

MASTER APPEAL FORM

City of Los Angeles – Department of City Planning

APPEAL TO THE: East Los Angeles Area Planning Commission
(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: ZA 2001-5451 (CU)(PA1) Approval of Plans

PROJECT ADDRESS: 3721 North Marmion Way, Los Angeles, Ca 90065

FINAL DATE TO APPEAL: November 17, 2014

- 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: Mike Hernandez

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

Self Other: _____

Address: 3442 Arroyo Seco Ave.

Los Angeles, Ca. Zip: 90065

Telephone: (213) 944-4499 E-mail: MIKE.HERNANDEZ@MAC.COM

- 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

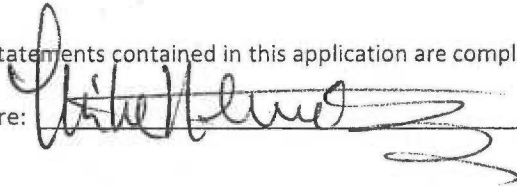
ADDITIONAL INFORMATION/REQUIREMENTS

- 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: _____



Date: _____

11/17/14

Planning Staff Use Only			
Amount	106.250	Reviewed and Accepted by	LP Steele
Receipt No.	0104370602	Deemed Complete by	
<input checked="" type="checkbox"/>	Determination Authority Notified	<input type="checkbox"/>	Original Receipt and BTC Receipt Received

Case No. ZA 2001-5451(CU)(PA1)

Project Address: 3721 North Marmion Way , Los Angeles, Ca ., 90065

I respectfully request the appeal of Zoning administrator Decision to approve plans to permit the installation , use, and maintenance of a new ATT wireless telecommunications facility. For the following reasons

1) The location they have chosen would impact potential future development of the site. The Church has been land Banking for several decades and controls 75% of the entire block between Figueroa st. Ave 37 and Marmion Way. The City worked with the community on said location to re-zone because of the transit corridor and opportunities created by the Gold line that runs next to the property.

2) Currently there exist a T Mobile antenna on the rooftop of the church this antenna is not visible to the surrounding residential community. The proposed WCF does not colocate with that antenna but selects a different location on the corner of the property. This new Location affronts single family residential housing and effects future development.

3) ATT currently has two wireless internet poles on Figueroa St between Ave. 37 and Marmion way less than 200 feet of proposed new WCF.

4). Their site placement study was flawed and could have looked at property owned by City of LA on Ave 37 and Arroyo Seco Ave. about 20 feet from current site This land is flat and empty and could accommodate the WCF and its box. Instead their site placement study was limited and only proposed sites that where non starters. and would not work.

5) They could also have looked at Gold Line right away land again compatible for proposed use and it would not impact the residential neighborhood with a 45 foot antenna.

6) This site does not meet required set back from Street intersection and nearest residential Home.

I believe ATT choose the cheapest way to lease land for their facility and its impact on surrounding residential community was not taken into account. As the former Council Member who lives 3 Blocks away from this property and worked to use Planning tools to separate conflicting uses there are better solutions for this facility. The only way to discuss other locations is to deny this application

Sincerely
Mike Hernandez