

# MASTER APPEAL FORM

Text

APPEAL # 1

City of Los Angeles – Department of City Planning

APPEAL TO THE: City Council

(DIRECTOR, AREA PLANNING COMMISSION, CITY PLANNING COMMISSION, CITY COUNCIL)

REGARDING CASE #: ~~DIR-2014-668-SPP-SPPA-2A~~ CEQA: ENV-2014-887 mnd

PROJECT ADDRESS: 12833-12835 West Ventura Blvd., 4218-4230 Coldwater Canyon

FINAL DATE TO APPEAL: N/A

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

## APPELLANT INFORMATION – Please print clearly

Name: Patrice Berlin

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

Self

Other: \_\_\_\_\_

Address: 4205 Alcove Ave.

Studio City, CA

Zip: 91604

Telephone: 818-505-9134

E-mail: patriceberlin@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: 05-22-15

**Planning Staff Use Only**

Amount <u>106.80</u>	Reviewed and Accepted by <u>Daniel Skolnick</u>	Date <u>5/22/15</u>
Receipt No. <u>0203224390</u>	Deemed Complete by <u>[Signature]</u>	Date <u>5/28/15</u>

Determination Authority Notified

Original Receipt and BTC Receipt (if original applicant)

Justification of Appeal to the City Council

RE:DIR-2014-886-SPP-SPPA-2A

12833-12835 West Ventura Blvd./4218-4230 North Coldwater Canyon Ave.

The project as approved will have a severe and substantial impact on both the hotel property and the surrounding community, and was improperly approved in conjunction with an incomplete MND that relied on flawed and/or insufficient studies, inaccurate data, and improper assumptions.

The traffic impact and shared parking studies are flawed  
Traffic and parking counts are based on outdated data  
The applicant's noise study is incomplete and inaccurate  
The environmental document is inadequate.  
The project description is inaccurate and incomplete

The purported shared parking request actually constitutes an exception from the specific plan

We are requesting the City Council to overturn the Planning Commission's approval of the MND and require the Developer to complete a full EIR consistent with the requirements of CEQA.

We were not accurately represented nor informed of the project at its inception or the scope of it by the SCRA and SCNC.