



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: CPC 2016 837 SP MCUP DRVB SPP SPR

Project Address: _____

Final Date to Appeal: 12/19/16

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): MATT PAUCUO

Company: SAVE POTTER RANCH

Mailing Address: 19410 WILFMAN ST

City: POTTER RANCH State: CA Zip: 91326

Telephone: 818-964-5844 E-mail: SAVE POTTER RANCH @APL.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): _____

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: [Signature] Date: 12-19-18

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).
- NA* ● 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.
- NA* ● 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.
- NA* ● 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.
- NA* ● Appeals of Density Bonus cases can only be filed by adjacent owners or tenants (must have documentation).
- NA* ● 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.
- NA* ● 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: <u>\$29</u>	Reviewed & Accepted by (DSC Planner): <u>Anna M. Vidal</u>	Date: <u>12/19/18</u>
Receipt No: <u>0201376336</u>	Deemed Complete by (Project Planner): <u>[Signature]</u>	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

Los Angeles City Planning Case Tracking System

NEW FEATURE myPCTS

Welcome: ANNA
Version : 65.4.0.0

myPCTS · Search · Fee Estimator · Reports · Help · Sign Out

Property

Application

Case

Fee Module

Applicant Information (Use Appellant Info for Appeal)

Company Name: SHAPELL LIBERTY INVESTMENT
Phone: (323) 9887590

First Name: JOHN
Availability:

Last Name: LOVE
Type: BUSINESS

Representative Information

Company Name: LINER LLP
Phone: (213) 6193141

First Name: KYNDRA
Availability:

Last Name: CASPER
Type: BUSINESS

Project Address

11201 N AVENIDA ALDEA, 91326

NOTES

CPC-2016-837-SP-MCUP-DRB-SPP-SPR-1A

Item	Fee	%	Charged Fee
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	100%	\$89.00
Standard Photocopy - Letter (8.5 x 11) (14)	\$0.10	100%	\$1.40
Case Total			\$90.40

CPC-2016-837-SP-MCUP-DRB-SPP-SPR-1A (Invoice No. 33870)

Item	Charged Fee	Credit
Appeal by Aggrieved Parties Other than the Original Applicant *	\$89.00	<input type="checkbox"/>

*Fees Subject to Surcharges \$89.00
Fees Not Subject to Surcharges \$1.40

Plan & Land Use Fees Total	\$90.40
Expediting Fee	\$0.00
Development Services Center Surcharge (3%)	\$2.67
Development Surcharge (6%)	\$5.34
Operating Surcharge (7%)	\$6.23
General Plan Maintenance Surcharge (5%)	\$4.45
Grand Total	\$109.09
(including surcharges if applicable) Total Credit Amt	\$0.00
Total Invoice	\$109.09

PAYMENT INFORMATION

Check #

Check Amt (format: 111.11)
\$
\$
\$
\$
\$

Overpayment Amt
\$
\$
\$
\$
\$

Overpayment Total \$0.00
Total Paid \$109.09
(this amount must equal the sum of all checks)

PLAN & LAND USE
Receipt #: 0201376336

Sub Total: \$109.09

PLAN & LAND USE

\$109.09

Department of Building and Safety
12/19/2016 4:30:30 PM

Preview

Invoice # 33894

Amelinda 12/19/16

Appeal from:

Save Porter Ranch, Inc. By Matt Pakucko, President

19360 Rinaldi St, Suite 454

Porter Ranch, CA 91326

December 19, 2016

Appeal for Case No: CPC-2016-837-SP-MCUP-DRB-SPP-SPR

CEQA: EIR 88-0026(SP)(ZC)(PA) SCH No. 88050420, ENV-1998-26-EIR, Addendum

believe the LA City Planning commission erred in their decision and I appeal the decision with these 5 points:

1:

It is not consistent with the Porter Ranch Specific Plan, specifically:

~~An Ordinance amending Ordinance No. 166,068, the Porter Ranch Specific Plan, for a portion of the Chatsworth-Porter Ranch Community Plan Area, hereby PRSP:~~

That document states:

"PURPOSES. The purposes of this Specific Plan are:

A; To ensure that land use mix and intensity are balanced with infrastructure, particularly the circulation system and other public facilities;

B. To ensure that the infrastructure necessary for the Specific Plan area is coordinated with the timing of land use development and implemented with infrastructure programs, including any required improvements outside of the Specific Plan area;

D. To ensure that the mix of residential and commercial use is balanced with the social and economic needs of the community and greater regional area and to provide flexibility to accommodate both residential and commercial uses in future market trends; "

~~The project in its entirety includes apartment buildings//residences. There are no schools planned for the area. Therefore the project does not meet the purpose of the PRSP in coordinating with infrastructure.~~

~~There is no social need for the community of a 5 story 120 room hotel. The community cannot support that. It is clearly designed to bring business from outside of the community.~~

2:

The EIR was certified in 1990 with several updates, none of which comply with California AB 32. The project fails to disclose the project's inconsistency with the State's long-range greenhouse gas emissions reduction targets, aligned with scientific requirements for climate stabilization, the EIR omitted fundamental information and subverted CEQA's core purposes.

~~Recent appeals court decisions CNFF vs. SANDAG rejects EIRs that do not comply with AB32.~~

1 of 3 and
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3:

The EIR is deficient under the California Environmental Quality Act (CEQA).

4:

It is not consistent with California SB 375:

SB 375 is a California statute enacted in 2008 which mandates that regional transportation agencies coordinate transportation and land use planning in a manner that significantly reduces greenhouse gas (GHG) emissions.

The project includes no such coordination. Yet it is a huge new project with 112 apartment buildings that will bring much more traffic to the area in order to support the project.

5: The EIR erroneously reports the nearest earthquake fault line as the San Fernando Fault. In fact the Santa Susana Fault is within about 3 miles from the project! That alone should require a new EIR or addendum.

6:

Conditions of Approval

#7. Height .

- a. On the north side of Rinaldi Street, commercial buildings shall not exceed a height of 50 feet.
- b. On the south side of Rinaldi Street, non-residential building or structures may not exceed five stories or 75 feet in height.

Argument:

When Specific Plan was created back in 1990, it was written in the way that the commercial area which included already developed shopping center at north side of Rinaldi St. between Porter Ranch Dr. and Corbin Ave., was to plan to build taller buildings similar to Woodland Hills. Although per Specific Plan, it is allowed to build structure up to 5 story in where hotel is proposed to build, ever since, plan has been changed, and building was built such a way to protect the character of Porter Ranch. Tallest building in the neighborhood is the medical center at 19950 Rinaldi St., which is three story. And it is only one structure. This commercial area has not been developed with taller buildings since 1990. 5 story hotel is completely out of character in the area and will disturb aesthetically and the flow of natural characteristics of Porter Ranch, which is residential neighborhood. The new building should be no higher than three story.

Specific Plan's purpose states:

Porter Ranch Land Use/Transportation Specific Plan

F.

To provide a compatible and harmonious relationship where commercial areas are contiguous to residential neighborhoods;

G.

To preserve and enhance community aesthetics by:

2.

Landforms and Views:

Preserving, protecting, or creating

unique and distinctive landforms and views by requiring sensitive site design, landscaping, and by a judicious combination of retaining or reforming the natural terrain consistent with accepted principles:

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of good grading practice and urban design; and

3. Noise:

Minimizing the impact of noise pollution on neighboring areas;

Also the size of the hotel at the corner of Rinaldi St. and Porter Ranch Dr will create traffic impact and noise pollution addition to the shopping center and already approved 1000 plus residential units along Porter Ranch Dr. and Mason Ave. Also it is too close to the nature corridors between Santa Susana Mountains and Santa Monica Mountains. If people start to use DeSoto exit because of the congestion of Porter Ranch Exit in 118, it will affect the flow of DeSoto Ave. and the wild life corridor. Current EIR is not sufficient and traffic study needs to be current in order to move forward with the project

As a 9 year resident of Porter Ranch, I am aggrieved by an approval of this Development if said Development does not meet the stipulations of AB-32, or in any way inhibits the goals of AB-32 to reduce gases contributing to global warming or Global Climate Change. AB-32 includes consideration of traffic impacts since vehicles have huge impact on greenhouse gas (GHG) emissions. The traffic congestion and emissions from the vehicles and the project will directly affect the air that I breathe daily, and the congestion, especially without coordinated public transportation to the project. Furthermore, Porter Ranch sits at the base of the Aliso Canyon Gas Storage Facility, which, if allowed to reopen for business of injecting, storing, and withdrawing "natural" gas will allow that facility's leaking and off-gasing of methane to mix with Volatile Organic Compounds (emitted by vehicles coming/going to the Development and by other sources in the San Fernando Valley) and form smog in our area of Porter Ranch. The cumulative effect of the proposed Development in the same area as the Aliso Canyon Gas Storage Facility has not been addressed in any of the EIR documents. The State's multi year extreme drought calls for water conservation. Huge construction projects such as this and the businesses and residents that will be there greatly impact State water supplies.

That is how I am aggrieved by this decision.

There are other points to be considered not limited to what's in this appeal letter at this time

Matt Pakucko
President, Save Porter Ranch
12/19/16

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