSITY PARK L.A. Zip: 90007

Telephone: 213-747-2526 E-mail: JEANJIM@EARTHUNK.NET

Are you filing to support the original applicant's position?

Yes

No

REPRESENTATIVE INFORMATION

Name: _____

Address: _____

Zip: _____

Telephone: _____ E-mail: _____

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:

- 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: _____

JAMES M. CAWDS
JAMES M. CAWDS

Date: _____

FEB. 18 2014
2/18/14

Planning Staff Use Only

Amount	<i>\$106.00</i>	Reviewed and Accepted by	Date
Receipt No.	<i>15186</i>	Deemed Complete by	Date

- Determination Authority Notified Original Receipt and BTC Receipt (if original applicant)

ADAMS DOCKWEILER HERITAGE ORGANIZING COMMITTEE

01/18/13

MASTER APPEAL FORM CONTINUATION:

ENV-2012-83-MND (DIR-2012-1217-CCMP-1A) / 2003 S. OAK STREET (904 W. 20TH STREET), 2009 OAK STREET, 2015 OAK STREET, 2021 OAK STREET, 2023-2025 OAK STREET, & 903-909 W. 21ST STREET / UNIVERSITY PARK HPOZ

As the Chair and on behalf of the Adams Dockweiler Heritage Organizing Committee (A.D.H.O.C.) we are aggrieved parties, and do object to, and appeal the South Area Planning Commission's (SAPC) Letter of Determination decision of February 14, 2014 [see Exhibit A-1] to ADOPT the Mitigated Negative Declaration, ENV-2012-83-MND [see Exhibit A-2], for the construction of a proposed multi-residential development complex consisting of 29-units, with 54-bedrooms located within six new 2-3-story buildings along the west side of the 2300 block-face of Oak Street and a 72-space underground parking lot for shared use by the Los Angeles Unified School District in the University Park Historic Preservation Overlay Zone as approved by the Director's Determination Letter, DIR-2012-1217-CCMP-1A (July 18, 2013) [see EXHIBIT A-1].

I find actions at the public hearing of January 21, 2014 in the SAPC review of my appeal of the Director of Planning's Letter of Determination plus my appeal of the associated Case: the Zoning Administrator's Letter of Determination decision ZA-2012-1216 (ZAA) (SPR) (November 22, 2013) and their ADOPTION of the MND were capricious and that they have abused their discretionary authority.

Their decision in ADOPTING an MND, which fails to comply with some of the necessary requirements of the California Environmental Quality Act (CEQA) was not based on their evaluation of the supplied factual data but issued simply by them as a procedural reaffirmation of other prior Departmental positions. I therefore request that my appeal be heard by the Los Angeles City Council.

The SAPC took oral and-or written testimony from myself, other stakeholders, members of the University Park HPOZ Board, long established historic preservation organizations, historic preservation consultants, affected community members, and representatives of the developer.

However after hearing from Steven Wechsler of the Los Angeles Department of City Planning speak on behalf of his own Staff Report the SAPC chose not to have any substantive discussion on facts raised by the public comments regarding the inadequacies of the MND nor make specific articulated findings in response to the conflicting interpretations of those facts but to simply and perfunctorily adopted the Staff Report's response and conclusions. They approved the Project and ADOPTED the MND.

This passive action of continuing the rubber-stamping of approvals of the Planning Departmental decisions flies in the face of the purpose of a CEQA review. When decision makers, through their own acquiescent silence about the issues, render decisions without factual clarity they abuse their responsibility. The SAPC chose not to examine, review or

discuss how my appeal, with respect to failures of MND, was in error and how the Staff Report was correct, and that action lacks the transparency required to be sustainable.

The Project's MND, written by City Planning Associate Mr. Michael O'Brien (October 18, 2012), affirms that the Project will: "**cause a substantially adverse change of a historical resource as defined by §15064.5**", and would therefore be: "**Potentially significant unless mitigation incorporated.**" [see: V-a Cultural Resources, page-10, MND EXHIBIT A-2]. The proposed mitigation: "**Comply with the University Park Historic Preservation Overlay Zone Preservation Plan.**" [see: V-a Cultural Resources, page-02, MND EXHIBIT A-2].

The MND's APPENDIX-A ENVIRONMENTAL IMPACTS EXPLANATION TABLE explains "**Since the Project is proposed as infill in the University Park Historic Preservation Overlay Zone, it could potentially have a significant impact on the HPOZ**", and offers MITIGATION MEASURES: "**Application of the proposed mitigation measures will reduce the potential impacts to insignificance.**" [see: V-a Cultural Resources, page-16, MND EXHIBIT A-2].

Mr. O'Brien in his issuance of the MND asserted the Project's ultimate CEQA compliance would be based simply on the his presumption of the project's anticipated design compliance with the Preservation Plan. This long standing approach to CEQA compliance by the Planning Department stems from a non-sustainable conclusion that since the Director is omnipotent and would not approve a project that is not in compliance with a HPOZ Preservation Plan, therefore his approval automatically mitigates any and all possible potential negative impacts. This flawed process by LADCP has created a myopic and self-serving decision making procedure that rejects all other alternative positions.

As a two-term the University Park HPOZ Boardmember and a drafter of the University Park Preservation Plan, I am well aware of the concept. Admittedly it has worked out successfully since the empowerment of the Preservation Plan (July 14, 2005). But that is only do to the fact that until this Project there has never been a dispute between the University Park Board majority and the Director of Planning about the integrity of a project's design meeting the required UPPP criteria.

Both the University Park HPOZ Board, through its through it's own design review procedures and ultimately the Planning Department's Staff concurrence, are empowered to ensure that all applicable criteria, as established under the HPOZ Ordinance and as defined within the University Park Preservation Plan, have been implemented in any project.

These actions are taken, in part, in order to "comply with CEQA". Theoretically therefore when a project in the UP-HPOZ is found to be in design compliance with Preservation Plan it can be inferred that it is also therefore in compliance with the Secretary of the Interior's Standards & Guidelines (SIS&G), which is a requirement for CEQA compliance, and forms the basis for the creation of a Preservation Plan.

It is ironic that the very first dispute between the University Park HPOZ Board and the Director of Planning regarding a project's compliance with the UPPP would involve the largest new in-fill project ever proposed in the University Park Historic District: a whole

blockface of development, six new in-fill multi-story structures, a mixed-use project in the middle of a historic residential neighborhood, a project abutting the Twentieth Street National Register Historic District.

The Thomas Safran & Associates' proposed multi-residential development Project known as the "Norwood Elementary School Workforce Housing / Joint Parking Project" **does not conform** to the requirements of the University Park Preservation Plan (UPPP) as determined by the Motion of the University Park HPOZ Board majority at their public meeting of January 15, 2013.

Their findings, with which I concur, concluded, among other issues, that the Project **failed** to conform with many substantive elements of the University Park Preservation Plan's "Prevailing" requirements including: massing, (particularly building No.3), lot coverage, historic setbacks, and historic patterns of development.

The University Park-HPOZ Board Vice-Chair, Mr. Jim Robinson highlighted the Project's lack of compliance by providing a partial list of the UPPP's "IN-FILL" requirements which the Project's design **did not comply** with:

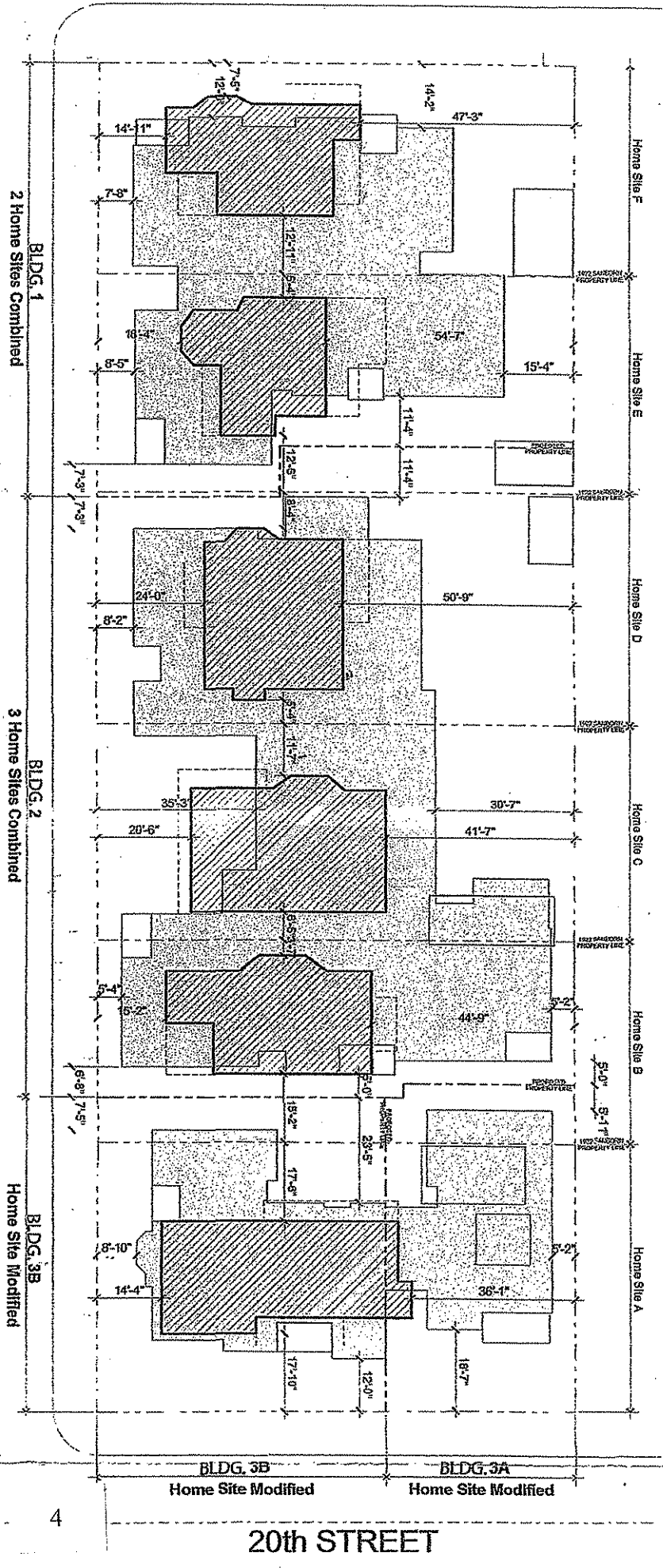
- "A new project should not dominate existing buildings and structures. In general the new project should look as though it belonged to an area."
- "For larger lots and contiguous lots, the side yard and overall lot coverage of the proposed new development should be compatible with the historic development pattern of the block."
- "New residential structures should be consistent in scale and massing with the existing historic structures with(in) the prevailing block."
- "New residential structures should harmonize in scale and massing with the existing historic structures in surrounding blocks."
- "Height for multi-family zoned lots in University Park that are amongst single-family structures should be built to the height of other single-family homes along the same block."
- "If the prevailing height is less than prescribed by code, then a new project should adopt a height similar to the prevailing."
- "Respect the prevailing setback, i.e. the most commonly occurring setback and lot coverage of the historic properties on the block face on which the building will be sited."
- "New residential structures should be placed on their lots consistent with the existing historic setbacks of the block on which they are located."
- "If the historic development pattern for a vacant lot is known, new construction on the lot should be encouraged to follow this historic pattern."



The University Park HPOZ Board researched the historic character of the 2300 Oak Street blockface before the LAUSD's demolition by eminent domain. This research found that the proposed Project would result in an increase of the lot coverage by 69% and an increase in the density volume by 180%. The developers Thomas Safran as part of their design submissions to the Board provided a Comparative Overlaid Footprints between 1922 & 2012. Although the final design was modified after the May 12, 2013 illustration the overall footprint of the Project is substantively the same.

1922 Sanborn Map with Underlay of Proposed Buildings

University Park HPOZ Neighborhood Survey
May 2012

OAK STREET



-  Proposed Building Footprint
-  1922 Sanborn Map Footprint

20th STREET

As a matter of record, an HPOZ Board is a legally recognized decision making entity of the City whose members are required to be experts by the City's own Ordinance. Therefore, the Board's findings must also be considered as expert opinion under CEQA. The following excerpts from their January 13, 2014 letter [see EXHIBIT-3a] to the SAPC clarify their position and rationale:

"UNIVERSITY PARK HPOZ BOARD / January 13, 2014

- PUBLIC HEARING, Tuesday January 21, 2014,
- Constituent Service Center, 8475 South Vermont Avenue, LA, CA 90044

- Honorable Commissioners:

- I am writing as the Chair of the University Park HPOZ Board in response to the above referenced Project. We ask that the Commission support the Appeal in both the ZA case and the CCMP case, based on the facts in the record.

- The University Park HPOZ Board takes its responsibility very seriously. While there are some pleasing aesthetics in this project, the core issues have not been resolved. As an appointed Board, we are charged with interpreting and seeing that proposed project conforms to the Secretary of Interior's Standards and the University Park Preservation Plan.

- Try as the City has done, the failure to meet these requirements is demonstrated by the record. The project should be reduced in massing and scale, so that the volume and mass conforms to what is prevailing in the immediate neighborhood.

- The current proposed project places a three story building, with a setback 5 feet away from the property line of the Twentieth Street National Register district. Building 3 of their plan provides a 57.7% lot coverage. The average for 20th street is 38.62%. The average for 21st Street is 38.9%.

- While favorable design elements create a visual facade that is pleasing, it does not address the significant issues of massing, scale, setback, lot coverage and the historic pattern of development. Oak Street consisted of six buildings between one and a half and two stories in height. The proposed project alters the prevailing neighborhood character and attempts to justify its mass and volume, not on what is prevailing, but rather on the extreme examples that exist but are not prevailing in and around the subject site.

- The Board by unanimous vote (4-0) on December 3, 2013, resolved to reconfirm to the decision making bodies its earlier position taken and resubmit their findings that Project does not comply with the University Park Preservation Plan as required. Further, since it does not comply, the impacts of the project are not adequately mitigated. Therefore the Board, in its review of the MND, concluded that it was deficient for purposes of required compliance with the California Environmental Quality Act. The Board, by unanimous vote, requested that the MND not be certified and that a new CEQA review process to be initiated. The AZA has decided otherwise and unfortunately deferred independent review of Preservation Plan compliance to the Director of Planning.

- The HPOZ Board, in cases requiring the issuance of a Certificate by the Director of Planning, is limited to an advisory position. However we are an official, empowered, decision making Board with unique expertise in interpretation of the adopted Preservation Plan. Under the City's Preservation Ordinance and the UPPP, the Board has an administrative responsibility to insure that actions taken in the UP-HPOZ are in compliance

with CEQA. In this unusual instance, the Director of Planning has disagreed with the UPHPOZ Board recommendation and found that, in his view, the project was compliant with the Preservation plan. That finding the HPOZ Board strongly takes issue with and, based on the facts in the record, finds that the project does not comply with the Preservation Plan.

- The MND concludes in Section V that there are potentially significant impacts to the historic settings and Cultural Resources unless mitigated. The mitigation proposed is compliance with the UP-HPOZ Preservation Plan and thereby the requirements of the Secretary of the Interior's Standards for Historic Resources (SISHR). Since the Board has found that the project is not in compliance with the UPPP, the significant negative impacts to cultural resources are not mitigated. While the Director of Planning may disagree, there is, never the less, expert opinion to the contrary. The University Park HPOZ Board, has already found that the Project does not comply with the UPPP and thereby the SISHR. The proposed mitigation fails to be sufficient. When there is a disagreement between experts, for purposes of CEQA, a higher level of review must be undertaken.
- At the core of the findings is the Secretary of interior's Standards requirement that: **New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.**
- The project as currently proposed fails to comply with the prevailing massing, setbacks, lot coverage, height and historic pattern of development. These elements are contrary to the character defining elements of the Oak Street, 21st Street, and 20th Street Block faces and sets a new and incompatible precedent for development in this area."

This lack of compliance with the University Park HPOZ Preservation Plan results in a Project that negatively impacts the historic setting and adjacent historic structures and therefore **is not in compliance** with the Secretary of the Interior's Standards & Guidelines as required. As such, the Project's MND environmental document MND is not valid.

The HPOZ Board as expert in interpreting the adopted Preservation Plan for this area has also made comment to the Zoning Administrator for Case No. ZA-2012-1216-(ZAA)-SPR stating their rejection of the Project and requesting that the developer's request for front, rear and side-yard setback exemptions be denied and that the Project's MND be rescinded and a new environmental process begun.

The Planning Department as "lead agency" has a responsibility beyond that of meeting their own CCMP requirements. Their responsibility to CEQA is to identify potential impacts and when informed by the public that there are possible errors, respond to them.

Several other qualified expert historic preservation consultants also made continuing comments about the deficiencies of the Project's MND throughout the administrative procedures, including those of the West Adams Heritage Association consultant Ms. Mitzi March Mogul in her letter [see EXHIBIT-2b] to the SAPC:

- "West Adams Heritage Association January 11, 2013
- The evidence in the official record demonstrates that the project's location, size, height, operations and other significant features will not be compatible with and will adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare and safety. Furthermore, the impacts on the immediately adjacent 20th Street National Register Historic District will be considerable.
- The Secretary of Interior Standards (Standards) are required guidelines in reviewing projects such as the one involving the Norwood School. Although the proposed project itself is new construction, the project site is located in the heart of a historic area.
- Standard #9 states: New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the **property and its environment**.
- Standard #10 states: New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its **environment** would be unimpaired.
- These two are particularly critical in this case as they reference not only the property under restoration/construction, but **the environment**. This is no accident of language. Historic structures and districts do not exist in a vacuum. They have inborn, shared relationships with their surroundings. It has been pointed out in the numerous letters you have received and in the findings of the UPHPOZ Board that many aspects of the proposed project violate the delicate relationship between it and the historic environment.
- I have not seen any published document findings which specifically reference how the project does meet the Secretary of Interior Standards. This is a critical omission. It is imperative that when public funds are being used and there are questions with regard to potential impacts, that a detailed justification be submitted. It is not enough to simply state that a project meets the Standards; the applications, discussions of mitigations, and other related documents must be precise and specific. They must prove that the project meets the Standards. Had the applicant done so, we might have had a difference of opinion between experts, which would prompt a different discussion. However, I must point out that even in such a situation, CEQA requires that we err on the side of caution and follow the course which favors the protection of the historic resources over the new construction.
- The Mitigated Negative Declaration (MND) fails to mitigate the impacts which have been identified even by the preparer of the MND. The statement in the MND which is presented as a mitigation is nothing more than the conclusion of the preparer that impacts *"will be mitigated to a less than significant level through compliance with the Secretary of the Interiors Standards for Historical Resources by the following measures: Comply with the University Park Historic Preservation Overlay Zone preservation Zone."* This is a vague, intangible, murky pronouncement, clearly made with prejudice. It offers no foundation, no guidelines, no specifics. It does not address the fact that the UPHPOZ Board has already concluded that the project does not comply with the Preservation Plan. As previously stated, it does not offer specifics as to how it will meet the Secretary of the Interior Standards.

- The UPHPOZ Board has obvious experience in analyzing and applying the Preservation Plan and projects which are brought before them, and they have found that the proposed project does not meet the requirements of the Preservation Plan. As the senior authority, their conclusion should be accepted and used as the guideline for the project. Therefore, the significant environmental impacts of this project are not mitigated, despite whatever nebulous, poorly conceived smoke screen has been written into the MND.
- Since the project does not meet the UPHPOZ Preservation Plan guidelines, it cannot meet the Secretary of Interior Standards as the two are inextricably linked. The Director's determination goes into detail on points of the Preservation Plan that the project meets. Some are correct, but others are blatant misrepresentation of the facts. For example, the Preservation Plan specifically states that "New construction should incorporate materials similar to those used traditionally in historic structures in the area. It is important to maintain a sense of authenticity of materials in the district. Accordingly, materials such as pressed hardboard or vinyl that replicate the appearance of historical materials should not be allowed. New construction should incorporate materials similar to those used traditionally in historic structures in the district."
- The Director completely ignores this very specific requirement of the Plan, and makes the unsubstantiated and fanciful statement "The proposed project is new construction allowing for the use of contemporary construction materials." This is not what the Plan requires, and the Director abuses his discretion by completely ignoring this very specific prerequisite. The entire decision is filled with similar misrepresentations. This error is compounded, and is doubly important, as the ZA, in making his determination in the related case, makes no independent judgment on whether the project meets the requirements of the Standards nor the Preservation Plan but relies entirely on the Director of Planning's determination.
- There is no point in having laws or regulations of any kind if they are to be dismissed whenever convenient—or inconvenient."

Additional excerpt testimony was provided again provided throughout the City's administrative procedures by historic preservation consultant Ms. Laura Meyers, Vice President of the North University Park Community Association. In their letter [see EXHIBIT-3c] of January 12, 2014 to the SAPC she proffered :

"North University Park Community Association January 12, 2014

- The proposed project is NOT COMPATIBLE (from either a design or zoning perspective) with either Secretary of Interior Standards for infill construction or specifically with the University Park HPOZ Preservation Plan.
- It is also incompatible with several adopted citywide land use policies.
- In the same vein, regarding the HPOZ/Certificate of Compatibility case: N.U.P.C.A. concurs with the HPOZ Board and disagrees with the Director of Planning that this project complies with the University Park HPOZ Preservation Plan. Certainly many other commentators have reached the same conclusion: In terms of lot coverage, setbacks (relative both to historical Sanborn Maps and current prevailing setbacks), historic patterns of development, and scale/massing, this project does NOT conform with the Preservation Plan and is NOT compliant with Secretary of Interior Standards.

- The citywide HPOZ ordinance does give the Director of Planning the authority to approve, approve in part and/or to deny an application for a Certificate; however, the ordinance also states that the Director *shall* base a decision in the absence of a preservation plan on the following:
 - *"(1) architectural design; (2) height, bulk, and massing of buildings and structures; (3) lot coverage and orientation of buildings; ... and (9) yards and setbacks;" additionally a project "shall be contextually compatible with the massing, size, scale, and architectural features of nearby structures in the Preservation Zone."*
- The University Park Preservation Plan exactly incorporates the ordinance language and there is no reason to believe that the Director of Planning would therefore be able to stray from the word "shall" to instead pick and choose only some elements to abide by.
- Furthermore, for clarity, four of the five sitting Board members of the University Park HPOZ have stated (three voted for the record, the fourth e-mailed when out of town) that the project is not in compliance with the requirements of the Preservation Plan. And the Board has submitted multiple letters regarding their initial decision, and subsequently their disagreement with the Director's decision, the Zoning Administrator's decision and the environmental clearance. N.U.P.C.A. relies on our community-based Board members and their expertise to ensure that development is compatible with the character of our community, and it is shameful that city officials -- after many years of acknowledging the expertise in our community -- has now chosen to ignore it.
- This project, and its many variations to adopted policies, if granted, would be materially detrimental to the character of the surrounding neighborhood. N.U.P.C.A. therefore urges the Area Planning Commission to support the two Appeal(s) in their entirety, and reject this proposed project.
- In addition, for purposes of CEQA, N.U.P.C.A. notes that at minimum, there is a disagreement among experts regarding the impacts of this project on not only the local historic district but also the National Register Historic District, and as a result we request that you not certify the current MND environmental clearance and instead require a new MND that explores the potential impacts and mitigations to adjacent historic resources.

The evaluation of the particular effect of a project on the environment depends on the project's location and surroundings. In *Leonoff v. Monterey County Board of Supervisors*, the court applied this principle and found that what may apply in a residential area may not apply to an urban commercial environment.

The proposed Norwood Project abuts the TWENTIETH STREET NATIONAL REGISTER HISTORIC DISTRICT (1991) along its' west rear yard. The Project developers have received a discretionary entitlement from the Zoning Administrator to allow for a LA City Code required 15-foot rear yard setback to be reduced to a 5-foot rear yard (ZA-2012-1216-[ZAA] SPR).

This Project's design now results in a massive 3-story residential apartment, with balconies, that will overshadow the adjacent single family, one story, and National Register listed home at 912 West 20th Street. The Project's accompanying environmental document ENV-2012-83-MND, (see attached Exhibit A-2) prepared by Michael O'Brien for ZA-Case component of the Project, ignores the very existence of the TWENTIETH STREET NATIONAL REGISTER HISTORIC DISTRICT and thereby fails to recognize any potential significant negative impact.

The City has not only failed to acknowledge the sensitivity of the Twentieth Street National Register District environment, but also the cumulative context of other approved and proposed developments, and issues of traffic and circulation. Throughout the MND, there is a capricious application of vague standards, rather than a fact based analysis. Throughout the MND preparation period, and numerous hearings, the City has failed to provide any factual basis for its conclusions concerning the special relationship between the setting and its impacts as required by CEQA.

Seminal to the CEQA process is an interaction between the public and the Lead-Agency. When an entrenched bureaucracy only responds in lock-step it restricts the options to an appeal to a higher authority. The Los Angeles City Council.

The purpose of the California Environmental Quality Act includes the establishment of a low threshold for the preparation of an EIR, and the act must be interpreted liberally "to afford the fullest only possible protection of the environment within the reasonable scope of the statutory language." (Friends of Mammoth v. Board of Supervisors, 8 Cal 3d 247, 29 (1972) guidelines Section 15003 (f). The potential significant environmental effects of the proposed project which alters the spatial relationships of the historic patterns of development, lot coverage, setbacks, scale, massing and density demonstrates a significant environmental impact. The California Supreme Court in No Oil v. City of Los Angeles concluded that the interpretation of CEQA, which affords the fullest possible environmental protection, is **"one which will impose a low threshold for the preparation of an EIR."**

The MND is a legally deficient CEQA document. By adopting the Staff Report and certifying the MND the SAPC has abused their discretionary authority. As its Chair and on behalf of the Adams Dockweiler Heritage Organizing Committee and the University Park community I respectfully ask that you grant our appeal.

Jim Childs
Chair, Adams Dockweiler Heritage Association
213-748-1656 / email: jeanjim@earthlink.net
2341 Scarff Street / University Park, L.A.-CA. 90007

EXHIBITS:

- EXHIBIT A-1. South Area Planning Commission Determination letter 02/04/14
with attached Director's decision 07/18/13 – DIR-2012-1217-CCMP-1A.

- EXHIBIT A-2. ENV-2012-83-MND 10/18/12

- EXHIBIT A-3a. University Park HPOZ Board letter to SAPC 01/13/14
- A-3b. West Adams Heritage Association letter to SAPC 01/11/14
- A-3c. North University Park Community Association letter to SAPC 01/12/14