

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

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: Mona Cohen

Company/Organization: Concerned Bel Air Park Homeowners

Mailing Address: 15536 Collina Strada

City: Los Angeles State: CA Zip Code: 90077

Telephone: (310) 466-6675 E-mail: monashargani@gmail.com

Is the appeal being filed on behalf or on behalf of another party, organization, or company?

Self Other: Concerned Bel Air Park Homeowners

Is the appeal being filed to support the original applicant's position?


YES NO

REPRESENTATIVE / AGENT INFORMATION

Name: Robert L. Glushon
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

APPLICANT'S AFFIDAVIT

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

Appellant Signature:  Date: 6/4/2024

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.

GENERAL APPEAL FILING REQUIREMENTS

An appeal application must be submitted and paid for before 4:30 PM (PST) on the final day to appeal the determination. Should the final day fall on a weekend or legal City holiday, the time for filing an appeal shall be extended to 4:30 PM (PST) on the next succeeding working day. Appeals should be filed early to ensure the Development Services Center (DSC) staff has adequate time to review and accept the documents, and to allow appellants time to submit payment. Appeals may be filed either online or in person as referenced below.

ONLINE APPEAL FILINGS THROUGH ONLINE APPLICATION SYSTEM (OAS)

Online Application System (OAS): The OAS (<https://planning.lacity.gov/oas>) allows entitlement appeals to be submitted entirely electronically by allowing an appellant to fill out and submit an appeal application online directly to City Planning's DSC, and submit fee payment by credit card or e-check.



QR Code to Online Appeal Filing

IN PERSON APPEAL FILINGS

Drop off at DSC: Appeals of this determination can be submitted in-person at the Metro or Van Nuys DSC locations, as well as the South Los Angeles DSC on Tuesdays and Thursdays, and payment can be made by credit card or check.

- a. City Planning has established drop-off areas at the DSCs with physical boxes where appellants can drop off appeal applications.
- b. Alternatively, appeal applications can be filed with staff at DSC public counters. Appeal applications must be on the prescribed forms, and accompanied by the required fee and a copy of the determination letter. Appeal applications shall be received by the DSC public counter and paid for on or before the above date or the appeal will not be accepted.

CITY PLANNING DEVELOPMENT SERVICES CENTERS – PUBLIC COUNTERS

Office	Address	Phone Number	Email
Metro DSC	201 N. Figueroa Street 4th Floor Los Angeles, CA 90012	(213) 482-7077	planning.figcounter@lacity.org
Van Nuys DSC	6262 Van Nuys Boulevard, Suite 251 Van Nuys, CA 91401	(818) 374-5050	planning.mbc2@lacity.org
South LA DSC <i>Tuesday and Thursday Only</i>	8475 S. Vermont Avenue, 1st Floor Los Angeles, CA 90044	(213) 978-1465	planning.southla@lacity.org

City Planning staff may follow up with the appellant via email and/or phone if there are any questions or missing materials in the appeal submission, to ensure that the appeal package is complete and meets the applicable LAMC provisions.

If you seek judicial review of any decision of the City pursuant to California Code of Civil procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

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
- Copy of Letter of Determination (LOD) for the decision being appealed

2. Electronic Copy

- Provide an electronic copy of the appeal documents on a USB flash drive. The following items must be saved as individual PDFs and labeled accordingly (e.g., "Appeal Form", "Justification/Reason Statement", or "Original Determination Letter"). No file should exceed 70 MB in size.

3. Appeal Fee

- Original Applicant.* The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable, or a fee

equal to 85% of the original base application fee. Provide a copy of the original application receipt(s) to calculate the fee.

- Aggrieved Party*. The fee charged shall be in accordance with [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

4. Noticing Requirements

- Copy of Mailing Labels*. All appeals require noticing of the appeal hearing per the applicable LAMC Section(s). Original Applicants must provide noticing per the LAMC for all appeals. See the Mailing Procedures Instructions ([CP13-2074](#)) for applicable requirements.
- Proof of payment or mailing must be submitted to verify that mailing fees for the appeal hearing notice have been paid by the Applicant.

SPECIFIC CASE TYPES

ADDITIONAL APPEAL FILING REQUIREMENTS AND / OR LIMITATIONS

DENSITY BONUS (DB) / TRANSIT ORIENTED COMMUNITIES (TOC)

Appeal procedures for DB/TOC cases are pursuant to [LAMC Section 13B.2.5. \(Director Determination\) of Chapter 1A](#) or [LAMC Section 13B.2.3. \(Class 3 Conditional Use\) of Chapter 1A](#) as applicable.

- Off-Menu Incentives or Waiver of Development Standards are not appealable.
- Appeals of On-Menu Density Bonus or Additional Incentives for TOC cases can only be filed by adjacent owners or tenants and is appealable to the City Planning Commission.
 - Provide documentation confirming adjacent owner or tenant status is required (e.g., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, driver's license, bill statement).

WAIVER OF DEDICATION AND / OR IMPROVEMENT

Procedures for appeals of Waiver of Dedication and/or Improvements (WDIs) are pursuant to [LAMC Section 12.37 I of Chapter 1](#) or [LAMC Section 10.1.10. \(Waiver and Appeals\) of Chapter 1A](#) as applicable.

- WDIs for by-right projects can only be appealed by the Property Owner.
- If the WDI is part of a larger discretionary project, the applicant may appeal pursuant to the procedures which govern the main entitlement.

[VESTING] TENTATIVE TRACT MAP

Procedures for appeals of [Vesting] Tentative Tract Maps are pursuant [LAMC Section 13B.7.3.G. of Chapter 1A](#).

- Appeals must be filed within 10 days of the date of the written determination of the decision-maker.

NUISANCE ABATEMENT / REVOCATIONS

Appeal procedures for Nuisance Abatement/Revocations are pursuant to [LAMC Section 13B.6.2.G. of Chapter 1A](#). Nuisance Abatement/Revocations cases are only appealable to the City Council.

Appeal Fee

- Applicant (Owner/Operator)*. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.a. \(Appeal Fees\) of Chapter 1A](#) as applicable.

For appeals filed by the property owner and/or business owner/operator, or any individuals/agents/representatives/associates affiliated with the property and business, who files the appeal on behalf of the property owner and/or business owner/operator, appeal application fees listed under [LAMC Section 19.01 B.1\(a\) of Chapter 1](#) shall be paid, at the time the appeal application is submitted, or the appeal application will not be accepted.

Aggrieved Party. The fee charged shall be in accordance with the [LAMC Section 19.01 B.1\(b\) of Chapter 1](#) or [LAMC Section 15.1.1.F.1.b. \(Appeal Fees\) of Chapter 1A](#) as applicable.

ATTACHMENT TO APPEAL

CASE NUMBER- CPC-2025-3449-CU3-SPPC-DRB-MSP

Appellant:

Concerned Bel Air Park Homeowners, a California unincorporated association, is comprised of property owners and residents adjacent to the subject Project site and who would be directly impacted by the Project.

Justification for Appeal

Although Appellant does not oppose the proposed Milken High School use at the subject site, the Conditional Use Permit (CUP) approved by the City Planning Commission fails to include reasonable and appropriate conditions to protect the adjacent and most impacted residents.

In particular, the approved CUP is deficient with regard to the following:

1. The CUP does not include all conditions that are required as part of the current Milken High School CUP Case No. CPC-2006-1527-CU-ZAA.

2. The City Planning Commission was misled by Planning staff to believe that the requested enrollment of 900 students at Milken High School use was less than the prior maximum enrollment of 1,400 of the American Jewish University (AJU) use at the site under the current AJU CUP. **To the contrary, the maximum enrollment number of 1,400 students under the AJU CUP was not at one time. The actual enrollment baseline by AJU use was significantly lower than 500 students.**

3. The 1,400 number was the total of students at different morning and evening times. The reality is that the requested maximum enrollment of 900 students, however phased in annually, would result in a dramatic increase in intensity of use within an area already subject to traffic gridlock, severe fire danger and other actual impacts because of an overburdened intensity of educational uses along the Mulholland Drive corridor.

4. The phasing of annual maximum enrollment by 75 students to reach a total of 900 students should be reduced to not more than an annual increase of 50 students and should require determinations by the City Planning Department, Department of Transportation and the Fire Department that such increases each year will not result in any significant adverse impacts and that the applicant is in compliance with all TDM and traffic-related conditions of CUP approval.

5. The proposed Traffic Demand Management (TDM) conditions set forth in the CUP are woefully inadequate and do not include the kind of mandatory busing and carpool

requirements imposed on other similar private high schools in similar surroundings such as Harvard-Westlake (Coldwater Canyon) and Archer School (Sunset Boulevard). In addition, a CUP condition should be added to require 30 minutes staggered start times so that the Stephen S. Wise School and Milken High School do not have the same drop off and pick up times

6. The CUP- required “Evacuation Plan” approval by City departments should be required **prior to the approval of the CUP** – not after. While everyone agrees on the critical importance of an “Evacuation Plan”, it is egregious to have such plan reviewed, discussed and presumably approved behind closed doors. **Especially when such plan directly impacts the adjacent residents when – not if – there is a need to evacuate whether by fire, earthquake or other emergencies.**

7. The CUP should require increased “Security” for the protection of the students and adjacent residents. In particular, security cameras should be required at the entrances/exits for the parking lots on the site.

8. There are other potential significant impacts that were identified before the City Planning Commission which were disregarded or not fully addressed by appropriate conditions in the approved CUP.

9. There should be an added CUP Condition – customarily imposed – which provides for a **Plan Approval/Condition Compliance Review** at least three years after the effective date of any approved CUP.

Appellants further contend that the Categorical Exemption does not apply in this case because “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.” CEQA Guidelines § 15300.2(c). The “unusual circumstances” exception is established without evidence of an environmental effect upon a showing that the project has some feature that distinguishes it from others in the exempt class, such as its size or location. The “unusual circumstances” here include that the sole access on Casiano Road is already overburdened with traffic from the adjacent Stephen S. Wise Temple and the adjacent residential community and further in close proximity to a plethora of similar educational uses including Curtis School, Mirman School, Berkeley Hall School, Westland School, the Bel-Air Presbyterian Church School, the Milken Middle School and Skirball Center

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