



APPLICATIONS:

APPEAL APPLICATION CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) Instructions and Checklist

Related Code Section: The Los Angeles Municipal Code (LAMC) Section 11.5.13 (Ord. No. 186,338) established the appeal procedure to the City Council for California Environmental Quality Act (CEQA) determinations.

Purpose: *The Appeal* - A CEQA clearance can only be appealed if a non-elected decision-making body (ZA, APC, CPC, DIR) makes a determination for a project that is not further appealable. To initiate appeal of a CEQA document this form must be completely filled out with the required materials attached and filed within 15 calendar days from the final administrative decision, of the entitlement application.

General Information

Appealable CEQA documents:

- Certified Environmental Impact Report (EIR)
- Sustainable Communities Environmental Assessment (SCEA)
- Mitigated Negative Declaration (MND)
- Negative Declaration (ND)
- Categorical Exemption (CE)
- Sustainable Exemption (SE)

NOTE:

- Actions not appealable include an addendum, findings made pursuant to CEQA Guidelines Section 15162, or an action in which the determination does not constitute a project under CEQA.
- All CEQA appeals are heard by the City Council.
- This form is only for the appeal of Department of City Planning determinations: All other CEQA appeals are filed with the City Clerk pursuant to the LAMC Section 197.01.
- 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.

1. Case Information

Environmental Case Number: _____

Related Entitlement Case Number(s): _____

Project Address: _____

Date of Final Entitlement Determination: _____

The CEQA Clearance being appealed is a(n):

- EIR
 SCEA
 MND
 ND
 CE
 SE

2. Appellant Identity (check all that apply)

- Representative
 Property Owner
 Other Person
 Applicant
 Operator of the Use/Site

3. Appellant Information

Appellant Name: _____

Company/Organization: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

a. Is the appeal being filed on your behalf or on behalf of another party, organization or company?
 Self Other: _____

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

4. Representative/Agent Information

Representative/Agent name (if applicable): _____

Company: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ E-mail: _____

5. Appeal Justification

Attach a separate sheet providing your specific reasons for the appeal. Your reasons must state how you believe CEQA was incorrectly applied, providing a legal basis for the appeal.

6. Applicant's Affidavit

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

Appellant Signature: Enrique Velasquez Date: 7-23-21

ENVIRONMENTAL APPEAL FILING REQUIREMENTS

Note: City Clerk prepares mailing list for CEQA appeals per LAMC Section 11.5.13 E.

- 1. Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Environmental Appeal Application (form CP-7840)
- Justification/Reason for Appeal
- Copies of the written Determination Letter, from the final appellate body, which must be a non-elected decision-making body

2. Electronic Copy

- Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Environmental Appeal Application.pdf", "Justification/Reason Statement.pdf", "Final Determination Letter.pdf"). No file should exceed 9.8 MB in size.

3. Appeal Fee

- Original Applicant - A fee equal to 85% of the original application fee of the Environmental case; provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Other Persons - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

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

July 23, 2021

Los Angeles City Council
200 N. Spring Street
Los Angeles, CA, 90012

Re: Case Nos. CEQA No. ENV-2020-151-CE; DIR-2020-149-TOC-HCA
Project Location: 715 S. Mariposa Avenue. (“the Project”)

Dear Los Angeles City Council:

On behalf of Coalition for an Equitable Westlake/Macarthur Park (“Coalition”), an unincorporated association of long-time community residents, we are writing to object to the City’s CEQA determination. A project qualifies for a Class 32 Categorical Exemption if it is developed on an infill site and meets certain criteria. However, before a project can be determined to qualify for a categorical CEQA exemption, exceptions to the exemption, such as cumulative impacts, must be considered. If an exception to a categorical exemption applies, CEQA review in the form of an MND or EIR must be conducted. CEQA Guidelines section 15355 states: “Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.”

The City has a burden to provide substantial evidence, which must be based upon facts, reasonable assumptions based on facts and expert opinion, rather than the City’s mere speculation, to support its findings. CEQA Guidelines § 15384(a); *Save Our Big Trees v. City of Santa Cruz* (2015) 241 Cal. App. 4th 694, 711 (citing *Muzzy Ranch Co. v. Solano County Airport Land Use Com.* (2007) 41 Cal. 4th 372, 386). The City must demonstrate with substantial evidence that the Project would not result in significant environmental impacts pursuant to CEQA Guidelines § 15332

Additionally, any environmental impacts based on pre-Covid levels of public transit ridership that do not take into account declining public ridership, which is expected to further decline after Covid. <https://caltransit.org/news-publications/publications/transit-california/transit-california-archives/2019-editions/may/ridership-study-revisited>; <https://www.latimes.com/opinion/story/2021-04-07/los-angeles-public-transit-crisis>

Below the Coalition submits a list of past projects, current projects and future projects spanning back to January 1,2017 that contribute towards the cumulative impacts of the Project that must be considered. The projects listed below are all within a 1-mile radius of the Project. Many have already been approved. The area within a .05 mile radius is heavily populated and is a high pedestrian and car traffic area.

The projects are listed by the date the application was filed with City Planning, the address of the development, the number of units being constructed, and the distance from The Project.

| | <i>address of proposed projects</i> | <i>Dist.</i> | <i>Existing</i> | <i>Proposed</i> | <i>Increase</i> | <i>Case No.</i> |
|---|-------------------------------------|--------------|-----------------|-----------------|-----------------|----------------------|
| 1 | 689 S Catalina St. | .4 miles | None | 61 units | 61 units | ZA-2017-4204-ZAA-SPR |
| 2 | 924 S Catalina St. | .4 miles | 4 units | 30 units | 26 units | ENV-2018-3006-EAF |
| 3 | 826 S Mariposa Ave | 499 ft | None | 98 units | 98 units | CPC-2017-4369-CU-DB |
| 4 | 936 S Mariposa Ave | .2 miles | 1unit | 21units | 20 units | DIR-2019-4091-TOC |
| 5 | 715 S Mariposa Ave | 397 ft | 40 units | 44 units | 4 units | DIR-2020-149-TOC |
| 6 | 846 S Mariposa Ave | .1 miles | 8 units | 38 units | 30 units | DIR-2018-2943-TOC |
| 7 | 909 S Fedora St | .2 miles | 1 unit | 23 units | 22 units | DIR-2017-278-DB |
| 8 | 968 S Fedora St | .3 miles | None | 50 units | 50 units | DIR-2019-1113-TOC |

| | | | | | | |
|----|----------------------------|----------|--------------------------------|-----------------------------------|-----------------------------------|----------------------------------|
| 9 | 849 S Fedora St | .2 miles | None | 75 units | 75 units | CPC-2017-4346-CU-DB |
| 10 | 3216 W 8th St | 384 ft | None | 80 units | 80 units | APCC-2018-1511-ZC-ZAA-CU-CUB-SPR |
| 11 | 2954 W 8 th St. | .5 miles | None | 28 units | 28 units | ENV-2020-1275-EAF 494 |
| 12 | 3100 W 8th St | .3 miles | None | 98 units | 98 units | VTT-74783 |
| 13 | 3100 W 8th St. | .4 miles | None | 98 units | 98 units | VTT-74783 |
| 14 | 900 S Kenmore Ave | .3 miles | 2 units | 29 units | 27 units | TT-74228-EXT |
| 15 | 923 S Kenmore Ave | .3 miles | None | 75 units | 75 units | DIR-2019-3502-TOC |
| 16 | 3440 W Wilshire Blvd | .3 miles | None | 640 units | 640 units | CPC-2016-3692-VZC-MCUP-SPR-1A |
| 17 | 738 S Normandie Ave | .2 miles | None | 50 units | 50 units | ENV-2019-930-CE-1A 988 |
| 18 | 1017 S Normandie Ave | .5 miles | 12 units | 100 units | 88 units | DIR-2020-6552-TOC-HCA |
| 19 | 964 S Normandie Ave | .4 miles | 3 units | 26 units | 23 units | DIR-2020-5844-TOC-HCA |
| 20 | 904 S Normandie Ave | .2 miles | 2 units | 29 units | 27 units | DIR-2018-4983-TOC |
| 21 | 860 S Normandie Ave | .2 miles | 8 units | 57 units | 49 units | DIR-2018-2808-TOC |
| 22 | 825 S Irolo St | .2 miles | 1 unit | 29 units | 28 units | DIR-2019-3143-TOC |
| 23 | 815 S Kingsley Dr | .3 miles | 8 units | 114 units | 106 units | DIR-2020-1881-SPR-TOC-VHCA-1A |
| 24 | 734 S Ardmore Ave | .3 miles | 4 units | 4 units | None | AA-2017-2072-PMLA-SL 321 |
| | | | | | | |
| | | | | | | |
| | totals | .5 miles | <u>Existing</u> 94 units | <u>Proposed</u> 1,897 units | <u>Increase</u> 1,803 units | Note: |
| | | | | | | |

Applicant Copy
 Office: Downtown
 Application Invoice No: 73878

City of Los Angeles
 Department of City Planning



Scan this QR Code® with a barcode reading app on your Smartphone. Bookmark page for future reference.



6800173878



City Planning Request

NOTICE: The staff of the Planning Department will analyze your request and accord the same full and impartial consideration to your application, regardless of whether or not you obtain the services of anyone to represent you.

This filing fee is required by Chapter 1, Article 9, L.A.M.C.

If you have questions about this invoice, please contact the planner assigned to this case. To identify the assigned planner, please visit <https://planning.lacity.org/pdiscaseinfo/> and enter the Case Number.

Receipt Number:230721E3C-D4ECC513-F5C8-47A8-9C2E-514E133D7612, Amount:\$109.47, Paid Date:07/23/2021

| |
|--|
| Applicant: COALITION FOR AN EQUITABLE WESTLAKE MACARTHUR PARK - VELASQUEZ, ENRIQUE (323-6058393) |
| Representative: |
| Project Address: 715 S MARIPOSA AVE, 90005 |

NOTES:

| ENV-2020-151-CE-1A | | | |
|---|---------|------|----------------|
| Item | Fee | % | Charged Fee |
| Appeal by Aggrieved Parties Other than the Original Applicant * | \$89.00 | 100% | \$89.00 |
| Case Total | | | \$89.00 |

| Item | Charged Fee |
|--|-----------------|
| *Fees Subject to Surcharges | \$89.00 |
| Fees Not Subject to Surcharges | \$0.00 |
| Plan & Land Use Fees Total | \$89.00 |
| Expediting Fee | \$0.00 |
| Development Services Center Surcharge (3%) | \$2.67 |
| City Planning Systems Development Surcharge (6%) | \$5.34 |
| Operating Surcharge (7%) | \$6.23 |
| General Plan Maintenance Surcharge (7%) | \$6.23 |
| Grand Total | \$109.47 |
| Total Invoice | \$109.47 |
| Total Overpayment Amount | \$0.00 |
| Total Paid (this amount must equal the sum of all checks) | \$109.47 |

Council District: 10
 Plan Area: Wilshire
 Processed by VIDAL, ANNA on 07/23/2021

Signature: _____

Building & Safety Copy
 Office: Downtown
 Application Invoice No: 73878

City of Los Angeles
 Department of City Planning



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