



## APPLICATIONS:

# APPEAL APPLICATION

## Instructions and Checklist

**Related Code Section:** Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

**Purpose:** This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

### A. APPELLATE BODY/CASE INFORMATION

#### 1. APPELLATE BODY

- ☐ Area Planning Commission    ☒ City Planning Commission    ☒ City Council    ☐ Director of Planning  
☐ Zoning Administrator

Regarding Case Number: CPA-2020-4095-ZV-CU-SPR

Project Address: 1608-1636 West Pico Blvd.; 1321-1331 South Union Ave

Final Date to Appeal: 12/24/2020

#### 2. APPELLANT

**Appellant Identity:**  
(check all that apply)

- ☒ Representative    ☐ Property Owner  
☐ Applicant    ☐ Operator of the Use/Site  
☐ Person, other than the Applicant, Owner or Operator claiming to be aggrieved

☐ Person affected by the determination made by the **Department of Building and Safety**

- ☐ Representative    ☐ Owner    ☐ Aggrieved Party  
☐ Applicant    ☐ Operator

#### 3. APPELLANT INFORMATION

Appellant's Name: Nery O Larios Vasquez

Company/Organization: Community Member /resident

Mailing Address: 1414 Constance St

City: Los Angeles    State: Ca    Zip: 90015

Telephone: 3233016051    E-mail: lariosnery@yahoo.com

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. JUSTIFICATION/REASON FOR APPEAL

a. Is the entire decision, or only parts of it being appealed? ☒ Entire ☐ Part

b. 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

#### 6. APPLICANT'S AFFIDAVIT

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

Appellant Signature: New Olavios Vasquez Date: 12/23/2020

#### GENERAL APPEAL FILING REQUIREMENTS

#### B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES

##### 1. Appeal Documents

a. **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.

- ☒ Appeal Application (form CP-7769)  
☒ Justification/Reason for Appeal  
☒ Copies of Original Determination Letter

##### b. 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. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

##### c. Appeal Fee

- ☐ Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.  
☒ Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

##### d. Notice Requirement

- ☐ Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC  
☐ Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

**SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**

**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITIES (TOC)**

**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

**NOTE:**

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.

- ☐ Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

**NOTE:**

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

**E. TENTATIVE TRACT/VESTING**

**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: 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.

- ☐ Provide a copy of the written determination letter from Commission.

**F. BUILDING AND SAFETY DETERMINATION**

- ☐ 1. Appeal of the Department of Building and Safety determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

**a. Appeal Fee**

- ☐ Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

**b. Notice Requirement**

- ☐ Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- ☐ 2. Appeal of the Director of City Planning determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

**a. Appeal Fee**

- ☐ Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

**b. Notice Requirement**

- ☐ Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- ☐ Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

## G. NUISANCE ABATEMENT

### 1. Nuisance Abatement - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

#### NOTE:

- Nuisance Abatement is only appealable to the City Council.

#### a. Appeal Fee

- ☐ Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

### 2. Plan Approval/Compliance Review

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

#### a. Appeal Fee

- ☐ Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.
- ☐ Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

## NOTES

*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.*

**Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of City Planning will make its best efforts to have appeals scheduled prior to the appellate body's last day to act in order to provide due process to the appellant. If the appellate body is unable to come to a consensus or is unable to hear and consider the appeal prior to the last day to act, the appeal is automatically deemed denied, and the original decision will stand. The last day to act as defined in the LAMC may only be extended if formally agreed upon by the applicant.

| 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) |

Los Angeles City Hall  
City Council  
200 North Spring Street  
Los Angeles, CA 90012

December 10, 2020

Dear City Council Members,

**Re: Case No. CPC-2020-4095-ZV-CU- SPR - Elementary Schools at 1608-1636 West Pico Blvd., 1321 – 1331 South Union Avenue**

I am against the approval of Equitas 5 & 6. The two schools will have 1000 students, if not all now, but within several years. The traffic increases yearly, and so will Equitas' traffic. We will be left to deal with the extra traffic, noise and pollution that they will be forcing on our community and especially on Constance Street where I live.

**I do not like the traffic plan because it will not work.** It will cause traffic back up just like Equitas at 1700 W. Pico Blvd does. Another two schools right next to it is too much. Equitas 1, 5 and 6 will make it about 1500 students. More students, more cars, more traffic, more problems for me and the other residents. I walk through the alley to get to the Dash, and it is too narrow for two-way traffic. It will be dangerous for pedestrians to use. This is not good for me and for other residents, and for the school children.

**I signed a petition for a Conditional Use Permit with "No Equitas Traffic Allowed on Constance Street."** A lot of residents feel the same way. We want, with your help, to save our street from the extra traffic, noise and pollution. Our street needs to stay residential. Equitas' traffic coming down my street will ruin its feel and make it more like Union Avenue and other throughways: Noisy, dangerous, congested, unhealthier, and unsafe. I don't think any of the Council members would like to live on a street with morning and afternoon traffic and noise. I moved to Constance Street because I liked all the historic houses, and the quietness of the two blocks of Constance. Equitas traffic will destroy my street, and its character, and make our lives harder. So, I ask you to take a good look at what Equitas 1, 5 & 6 school traffic will do to our community, and especially Constance St.

**Equitas has never had an effective enforcement system.** Parents are constantly parking, double-parking, blocking driveways, etc, on our streets. On many occasions, I have asked our neighbor to call and complain, but nothing happens. The parents continue doing it. Drivers do not listen to the Equitas' traffic monitors. I have seen cars go around the monitors, and drive down Constance Street which they are not supposed to do. I can only imagine that the same will happen many more times with the two new schools. The recommendation of a 24-Hour Hot Line and Traffic Ambassador means that we have to be the ones watching out for Equitas' to be on good behavior in our neighborhood. This is not right! Why do I, or any of our residents, have to be doing any work to keep our streets from being overrun by Equitas' traffic violators? Equitas' parents and staff must obey the rules, and cause no problems to the residents. I do not see this happening which is another reason why I am appealing the approval of this project. Equitas had not proven itself in this area to the residents living within 500 feet.

**Equitas does not care about people with disabilities.** There were times when I had to step off the curb into street traffic which is dangerous to catch the Dash because Equitas' traffic was blocking the stop. I

did not see any traffic monitors trying to help. Car traffic is already bad at the Pico-Union and 14<sup>th</sup> and Union intersections. There are a lot of accidents in these two spots. It is dangerous for everyone. Equitas new schools will add more pedestrian and vehicle traffic traveling through these intersections. This means the chances for more accidents and injuries will increase. I am legally blind, and this is a big issue for me. It will also put everyone's life at a higher risk of being hurt. You can check the City records. The truth is there.

**Equitas is not considerate to our residents.** They make up their own parking signs whenever they want or when they have some event which makes it harder for the residents to find parking and for me to walk around cars. This is very selfish. The City has already given Equitas 9 metered spots on Pico to help with their morning and afternoon drop offs and pickups. This is bad for our community and for the businesses. I am afraid that the City will do the same thing around the two new schools to help with their operation; the City will restrict about 11 meters and 1 Dash zone, and 1 loading zone for the Medical Clinic that are around this school block. I, and other residents, customers and clients of the businesses, will be affected. The City will probably want to move my Dash stop. This will make it harder for me. It is not right, and it is not fair for the City to help out Equitas when it makes things worse for parking, and it does not provide any benefit for the people who live in the immediate area. It is the exact opposite. The City is not thinking of the effect that this will have on the community with little to no parking.

**Equitas lied to City Council and the community about not making their offices into a school, and I was not given enough advance notice or speaking time.** They have not been honest. I do not trust in them. Their Community flyer made it sound as if their project was approved and City Council was backing it up. Equitas has been planning this project for a long while. I, and the residents, just found out about it on October 1, 2020, and by November 19, 2020, the project is approved. Not fair, not far at all! Equitas has had over a year to prepare, and they make a big presentation, and I only get to attend 2 public hearing meetings with 2 minutes, and 1 minute to speak. Not fair, at all!

For all the reasons above, I believe the City Council should review this case, and not approve the project.

Thank you for your time,

Nery O. Larios Vasquez

Nery Larios

Pico-Union Constituent

1414 ½ South Constance Street

Los Angeles, California 90015

**Applicant Copy**  
Office: Downtown  
Application Invoice No: 69171

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.



## 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:2020359001-119, Amount:\$109.47, Paid Date:12/24/2020**

|  |
|--|
| Applicant: VELASQUEZ, NERY O LARIOS      |
| Representative:                          |
| Project Address: 1321 S UNION AVE, 90015 |

**NOTES:**

| CPC-2020-4095-ZV-CU-SPR-1A                                      |         |      |                |
|---|---------|------|----------------|
| Item  | Fee     | %    | Charged Fee    |
| Appeal by Aggrieved Parties Other than the Original Applicant * | \$89.00 | 100% | \$89.00        |
| <b>Case Total</b>   |         |      | <b>\$89.00</b> |

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

Council District: 1  
Plan Area: Westlake  
Processed by CHAN, JASON on 12/24/2020

Signature: \_\_\_\_\_





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



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|--|
| Applicant: VELASQUEZ, NERY O LARIOS      |
| Representative:                          |
| Project Address: 1321 S UNION AVE, 90015 |

**NOTES:**

| CPC-2020-4095-ZV-CU-SPR-1A                                      |         |      |                |
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|--|-----------------|
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Council District: 1  
Plan Area: Westlake  
Processed by CHAN, JASON on 12/24/2020

Signature: \_\_\_\_\_