



Armando Bencomo <armando.bencomo@lacity.org>

Public Comments Not Uploaded Public Notice Error; 2102 - 2120 S. Pacific Avenue, 116 - 302 E. North Venice Boulevard, 2106 - 2116 S. Canal Street, and 319 E. South Venice Boulevard; VTT-82288-2A and CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP-1A; Council File Nos. 21-0829 and 21-0829-S1

Jamie Hall <jamie.hall@channellawgroup.com>
Reply-To: clerk.plumcommittee@lacity.org
To: Armando Bencomo <clerk.plumcommittee@lacity.org>

Wed, Oct 27, 2021 at 2:36 PM

Dear Members of the Planning Land Use Management (PLUM) Committee:

This firm represents Venice Vision with regard to the above referenced project (“Appellant”). As outlined in the attached letter, the City has failed to provide the notice required by law for the appeal hearing scheduled for November 2, 2021 before the Planning and Land Use Management Committee (“PLUM”). Los Angeles Municipal Code Section 12.24D3 requires a physical notice of the public hearing be posted at the site. This section of the Code states as follows:

The Department **shall** give notice in **all** of the following manners: 3. **Site Posting.** *By the applicant posting notice of the public hearing in a conspicuous place on the property involved at least ten days prior to the date of the public hearing.* If a hearing examiner is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, shall also post notice of the initial meeting of the decision-making body on the matter. This notice shall be posted in a conspicuous place on the property involved at least ten days prior to the date of the meeting. The Director of Planning may adopt guidelines consistent with this section for the posting of notices if the Director determines that those guidelines are necessary and appropriate.

Upon appeal, the same notice procedures required for the initial decisionmaker shall apply. This section of the Code states as follows:

3. **Appellate Decision - Public Hearing and Notice.** Before acting on any appeal, the appellate body shall set the matter for hearing, *giving the same notice as provided for the original hearing.* When considering an appeal from the decision of an initial decision-maker, the appellate body shall make its decision, based on the record, as to whether the initial decision-maker erred or abused his or her discretion.

The site posting required by Los Angeles Municipal Code Section 12.24D3 has NOT occurred. A picture is appended to the attached letter demonstrating this fact. This picture was taken on Sunday, October 25, 2021 in the location where the original notice for the City Planning Commission hearing was posted. My client has additional pictures taken within the 10-day period showing that there has been no posting at any time for the upcoming appeal hearing. The City must provide the legal notice required by law. The hearing cannot move forward with the hearing on November 2, 2021 as a result of this deficiency.

Regards,

Jamie T. Hall
Channel Law Group, LLP
8383 Wilshire Blvd., Suite 750
Beverly Hills, CA 90211
Main Number: (310) 347-0050
Direct: (310) 982-1760
Fax: (323) 723-3960

Email: jamie.hall@channellawgroup.com

Website: www.channellawgroup.com

****CONFIDENTIAL & PRIVILEGED TRANSMISSION****

The information contained within this e-mail and any attached document(s) is confidential and/or privileged. It is intended solely for the use of the addressee(s) named above. Unauthorized disclosure, photocopying, distribution or use of the information contained herein is prohibited. If you believe that you have received this e-mail in error, please notify the sender by reply transmission and delete the message without copying or disclosing it.



2 attachments



IMG_4131 (1).jpg
1325K

 **Letter re Failure to Provide Public Notice .pdf**
7616K

Channel Law Group, LLP

8383 Wilshire Blvd.
Suite 750
Beverly Hills, CA 90211

Phone: (310) 347-0050
Fax: (323) 723-3960
www.channellawgroup.com

JULIAN K. QUATTLEBAUM, III
JAMIE T. HALL *
CHARLES J. McLURKIN

Writer's Direct Line: (310) 982-1760
jamie.hall@channellawgroup.com

*ALSO Admitted in Texas

October 27, 2021

VIA ELECTRONIC MAIL

Members of the Planning Land Use Management (PLUM) Committee
Ms. Mr. Ira Brown, City Planner and,
Armando X. Bencomo, Legislative Assistant, City Clerk's staff
City of Los Angeles Department of City Planning
200 North Spring Street
Los Angeles, CA 90012
Clerk.plumcommittee@lacity.org
Ira.brown@lacity.org

Re: Public Notice Error; 2102 - 2120 S. Pacific Avenue, 116 - 302 E. North Venice Boulevard, 2106 - 2116 S. Canal Street, and 319 E. South Venice Boulevard; VTT-82288-2A and CPC-2018-7344-GPAJ-VZCJ-HD-SP-SPP-CDP-MEL-SPR-PHP-1A; Council File Nos. 21-0829 and 21-0829-S1

Dear Members of the Planning Land Use Management (PLUM) Committee:

This firm represents Venice Vision with regard to the above referenced project ("Appellant"). I am writing to inform the City that the notice required by law has not been provided for the appeal hearing scheduled for November 2, 2021 before the Planning and Land Use Management Committee ("PLUM"). Los Angeles Municipal Code Section 12.24D3 requires a physical notice of the public hearing be posted at the site. This section of the Code states as follows:

The Department **shall** give notice in **all** of the following manners: 3. **Site Posting.** *By the applicant posting notice of the public hearing in a conspicuous place on the property involved at least ten days prior to the date of the public hearing.* If a hearing examiner is designated to conduct the public hearing, then the applicant, in addition to posting notice of the public hearing, shall also post notice of the initial meeting of the decision-making body on the matter. This notice shall be posted in a conspicuous place on the property involved at least ten days prior to the date of the meeting. The Director of Planning may adopt guidelines consistent with this section for the posting of notices if the Director

determines that those guidelines are necessary and appropriate.

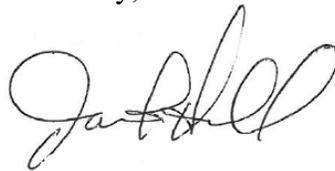
Upon appeal, the same notice procedures required for the initial decisionmaker shall apply. This section of the Code states as follows:

3. Appellate Decision - Public Hearing and Notice. Before acting on any appeal, the appellate body shall set the matter for hearing, *giving the same notice as provided for the original hearing*. When considering an appeal from the decision of an initial decision-maker, the appellate body shall make its decision, based on the record, as to whether the initial decision-maker erred or abused his or her discretion.

The site posting required by Los Angeles Municipal Code Section 12.24D3 has NOT occurred. A picture is attached demonstrating this fact. This picture was taken on Sunday, October 25, 2021 in the location where the original notice for the City Planning Commission hearing was posted. My client has additional pictures taken within the 10-day period showing that there has been no posting at any time for the upcoming appeal hearing. The City must provide the legal notice required by law. The hearing cannot move forward with the hearing on November 2, 2021 as a result of this deficiency.

I may be contacted at 310-982-1760 or at jamie.hall@channellawgroup.com if you have any questions, comments or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie T. Hall", written in a cursive style.

Jamie T. Hall

cc: Terry Kaufman-Macias (terry.kaufmann-macias@lacity.org)

