



APPLICATIONS:

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:

- Area Planning Commission, City Planning Commission, City Council, Director of Planning

Regarding Case Number: ZA-2015-3213-CUB-CUX-ZV-1A and ENV-2015-3214-MND

Project Address: 649 SOUTH OLIVE STREET

Final Date to Appeal: 06/01/2016

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

2. APPELLANT INFORMATION

Appellant's name (print): JESUS HERMOSILLO

Company: UNITE HERE LOCAL 11

Mailing Address: 464 LUCAS AVE

City: LOS ANGELES State: CA Zip: 90017

Telephone: (213) 481-8530 ext. 328 E-mail: JHERMOSILLO@UNITEHERE11.ORG

- 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):

Company:

Mailing Address:

City: State: Zip:

Telephone: E-mail:

**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: 5/31/16

**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).
- All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of the 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, pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt.
- 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)].

| This Section for City Planning Staff Use Only                        |  |   |
|--|--|---|
| Base Fee:<br>\$ 89 <sup>-</sup>                                      | Reviewed & Accepted by (DSC Planner):<br>Eric Claras | Date:<br>6/1/2016   |
| Receipt No:<br>0101589015  | Deemed Complete by (Project Planner):                | Date:   |
| <input checked="" type="checkbox"/> Determination authority notified |  | <input type="checkbox"/> Original receipt and BTC receipt (if original applicant) |

# UNITEHERE! LOCAL 11

May 31, 2016

Vincent Bertoni, Director of Planning  
Department of City Planning  
201 N Figueroa St, 4<sup>th</sup> Floor  
Los Angeles, CA 90012

Re: Case No.: ZA-2015-3213-CUB-CUXZV-1A & ENV-2015-3214-MND

Dear Mr. Bertoni:

Below are my reasons for appealing the Central Area Planning Commission's recent decision to adopt the Zoning Administrator's approval of the Zone Variance and Conditional Uses, and the Mitigated Negative Declaration in connection with the project proposed at 649 South Olive Street and 505 West 7<sup>th</sup> Street by 649 South Olive LLC (the Nomad Hotel).

**We believe the MND is inadequate** with respect to the Nomad Hotel's potential traffic and parking impacts, its potential water-supply impact, and its cumulative impacts in the downtown area. The proposed project is not providing the minimum number of parking spaces for a hotel, a land use that experts have shown generates a significant demand for parking spaces. The MND also fails to analyze the various cumulative impacts in the downtown area. With nearly 100 development projects in the vicinity, including hotels and other projects, that will consume water, demand parking, increase traffic and noise, and generate greenhouse-gas emissions, the project merits a thorough environmental review.

As noted in the Zoning Administrator's determination letter, already "the area has had an increase in restaurants with alcohol conditional use permits to serve both the expanding residential population and nearby office work population and tourists." The Conditional Uses granted, along with the fact that the new hotel would provide zero onsite parking, would also contribute to the security concerns above for customers, employees and the general public.

**A commissioner's apparent conflict of interest** and failure to recuse herself from the May 10 hearing of the item is also of deep concern. Commissioner Jennifer Chung-Kim, one of the three members of the Central Area Planning Commission who participated in the May 10 hearing appears to be employed as managing director at KCM Agency ([kcmagency.com](http://kcmagency.com)) by its CEO, Roy Choi, who is also a Sydell Group business partner. As indicated by the Sydell Group website ([www.sydellgroup.com](http://www.sydellgroup.com)), and as noted by Ms. Elizabeth Peterson at the May 10 hearing, the Nomad Hotel developer also operates the Line Hotel in Los Angeles, whose website ([www.thelinehotel.com](http://www.thelinehotel.com)) lists Mr. Choi as an integral partner.

For these and other reasons, I am appealing this decision. Thank you for attention to these concerns.

Sincerely,



Jesus Hermosillo  
Research Analyst

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