



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: VTT 74761 (CEQA No. ENV-2016-3693-4676-EIR)

Project Address: 121-147 S Spring St, 100-142 S Broadway, 202-234 W. 1st St, 205-221 W 2nd St.

Final Date to Appeal: 04/10/2020

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: Supporter's Alliance for Environmental Responsibility

Company/Organization: _____

Mailing Address: 4399 Santa Anita Ave, Ste 2005

City: El Monte State: CA Zip: 91731

Telephone: (510) 836-4200 E-mail: richard@lozeaudrury.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): Richard Drury

Company: Lozeau Drury LLP

Mailing Address: 1939 Harrison Street, Suite 150

City: Oakland State: CA Zip: 94612

Telephone: (510) 836-4200 E-mail: richard@lozeaudrury.com

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

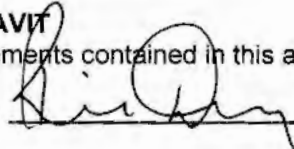
If Yes, list the condition number(s) here: All

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: 

Date: Apr. 6, 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.

Justification/Reason for Appeal

Times Mirror Square Project

Vesting Tentative Tract No. 74761 (CEQA Case No. ENV-2016-4676-EIR)

121-147 S. Spring Street; 100-142 S. Broadway; 202-234 W. 1st Street; 205-221 W. 2nd Street

REASON FOR THE APPEAL: The Environmental Impact Report (“EIR”) prepared for the Times Mirror Square Project aka VTT-74761 (and ENV-2016-4676-EIR) (“Project”) fails to comply with the California Environmental Quality Act (“CEQA”).

SPECIFICALLY THE POINTS IN ISSUE: The EIR fails to adequately analyze environmental impacts of the Project, including biological, traffic, indoor air quality, emissions, greenhouse gases, and historic resources and fails to propose all feasible mitigation measures and alternatives to reduce Project impacts. The EIR also found potentially significant impacts for one of the mandatory findings of significance required by CEQA. Additionally, the specific points in issue are set forth in the attached comment letter dated October 16, 2019, in the expert comment letters attached thereto, and in this appeal. As such, these potentially significant impacts must be analyzed by in a revised EIR.

HOW YOU ARE AGGREIVED BY THE DECISION: Members of appellant Supporters Alliance for Environmental Responsibility (“SAFER”) live and/or work in the vicinity of the proposed Project. They breathe the air, suffer traffic congestion, and will suffer other environmental impacts of the Project unless it is properly mitigated.

WHY YOU BELIEVE THE DECISION-MAKER ERRED OR ABUSED THEIR DISCRETION: The Advisory Agency adopted the EIR, the Statement of Overriding Considerations, and the Mitigation Monitoring Program, and approved Vesting Tentative Tract Map No. VTT-74761 for the Project despite the fact that the EIR fails to comply with CEQA.