



Nick Vasuthasawat <nick.vasuthasawat@lacity.org>

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## CPC-2018-504-DB-DRB-SPP-CDP-MEL & Issues with L.A. City Planning

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Thomas Donovan <donovantm@gmail.com>

Thu, Jan 14, 2021 at 3:49 PM

To: Leyla Campos <leyla.campos@lacity.org>, Jordann Turner <jordann.turner@lacity.org>, Nick Vasuthasawat <nick.vasuthasawat@lacity.org>, Anna Vidal <anna.vidal@lacity.org>, Daniel Luna <daniel.luna@lacity.org>

Cc: Mike Bonin <mikebonin@gmail.com>, Len Nguyen <len.nguyen@lacity.org>, vince.bertoni@lacity.org, mike.feuer@lacity.org, Oscar Medellin <oscar.medellin@lacity.org>

City of Los Angeles

City Planning Commission

Department of City Planning

Attn.: Leyla A. Campos, Planning and Land Use Management Committee

Nick Vasuthasawat, Dept. of City Planning

Jordann Turner, Dept. of City Planning

Anna M. Vidal, Dept. of City Planning

Re: CPC-2018-504-DB-DRB-SPP-CDP-MEL // ENV-2018-505-MND

[17346 West Sunset Boulevard](#)

To All:

As you know, I have been in communication with all of you at Planning. All of you are fully aware that I represent the Appellants in the above-referenced matter. I was informed by Ms. Campos that our appeal of the above-referenced matter was set to go before the City Council during the week of January 10. Please see the below email thread. Apparently, an appellant cannot expect direct notice of all hearings on an appeal from the City. Instead, an appellant must diligently and constantly check City files for when a hearing before the City Council will be held.

Pursuant to Ms. Campos' instructions, I accessed the City Council and obtained the agenda for this week. I saw that this matter was scheduled to be heard on 1/13/21 as Item No. 4. Also following Ms. Campos' instructions, I subscribed to the Council File and received confirmation of my subscription from the City Clerk.

On 1/13/21, I accessed the City Council meeting online. There I found out that this matter was being sent back to the City Council PLUM Committee, although no reason was given. I have now been told that this matter was pulled from the agenda due to Brown Act concerns occurring at the City Council PLUM meeting. Apparently, it will be rescheduled for another hearing there, although no information about this has been provided to me. I still have not received any official notice from the City regarding this.

It is outrageous that this matter was pulled from the Council Agenda without notice to the Appellants and their representative. This matter is before the Council by virtue of Appellants' Appeal. This is beyond discourteous. Does the City have so little regard for its citizens and their representatives that there is no concern whatsoever about wasting their time, energy and money to log into a hearing for a matter than has been removed from the agenda?

Specifically regarding this matter, there have been several instances where the City and its Planning Dept. have failed to treat this Project's Appellants with respect, betraying a failure of due process and a possible bias by Planning in favor of developers and against opponents of developments.

#### The Design Review Board (DRB)

The Pacific Palisades Design Review Board (DRB) meeting to review the subject Project was scheduled for 8/14/19. Kenton Trinh of Planning cancelled the meeting due to a lack of a quorum. But Mr. Trinh did not contact me to notify me of this, even though he knew I represented the opposition to the Project and had submitted written opposition to him. Mr. Trinh had all my contact information. Fortunately, the Applicant's attorney called me to let me know of the meeting cancelation so I didn't drive out to the Palisades to attend the meeting. Had he not done that, I would have wasted time in going to a cancelled meeting.

I attended the continued DRB hearing on 8/28/19. Even though I had submitted specific written opposition to the DRB through Planning, Mr. Trinh failed to provide copies to the DRB, so they did not have the benefit of reading my opposition prior to the hearing. Mr. Trinh didn't even bring copies of my opposition to the meeting. Had I not attended the meeting, the DRB would not have been aware of my opposition.

#### Planning's Professional Volunteer Program

The Pacific Palisades DRB unanimously rejected the design of the Project, which they hated. But instead of requesting that Applicant redesign the Project and bring it back to the DRB, Planning instead sought recommendations from Planning's Professional Volunteer Program (PVI). These "volunteers" are unidentified.

Planning's Report referred to recommendations from unidentified persons in the PVI, but failed to:

1. Attach a copy of the recommendations;
2. Attach a copy of the applicant's response (referred to at A-7).

Apparently, Planning allows an applicant access to the PVI, but not a project's neighbors. This is an example of Planning actively pushing for and supporting a project against a community's wishes, while preventing the project neighbors from access to those involved in vetting the project. And this is a situation where Planning is hiding people that are weighing in on a project.

#### Los Angeles City Council PLUM Committee - Meeting Date 12/8/20

The PLUM Committee was scheduled to review our Appeal of this matter on 12/8/19. On 12/3/20 Planning filed a rebuttal to our Appeal on but did not provide it to Appellants. However, I believe that this rebuttal may have been provided to the Applicant prior to the meeting. There was no reason why Planning could not have emailed its letter to Appellants' representative when it

was sent to PLUM.

### The City Planning Commission - Meeting Date 8/27/20

On behalf of Appellants, on 7/2/20 I submitted a letter of opposition to Planning. On 7/17/20, I submitted a 7/13/20 report from Edgewater's consulting geotechnical experts, ENGEO. Receipt of both was acknowledged by Planning prior to the CPC meeting. Yet Planning failed to attach either as an exhibit to Planning's Recommendation Report submitted to the CPC. Planning also failed to directly address these submissions and their contents in Planning's 8/19/20 Recommendation Report to the CPC.

Further, the CPC 8/27/20 Agenda indicated that all Initial Submissions must be received by the Commission Executive Assistant no later than 4 p.m. on the Monday prior to the week of the Commission meeting. Therefore the deadline for Initial Submissions in this matter would have been 8/17/20. However, City Planning did not even release its Recommendation Report until 8/19/20, making it impossible to submit a "timely" submission to comment on Planning's Recommendation Report.

### Planning's Conflict of Interest Issues

Nick Vasuthasawat, a Planning Asst. that signed off on the Recommendation Report, was also Planning's contact person regarding this matter. On 8/26/20, the day before the CPC meeting, a resident notified me that Mr. Vasuthasawat was operating his own, private land use company while employed by the City of L.A. Dept. of Planning. I googled him and found that this was true. His website specified that he was President of NPS & Associates. It indicated that NPS performed Permit & Entitlement Securement, Site Assessment Surveys, Radius & Land Use Maps, Design and Drafting & Engineering Services. It indicated that their business strategy is to continually sustain growth through referrals.

I then contacted Deputy City Attorney, Oscar Medellin and provided him with this information. I told him that this raised at least the appearance of bias, impropriety and a conflict of interest on the part of Planning. He said that he would refer this to the appropriate people.

On the morning of 8/27/20, the date of the CPC meeting, I looked on the internet again and Mr. Vasuthasawat's website had been taken down. So he must have been contacted by the City Attorney's Office. Appearing at the CPC meeting, I informed the CPC of all of this. I indicated that I was making no accusations against Mr. Vasuthasawat, but that this situation has raised an appearance of bias, impropriety and a conflict of interest. The CPC did not discuss this at all. At the end of the meeting regarding this matter, Mr. Vasuthasawat indicated "Prior to joining the team, I was operating a business but since transitioning onboard, I haven't been conducting any private business. So there is no conflict of interest."

Since then, I have not been contacted by the City Attorney's Office or Planning regarding this issue. I do not accuse Mr. Vasuthasawat of any specific impropriety. However the issue of the appearance of bias, impropriety and a conflict of interest must be addressed.

### Conclusion

This Project has been unanimously opposed by essentially every single community association in the Pacific Palisades. But this Project appears to be a prime example of City Planning deciding to approve a project at its inception and thereafter ignoring anything that would militate rejection of the Project as proposed. Planning ever refused to impose conditions requested by Appellants and wouldn't even comment on them. An occasional misstep might be overlooked. But there is a pattern here that

raises the issue of whether some of the actions and failures to act were intentional or part of a general policy to favor Applicants over Appellants.

All of the above raises the issue of whether Appellants have been provided with due process throughout the administrative hearing process in this matter. This includes the issue of whether Planning has been biased in favor of the Applicant and against the Appellants throughout the administrative hearings in this matter. I raised these issues before and during each hearing in the administrative process, to no effect. The City has not even formally acknowledged these issues. Yet the disrespect from Planning continues.

I look to receive some notice from the City as to why this matter is being sent back to the City Council PLUM Committee. I would like to know why it took up to the day of the City Council meeting for the matter to be sent back to PLUM. The first PLUM hearing was over a month ago. As this will be the second time, I would like clear notice as to when the PLUM Committee will hear this matter and what the procedures will be regarding the presentation of Appellants' case to PLUM. And as a representative of the Appellants, I am entitled to timely notice of all further submissions made by Planning to PLUM when they are filed.

I am concerned that PLUM will simply reaffirm its prior decision without actively listening to and considering Appellant's position. Holding a sham hearing to rubber-stamp the decision in the first hearing, simply because of Brown Act issues in the first hearing, would continue to deprive Appellants' of their due process rights.

Very truly yours,

*Tom Donovan*

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**Thomas M. Donovan | Law Offices of Thomas M. Donovan**

11900 W. Olympic Blvd. | Suite 450 | Los Angeles | California | 90064

T:310.260.6016

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**From:** Leyla Campos <[leyla.campos@lacity.org](mailto:leyla.campos@lacity.org)>  
**Sent:** Wednesday, December 23, 2020 12:37 PM  
**To:** Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)>  
**Cc:** Jordann Turner <[jordann.turner@lacity.org](mailto:jordann.turner@lacity.org)>; Nick Vasuthasawat <[nick.vasuthasawat@lacity.org](mailto:nick.vasuthasawat@lacity.org)>; Anna Vidal <[anna.vidal@lacity.org](mailto:anna.vidal@lacity.org)>; Daniel Luna <[daniel.luna@lacity.org](mailto:daniel.luna@lacity.org)>  
**Subject:** Re: FW: CPC-2018-504-DB-DRB-SPP-CDP-MEL

My apologies Mr. Donovan!

Council returns from recess the week of January 10th, so I am referring to that week, with the understanding that everything is tentative until the agenda is final. If you subscribe to the Council file (20-1302) via the Council File Management System, (the icon with the envelope in the top area where the Council file number is found) it will notify you when an item is scheduled.

I get so busy sometimes, and I would not want to miss informing you of any important update. Let me know if you have any

questions and/or if you need assistance signing up for the updates as prescribed above.

Enjoy the holiday season and have a happy and healthy new year!

Best,

On Wed, Dec 23, 2020 at 12:37 PM Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)> wrote:

Hi Ms. Campos.

If you have the time, I would appreciate it if you could answer my questions:

- When you say the first week that Council will be back, are you talking about the week beginning on Jan. 4 or a later week?
- Also, will you provide me notice (email would be preferred) of when it is scheduled?

I'm just trying to anticipate my schedule for the new year. Thank you,

*Tom Donovan - (310) 415-6575 (Cell)*

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**From:** Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)>

**Sent:** Monday, December 21, 2020 5:02 PM

**To:** 'Leyla Campos' <[leyla.campos@lacity.org](mailto:leyla.campos@lacity.org)>

**Cc:** 'Jordann Turner' <[jordann.turner@lacity.org](mailto:jordann.turner@lacity.org)>; 'Nick Vasuthasawat' <[nick.vasuthasawat@lacity.org](mailto:nick.vasuthasawat@lacity.org)>; 'Anna Vidal' <[anna.vidal@lacity.org](mailto:anna.vidal@lacity.org)>

**Subject:** RE: CPC-2018-504-DB-DRB-SPP-CDP-MEL

Thank you, Ms. Campos.

When you say the first week that Council will be back, are you talking about the week beginning on Jan. 4 or a later week?  
Also, will you provide me notice (email would be preferred) of when it is scheduled?

I hope all continues to be well with you and everyone else on this email thread.

Merry Christmas and/or Happy Holidays to all of you! Let's hope that 2021 will be a better year for everyone.

Stay safe & healthy!

*Tom Donovan*

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**From:** Leyla Campos <[leyla.campos@lacity.org](mailto:leyla.campos@lacity.org)>  
**Sent:** Monday, December 21, 2020 4:01 PM  
**To:** Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)>  
**Cc:** Jordann Turner <[jordann.turner@lacity.org](mailto:jordann.turner@lacity.org)>; Nick Vasuthasawat <[nick.vasuthasawat@lacity.org](mailto:nick.vasuthasawat@lacity.org)>; Anna Vidal <[anna.vidal@lacity.org](mailto:anna.vidal@lacity.org)>  
**Subject:** Re: CPC-2018-504-DB-DRB-SPP-CDP-MEL

Hello Mr. Donovan,

I hope all is well. CF 20-[1302 \(17346 West Sunset Boulevard\)](#) will be considered by Council early next year. I am tentatively looking at the first week when Council is back from recess.

Please let me know if you have any further questions.

Best,

On Mon, Dec 21, 2020 at 4:02 PM Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)> wrote:

City of Los Angeles

City Planning Commission

Department of City Planning

Attn.: Leyla A. Campos, Planning and Land Use Management Committee

Nick Vasuthasawat, Dept. of City Planning

Jordann Turner, Dept. of City Planning

Anna M. Vidal, Dept. of City Planning

Re: CPC-2018-504-DB-DRB-SPP-CDP-MEL // ENV-2018-505-MND

17346 West Sunset Boulevard

To All:

The City Council PLUM committee held a hearing regarding the above referenced matter on 12/8/20. I have not received notice as to when this matter will be scheduled to be heard by the City Council.

Can you advise as to when this matter will be heard by the City Council? If the City Council somehow has already issued its determination without notice to me, can you advise when the determination will be transmitted to the California Coastal Commission?

Thank you,

*Tom Donovan - (310) 415-6575 (Cell)*

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T:310.260.6016

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**From:** Leyla Campos <[leyla.campos@lacity.org](mailto:leyla.campos@lacity.org)>

**Sent:** Tuesday, November 24, 2020 8:22 AM

**To:** Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)>

**Cc:** Jordann Turner <[jordann.turner@lacity.org](mailto:jordann.turner@lacity.org)>; Nick Vasuthasawat <[nick.vasuthasawat@lacity.org](mailto:nick.vasuthasawat@lacity.org)>; Anna Vidal <[anna.vidal@lacity.org](mailto:anna.vidal@lacity.org)>; Jenna Monterrosa <[jenna.monterrosa@lacity.org](mailto:jenna.monterrosa@lacity.org)>

**Subject:** Re: CPC-2018-504-DB-DRB-SPP-CDP-MEL

Hello Mr. Donovan,

I hope all is well. The matter you are inquiring about is tentatively scheduled to go before the Planning and Land Use Management (PLUM) Committee on December 8, 2020, at 2:00 p.m.

At the discretion of the Chair, each "side" (Applicants and Appellants) is allowed 3 minutes for their oral presentations during PLUM. Once the PLUM committee makes a recommendation, then the matter moves to the Council on a different date and if the public hearing has been satisfied in PLUM, then Council does not re-open the matter for a public hearing in Council.

I hope this answers your questions.

Best,



On Mon, Nov 23, 2020 at 4:38 PM Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)> wrote:

Thank you, Jordann.

I've left two messages for Ms. Campos – one on Friday and one this morning. I have not heard back from her.

I am simply trying to arrange my schedule for the next month. So I would be grateful if someone would tell me the approximate date that this matter will go to the Council PLUM committee.

Also, I am assuming that this matter will go to PLUM first, with oral presentation allowed. Assuming it goes on next to the City Council, will this be on the same day or on a different day? And at City Council, will this matter be placed on the consent calendar or will there be a full hearing with oral presentation allowed, also?

Thank you,

*Tom Donovan* - (310) 415-6575 (Cell)

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**From:** Jordann Turner <[jordann.turner@lacity.org](mailto:jordann.turner@lacity.org)>

**Sent:** Friday, November 20, 2020 12:07 PM

**To:** Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)>

**Cc:** Nick Vasuthasawat <[nick.vasuthasawat@lacity.org](mailto:nick.vasuthasawat@lacity.org)>; Anna Vidal <[anna.vidal@lacity.org](mailto:anna.vidal@lacity.org)>

**Subject:** Re: CPC-2018-504-DB-DRB-SPP-CDP-MEL

Hi Tom. Your appeal was forwarded to the City Council and will be considered by the Planning and Land Use Management Committee of the City Council. The council file number is CF 20-1302. As for the timeline regarding consideration by the PLUM committee, it's best to contact the PLUM committee clerk at Leyla Campos - Legislative Assistant (213) 978-1078.

Jordann

On Fri, Nov 20, 2020 at 11:52 AM Thomas Donovan <[donovantm@gmail.com](mailto:donovantm@gmail.com)> wrote:

City of Los Angeles

City Planning Commission

Department of City Planning

Attn.: Nick Vasuthasawat, Dept. of City Planning



Jordann Turner, Dept. of City Planning

Anna M. Vidal, Dept. of City Planning

Re: CPC-2018-504-DB-DRB-SPP-CDP-MEL // ENV-2018-505-MND

[17346 West Sunset Boulevard](#)

To All:

I filed an Appeal to the City Council regarding the above referenced case on 9/28/20. I have not received notice as to when this appeal will be scheduled for a hearing.

Can you advise as to the status of this matter? I can be reached on my cell phone.

Thank you,

*Tom Donovan* - (310) 415-6575 (Cell)

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Leyla A. Campos

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Leyla A. Campos

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