

ORIGINAL



Application: X

APPEAL APPLICATION

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

1. APPELLANT BODY/CASE INFORMATION

Appellant Body:

CEQA APPEAL

Area Planning Commission City Planning Commission City Council Director of Planning

Regarding Case Number: ENV-2014-2392-MND; DIR-2015-1998-DB

Project Address: 3401-3415 1st St + 116-126 S Lorena St.

Final Date to Appeal: APRIL 20, 2016

Type of Appeal:

- Appeal by Applicant
- Appeal by a person, other than the applicant, claiming to be aggrieved
- Appeal from a determination made by the Department of Building and Safety

2. APPELLANT INFORMATION

Appellant's name (print): Pedro A Posado + Marlene Posado

Company: El Mercado de Los Angeles

Mailing Address: 3425 E 1st St.

City: Los Angeles State: CA Zip: 90063

Telephone: 323-268-3451 E-mail: elmercaditoela@yahoo.com

- Is the appeal being filed on your behalf or on behalf of another party, organization or company?

Self Other: _____

- Is the appeal being filed to support the original applicant's position? Yes No

3. REPRESENTATIVE/AGENT INFORMATION

Representative/Agent name (if applicable): Harvey Englander + Juan Farza

Company: Englander Knabe + Allen

Mailing Address: 801 S. Figueroa St. Suite 1050

City: Los Angeles State: CA Zip: 90017

Telephone: 213-741-1500 E-mail: cc:juan@englanderpr.com

4. JUSTIFICATION/REASON FOR APPEAL

Is the entire decision, or only parts of it being appealed? Entire Part
 Are specific conditions of approval being appealed? Yes No

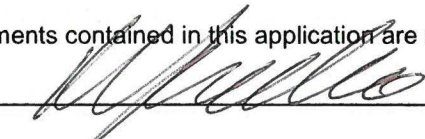
If Yes, list the condition number(s) here: _____

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason 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

5. APPLICANT'S AFFIDAVIT

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

Appellant Signature:  Date: 4/20/16

6. FILING REQUIREMENTS/ADDITIONAL INFORMATION

- Eight (8) sets of the following documents are required for each appeal filed (1 original and 7 duplicates):
 - Appeal Application (form CP-7769)
 - Justification/Reason for Appeal
 - Copies of Original Determination Letter
- A Filing Fee must be paid at the time of filing the appeal per LAMC Section 19.01 B.
 - Original applicants must provide a copy of the original application receipt(s) (required to calculate their 85% appeal filing fee).
- Original Applicants must pay mailing fees to BTC and submit a copy of receipt.
- Appellants filing an appeal from a determination made by the Department of Building and Safety per LAMC 12.26 K are considered original applicants and must provide noticing per LAMC 12.26 K.7.
- A Certified Neighborhood Council (CNC) or a person identified as a member of a CNC or as representing the CNC may not file an appeal on behalf of the Neighborhood Council; persons affiliated with a CNC may only file as an individual on behalf of self.
- Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.
- A CEQA document can only be appealed if a non-elected decision-making body (ZA, APC, CPC, etc.) makes a determination for a project that is not further appealable. (CA Public Resources Code § 21151 (c)). CEQA Section 21151 (c) appeals must be filed within the next 5 meeting days of the City Council.

This Section for City Planning Staff Use Only		
Base Fee: \$89-	Reviewed & Accepted by (DSC Planner): Eric Clarar	Date: 4/20/2016
Receipt No: 0103572298	Deemed Complete by (Project Planner):	Date:
<input checked="" type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

ATTACHMENT

Reasons for the Appeal:

- The project will result in significant cumulative impacts. The would result in an intensification of existing land uses in a heavily urbanized area.
- The project conflicts with applicable land use plans, policies and regulations
- The project brings too much density to an already dense area
- The project does not encourage healthy, diverse areas
- The project directly induces substantial population growth in an already overpopulated area
- The project will adversely impact physical provisions of government facilities especially schools, libraries
- The project will increase the use of existing neighborhood / recreational facilities that will result in substantial physical deterioration.
- The project does not include recreational facilities or require the construction or expansion of recreational facilities.
- The project fails to provide adequate parking which conflicts with adopted policies, plans and programs
- The project has impacts that are individually limited, but cumulatively not considered