

APPLICATIONS

APPEAL APPLICATION Instructions and Checklist



PURPOSE

This application is for the appeal of Los Angeles Department of City Planning determinations, as authorized by the LAMC. For California Environmental Quality Act Appeals, use form [CP13-7840](#). For Building and Safety Appeals and Housing Department Appeals, use form [CP13-7854](#).

RELATED CODE SECTION

Refer to the Letter of Determination (LOD) for the subject case to identify the applicable Los Angeles Municipal Code (LAMC) Section for the entitlement and the appeal procedures.

APPELLATE BODY

Check only one. If unsure of the Appellate Body, check with City Planning staff before submission.

- ☐ Area Planning Commission (APC) ☐ City Planning Commission (CPC) ☒ City Council
☐ Zoning Administrator (ZA)

CASE INFORMATION

Case Number: CPC-2023-3134-DB-SPP-HCA

APN: 2284007001

Project Address: 16610 – 16618 West Ventura Boulevard

Final Date to Appeal: July 17, 2025

APPELLANT

Check all that apply.

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

APPELLANT INFORMATION

Appellant Name: Encino Property Owners Association, a California non-profit mutual benefit corporation

Company/Organization: _____

Mailing Address: 16255 Ventura Blvd., Suite 950

City: Encino **State:** CA **Zip Code:** 91436

Telephone: 818-907-8755 **E-mail:** rglushon@lunaglushon.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

REPRESENTATIVE / AGENT INFORMATION

Name: Robert L. Glushon/Kristina Kropp

Company/Organization: Luna & Glushon

Mailing Address: 16255 Ventura Blvd., Suite 950

City: Encino **State:** CA **Zip Code:** 91436

Telephone: 818-907-8755 **E-mail:** rglushon@lunaglushon.com

JUSTIFICATION / REASON FOR APPEAL

Is the decision being appealed in its entirety or in part?

☒ Entire

☐ Part

Are specific Conditions of Approval being appealed?

☐ YES

☒ NO

If Yes, list the Condition Number(s) here: _____

On a separate sheet provide the following:

☒ Reason(s) for the appeal

☒ Specific points at issue

☒ How you are aggrieved by the decision

APPLICANT'S AFFIDAVIT

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

Appellant Signature: Robert L. Glushon Digitally signed by Robert L. Glushon
Date: 2025.07.16 15:47:48 -07'00' **Date:** _____

GENERAL 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.

The appellate body must act on the appeal within a time period specified in the LAMC Section(s) pertaining to the type of appeal being filed. Los Angeles 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: \$178.00

Reviewed & Accepted by (DSC Planner): Steven Wechsler, City Planner

Receipt No.: 200286100507 **Date:** 7-16-25

☒ Determination authority notified

☒ Receipt Number

GENERAL APPEAL FILING REQUIREMENTS

If dropping off an appeal at a Development Services Center (DSC), the following items are required. See also additional instructions for specific case types. To file online, visit our [Online Application System \(OAS\)](#).

APPEAL DOCUMENTS

1. Hard Copy

Provide three sets (one original, two duplicates) of the listed documents for each appeal filed.

☐ Appeal Application

☐ Justification/Reason for Appeal

Justification to Appeal

CPC-2023-3134-DB-SPP-HCA

Appellant: Encino Property Owners Association, a California non-profit mutual benefit corporation, represents over 1,500 homeowners and residents in the Encino community on issues including enforcement of City zoning regulations and ensuring that development projects mitigate Project impacts.

Project: Demolition and removal of all existing structures, and construction, use, and maintenance of a new 45,960-square foot mixed-use development at 16610 – 16618 West Ventura Boulevard.

In approving the Project, the City Planning Commission erred and abused its discretion based upon the following:

- I. The Approval for Density Bonus Compliance Review including all of the requested Off-Menu Incentives and a Waiver of Development Standards (step-back, transitional height) is not supported by law and/or substantial evidence.
2. The Findings for Project Permit Compliance are not supported by law and/or substantial supporting evidence. In particular, the Project does not substantially comply with the applicable regulations, findings, standards, and provisions of the Ventura-Cahuenga Corridor Specific Plan.
3. The Categorical Exemptions pursuant to the California Environmental Quality Act are inappropriate. Therefore, this finding cannot be made with substantial supporting evidence.

Under the California Environmental Quality Act (“CEQA”), a lead agency has the initial burden to show that substantial evidence supports its determination that the categorical exemption applies. The City has failed to do so.

a. Class 11 Categorical Exemption

Class 11 Categorical Exemptions are for construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (a) On-premise signs; (b) Small parking lots; (c) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use.

The demolition and removal of all existing structures and construction, use, and maintenance of a new 45,960-square foot mixed-use development on a major commercial boulevard plainly fails to fit within a Class 11 Categorical Exemption.

Furthermore, Classes 3, 4, 5, 6, and 11 of Categorical Exemptions are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. In particular, the elimination of a driveway on Ventura Boulevard which require all ingress and egress to and from the Project using a narrow alley – that also serves other adjacent commercial uses – would have a significant impact on the surrounding community.

b. Class 32 Categorical Exemption

A Class 32 only available where “approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.” the elimination of a driveway on Ventura Boulevard which require all ingress and egress to and from the Project using a narrow alley – that also serves other adjacent commercial uses – would have a significant impact on the surrounding community.

Furthermore, Class 32 Categorical Exemptions only apply to projects “consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.”

As part of the Density Bonus requests, the Applicant is requesting deviations from the Los Angeles Municipal Codes, particularly the Zoning Code. While such incentives and waivers may be authorized in specific circumstances under state density bonus law, they do not affect the CEQA requirement that Class 32 Categorical Exemptions apply only to projects which are consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. **In this case, the Project is specifically not consistent with the applicable zoning designation and all regulations.**

Finally, Class 32 Categorical Exemptions are not appropriate where there are unusual circumstances creating the reasonable possibility of significant effects. Here the unusual circumstances include the elimination of an existing driveway on Ventura Boulevard and requiring all ingress and egress to and from a narrow alley that also serves other adjacent commercial uses; that Rubio Avenue is a dead-end street and also provides vehicular access for two large medical office buildings and restaurants; and that the proposed alley access abuts land that is zoned for single-family residential use.

The Project further fails to incorporate mitigation measures, monitoring and/or alternatives identified in the environmental review, which would mitigate the negative environmental effects of the Project, to the extent physically feasible.