

Communication from Public

Name: Westwood Village Improvement Association

Date Submitted: 05/12/2021 10:05 AM

Council File No: 09-0969-S3

Comments for Public Posting: Dear Councilmember Koretz; The Westwood Village Improvement Association (WVIA) Board of Directors is asking the City of Los Angeles City Council and the Department of City Planning to consider amendments to the Los Angeles Municipal Code Section 19.00 through 19.12 in order to revise fees to more accurately reflect the cost of providing planning and land use services, and to consider options to discourage the serial filing of appeals. The City of Los Angeles currently pays \$16,008 per appeal to subsidize appeals from non-applicants. This totals approximately \$14,000,000 annually in subsidies at the expense of the General Fund. Westwood Village businesses are frequently targeted by a small group of serial appellants seeking to influence a business's operations by filing appeals or by threatening to file appeals. There have been 52 appeals filed in Westwood Village from 2001 – 2020. In this period, 39 appeals (75%) have been filed by the same group of individuals. Their success rate is poor. Not one appeal filed by these individuals has been granted in full. The cost for our businesses to fight these appeals is great, both in direct costs and the indirect cost of not being operational during the process. Furthermore Westwood Village pays a “reputational cost” that our community appears unwelcoming to businesses. The only insignificant cost associated with appeals is the \$89 filing cost for non-applicants. The WVIA Board of Directors understands that the issue of raising the cost for non- applicants to file appeals is complex. However, charging \$89 (or \$161 as DCP recommends) does nothing to discourage the filing of frivolous appeals, and the massive City subsidy diverts precious City resources. The WVIA is asking City Council and the Department of City Planning to consider ways to ensure that serial appellants do not abuse the City process. The WVIA Board of Directors recommends the following: * Create a graduated cost structure for serial non-applicants, eventually reaching full-cost recovery. This cost structure would be retroactive. * Require non-applicants to live or work within a certain distance of the project. * Establish a threshold line item at the beginning of each appeal application demonstrating defining how non-applicants have been aggrieved. We ask that you please seriously consider our recommendations, as well as the implications of doing nothing at all. Please let me know if I can answer any questions you may have, and I look

forward to discussing this with you further. Sincerely, Andrew
Thomas Executive Director



May 10, 2021

Councilmember Koretz
200 North Spring Street
Los Angeles, CA 90012

RE: Comprehensive Fee Update, Council File No. 09-0969-S3

Dear Councilmember Koretz;

The Westwood Village Improvement Association (WVIA) Board of Directors is asking the City of Los Angeles City Council and the Department of City Planning to consider amendments to the Los Angeles Municipal Code Section 19.00 through 19.12 in order to revise fees to more accurately reflect the cost of providing planning and land use services, and to consider options to discourage the serial filing of appeals.

The City of Los Angeles currently pays \$16,008 per appeal to subsidize appeals from non-applicants. This totals approximately \$14,000,000 annually in subsidies at the expense of the General Fund.

Westwood Village businesses are frequently targeted by a small group of serial appellants seeking to influence a business's operations by filing appeals or by threatening to file appeals. There have been 52 appeals filed in Westwood Village from 2001 – 2020. In this period, 39 appeals (75%) have been filed by the same group of individuals. Their success rate is poor. Not one appeal filed by these individuals has been granted in full. (See Attachment A showing appeals filed in Westwood Village.)

The cost for our businesses to fight these appeals is great, both in direct costs and the indirect cost of not being operational during the process. Furthermore Westwood Village pays a "reputational cost" that our community appears unwelcoming to businesses. The only insignificant cost associated with appeals is the \$89 filing cost for non-applicants.

The WVIA Board of Directors understands that the issue of raising the cost for non-applicants to file appeals is complex. However, charging \$89 (or \$161 as DCP

recommends) does nothing to discourage the filing of frivolous appeals, and the massive City subsidy diverts precious City resources.

The WVIA is asking City Council and the Department of City Planning to consider ways to ensure that serial appellants do not abuse the City process. The WVIA Board of Directors recommends the following:

- Create a graduated cost structure for serial non-applicants, eventually reaching full-cost recovery. This cost structure would be retroactive.
- Require non-applicants to live or work within a certain distance of the project.
- Establish a threshold line item at the beginning of each appeal application demonstrating defining how non-applicants have been aggrieved.

We ask that you please seriously consider our recommendations, as well as the implications of doing nothing at all.

Please let me know if I can answer any questions you may have, and I look forward to discussing this with you further.

Sincerely,

A handwritten signature in dark ink, appearing to read 'ASZ' followed by a stylized flourish.

Andrew Thomas
Executive Director, WVIA

Attachment A

Appeals filed since 2001 in Zip Code 90024
As of September 13 2020

Year Filed	Case Number	Address	Appellant	Decision date	Decision
2001	APCW-2001-1802-SPE-A1	10861 W WEYBURN AVE 90024	ATTORNEY AT LAW RICHARD AGAY		
2001	ZA-2001-5494-ZAA-A1	10852 W LINDBROOK DR 90024	HARVEY A. FLAX		
2002	CPC-2002-2860-GPA-SP-SPE-CUB-ZAA-SPR-1A	1020 S GLENDON AVE 90024	SAVE WESTWOOD VILLAGE ET AL LAURA LAKE. PHD.	2004-05-12	APPROVED WITH CONDITIONS
2002	DIR-2002-5142-SPP-A1	1019 S WESTWOOD BLVD 90024	JAY HANDAL		DENIED APPEAL
2004	DIR-2004-6182-COA-SPP-1A	10889 W LINDBROOK DR 90024	HOLMBY-WESTWOOD PROPERTY OWNER 914 WESTWOOD BLVD 573 LOS ANGELES CA 90024	2005-04-20	
2004	ZA-2004-4683-CUB-CUX-1A	10935 W WEYBURN AVE 90024	HOLMBY-WESTWOOD PROPERTY OWNERS ASSOCIATION SANDY BROWN	2005-10-28	DENIED APPEAL
2004	DIR-2004-2253-DRB-SPP-1A	923 S BROXTON AVE 90024	HOLMY-WESTWOOD POA, INC. SANDY BROWN 914 WESTWOOD BLVD PMB573 LOS ANGELES CA 90024	2005-01-25	DENIED APPEAL
2004	DIR-2004-3322-DRB-SPP-1A	1020 S GLENDON AVE 90024	HOLMBY WESTWOOD PROPERTY OWNERS ASSOCIATION SANDY BROWN	2006-10-02	GRANTED APPEALS IN PART
2004	DIR-2004-1580-SPPA-1A	1100 S GLENDON AVE 90024	WESTWOOD VILLAGE RESTAURANT... 1052 TIVERTON AVE 100 LOS ANGELES CA 90024	2005-01-10	GRANTED APPEAL IN PART
2004	DIR-2004-1597-DRB-SPP-1A	10935 W WEYBURN AVE 90024	2B OR NOT 2B, LLC JEFF KATOFKY 10935 W WEYBURN AVE 2ND LOS ANGELES CA 90024	2005-01-10	GRANTED APPEAL
2004	DIR-2004-7901-DRB-SPP-1A	1083 S BROXTON AVE 90024	ERNIE LISKE 1200 DOVER DR NEWPORT BEACH CA 92660	2005-07-19	DENIED APPEAL
2007	ZA-2007-4242-CU-1A	1100 S GLENDON AVE 90024	CASDEN PROPERTIES, LLC HOWARD KATZ 9090 WILSHIRE BLVD 3 BEVERLY HILLS CA 90211	2008-06-20	GRANTED THE APPEAL IN PART
2008	DIR-2008-3931-SPP-1A	940 S WESTWOOD BLVD 90024	WESTWOOD VILLAGE BUSINESS ASSOCIATION STEVEN SANN	2008-11-21	DENIED THE APPEAL
2008	DIR-2008-908-SPP-DRB-1A	940 S WESTWOOD BLVD 90024	WESTWOOD VILLAGE BUSINESS ASSOCIATION STEVEN D. SANN 10853 W LINDBROOK DR 100 LOS ANGELES CA 90	2008-07-16	FAILURE TO ACT
2008	ZA-2008-617-CUB-PA1-1A	1037 S BROXTON AVE 90024	STEVEN D. SANN 930 HILGARD AVE LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM	2012-02-27	GRANTED IN PART
2008	DIR-2008-1718-SPP-1A	1071 S GLENDON AVE 90024	CASDEN GLENDON, LLC ANDREW J STARRELS 9090 WILSHIRE BLVD 3 BEVERLY HILLS CA 90211		
2008	DIR-2008-1922-SPP-1A	1000 S GLENDON AVE 90024	WESTWOOD PARTNERS, LLC STEVEN GORDON 9990 SANTA MONICA BLVD BEVERLY HILLS CA 90212		06/30/2008
2008	DIR-2008-1923-SPP-1A	1000 S GLENDON AVE 90024	WESTWOOD PARTNERS, LLC STEVE GORDON 9990 SANTA MONICA BLVD BEVELRY HILLS CA 90212		06/30/2008
2010	DIR-2010-152-DRB-SPP-COA-1A	1091 S BROXTON AVE 90024	WESTWOOD VILLAGE BUSINESS ASSOCIATION STEVEN D. SANN 10853 LINDBROOK DR 100 LOS ANGELES CA 900	2010-07-15	GRANTED IN PART
2011	ZA-2011-2401-CUB-PA1-1A	10861 W WEYBURN AVE 90024	STEVEN SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM		DENIED THE APPEAL
2011	ZA-2011-48-PAB-1A	1067 S GLENDON AVE 90024	STEVEN SANN 930 HILGARD AVE LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM	2011-10-07	DENIED
2011	DIR-2011-3113-DRB-SPP-1A	1114 S GAYLEY AVE 90024	WOLFGANG VEITH	2012-08-10	GRANTED THE APPEAL
2011	ZA-2011-2401-CUB-1A	10861 W WEYBURN AVE 90024	TARGET CORPORATION 1000 NICOLLET MALL TPN0910 MINNEAPOLIS MN 55403	2013-02-01	DENIED THE APPEAL
2012	DIR-2012-3554-DRB-SPP-1A	1143 S WESTWOOD BLVD 90024	STEVEN D. SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM		GRANTED THE APPEAL IN PART
2012	ZA-2012-134-CUB-PA1-1A	1059 S BROXTON AVE 90024	STEVEN SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024	2013-10-23	GRANTED THE APPEAL IN PART
2013	DIR-2013-2305-SPP-1A	1073 S BROXTON AVE 90024	STEVEN D. SANN		DENIED THE APPEAL
2013	DIR-2013-2747-DRB-SPP-1A	10965 W WEYBURN AVE 90024	STEVEN D. SANN		DENIED THE APPEAL
2013	DIR-2013-3454-DRB-SPP-COA-1A	1109 S GLENDON AVE 90024	STEVEN SANN	2014-09-12	WITHDRAWN
2013	DIR-2013-2164-DRB-SPP-1A	10970 W LE CONTE AVE 90024	WOLFGANG VEITH		GRANTED IN PART
2014	DIR-2014-1517-DRB-SPP-COA-1A	10861 W WEYBURN AVE 90024	WESTWOOD HOMEOWNERS ASSOCIATION STEPHEN/STEVEN RESNICK/SANN		DENIED APPEAL
2014	DIR-2014-4577-DRB-SPP-1A	1131 S WESTWOOD BLVD 90024	STEVEN SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM	2017-02-22	DENY APPEAL
2014	ENV-2014-1094-MND-REC1-1A	611 S GAYLEY AVE 90024	STEVEN D. SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM		
2014	ZA-2014-1095-CU-ZAA-DRB-SPPA-SPP-1A	611 S GAYLEY AVE 90024	STEVEN D. SANN	2016-07-12	DENIED THE APPEAL
2014	ZA-2014-1191-CUB-1A	1070 S GLENDON AVE 90024	STEVEN D. SANN	2014-10-09	GRANTED THE APPEAL IN PART
2014	ZA-2014-4422-PAD-ZAA-1A	1018 S HILGARD AVE 90024	STEVEN SANN		APPLICATION WITHDRAWN
2014	DIR-2014-1683-SPP-1A	952 S GAYLEY AVE 90024	310 SANDY BROWN	2014-06-27	WITHDRAWN
2014	DIR-2014-251-DRB-SPP-1A	1130 S GAYLEY AVE 90024	HOLMBY-WESTWOOD PROPERTY OWNERS ASSOCIATION SANDY BROWN		RESCINDED THE DECISION OF WEST LA APC COMMISSIO
2015	DIR-2015-1503-DRB-SPP-1A	1130 S GAYLEY AVE 90024	HOLMBY WESTWOOD PROPERTY OWNERS ASSOCIATION SANDY BROWN	2016-04-25	GRANTED IN PART, DENIED IN PART
2015	ZA-2015-1400-CUB-1A	1122 S GAYLEY AVE 90024	HOLMBY WESTWOOD POA SANDY BROWN		WITHDRAWN
2015	DIR-2015-1689-DRB-SPP-SPPA-1A	1100 S WESTWOOD BLVD 90024	TOPA MANAGEMENT COMPANY JAMES BROOKS 1100 S WESTWOOD BLVD LOS ANGELES CA	2016-04-19	GRANTED THE APPEAL
2015	DIR-2015-2817-DRB-SPP-1A	1000 S GAYLEY AVE 90024	GAYLEY PROPERTIES, LLC MAURICE MEYERS	2016-04-25	GRANTED IN PART, DENIED IN PART
2016	DIR-2016-3284-DRB-SPP-1A	1001 S GAYLEY AVE 90024	STEVEN SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM		
2016	ZA-2016-2093-CUB-1A	1061 S BROXTON AVE 90024	WESTWOOD COMMUNITY COUNCIL, INC. STEVEN SANN 10940 WILSHIRE BLVD 1400 LOS ANGELES CA 90024 STE	2017-01-04	DENIED THE APPEAL
2016	ZA-2016-2962-CUB-1A	10959 W KINROSS AVE 90024	STEVEN SANN 10940 WILSHIRE BLVD LOS ANGELES CA 90024 STEVESANN2001@YAHOO.COM	2017-08-10	GRANTED IN PART, SUSTAINED IN PART
2017	ZA-2017-179-CUB-1A	1099 S WESTWOOD BLVD 90024	STEVEN SANN	8/28/07	GRANTED IN PART, DENIED IN PART
2017	DIR-2017-2942-DRB-SPP-1A	1099 S. WESTWOOD BLVD 90024	STEVEN D. SANN	3/20/18	DENIED THE APPEAL
2018	DIR-2018-969-DRB-SPP-COA	1099 S. WESTWOOD BLVD 90024	STEVEN D. SANN	8/9/18	APPLICANT WITHDREW APPLICATION TO AVOID COST O
2018	ZA-2018-453-CUB-1A	1140 S. GAYLEY AVE 90024	HOLMBY WESTWOOD POA SANDY BROWN	9/5/18	DENIED THE APPEAL
2018	DIR-2018-2631-DRB-SPP-1A	1140 S. GAYLEY AVE 90024	Steven D. Sann	12/19/18	DENIED THE APPEAL
2019	DIR-2019-3585-DRB-SPP-SPPA-1A	1100 S. WESTWOOD BLVD 90024	Steven D. Sann	10/16/19	DENIED THE APPEAL
2020	APCW-2020-2929-SPE-DRB-SPP	1000 S. Glendon Ave 90024	Trader Joe's	9/2/20	DENIED THE APPEAL
2020	ZA-2019-5431-CUB-1A	1045 S. Broxton Ave 90024	Steven D. Sann	9/16/20	DENIED THE APPEAL

Communication from Public

Name: Miki Jackson

Date Submitted: 05/16/2021 09:18 PM

Council File No: 09-0969-S3

Comments for Public Posting: Miki Jackson for AHF/HHR. We incorporate all testimony, comments, evidence and objections to this item and related matters. An increase to the non-applicant filing fee for an appeal from \$89.00 to a ridiculous \$16,097 is unconscionable. Neighbors and neighborhood associations would likely not be able to afford to file an appeal thus effectively denying them their constitutional right to participate in the public process. With recent corruption charges and indictments at City Hall, – Council now seems to be making efforts to assure that only developers – who can afford such high fees – can have a voice in the public process. In the midst of COVID-19 with shutdowns and no in-person council meetings, the city tries surreptitiously slip a large increase through the PLUM Committee. This tactic underlines the fear of disenfranchisement and distrust of government. We join the many community organizations and other urging you to abandon this ill-conceived proposal to increase non- applicant appeal filing fees in order to ensure the public our full and valued voice in the land use process.