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February 25, 2019

VIA EMAIL holly.wolcott@lacity.org
AND FACSIMILE

Hon. Herb Wesson, President
Los Angeles City Council
c/o Los Angeles City Clerk
200 N. Spring Street, Room 395
Los Angeles, CA 90012

VIA EMAIL holly.wolcott@lacity.org
AND FACSIMILE

Holly L. Wolcott
City Clerk
City of Los Angeles
200 N. Spring Street, Room 360
Los Angeles, CA 90012

Re: **Objection to Lack of Hearing Notice for Selma-Wilcox Hotel Project;**
Objections to the Los Angeles City Council Meeting re: the Site Plan
Review, Zone Change, District Change, Conditional Use Permit, Mitigated
Negative Declaration and all other entitlements for the Tao Hotel/Dream II
Hotel/Selma Wilcox Hotel project located at 6421-6429 ½ W. Selma
Avenue, Los Angeles; CPC-2016-2601-VZC-HD-CUB-ZAA-SPR; ENV-
2016-2602-MND, Council File 18-0873, City Council Meeting Agenda
Item No. 1.

Honorable President Wesson and Los Angeles City Councilmembers:

This firm and the undersigned represent Sunset Landmark, LLC (hereinafter "Sunset Landmark"). By this letter, we demand that the February 26, 2019 regular Council meeting agenda items on this matter be canceled and rescheduled due to the fact that neither our client, one for four Appellants in this matter, nor this firm was provided with actual notice by the City of this hearing. In violation of state law and the LAMC, we should have received at least 10 days advance actual notice of the City Council hearing. We have received no actual notice from the City, despite repeated written requests for same.

In our March 23, 2018 letter to May Sirinopwongsagon, Planning Commission Hearing Officer, and to the Los Angeles Advisory Agency, in our June 12, 2018 and July 2, 2018 letters to the Los Angeles City Planning Commission, and in our November 27,

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2018 letter to the Planning and Land Use Management Committee of the City Council, we specifically asked that the City “[p]lease keep this office on the list of interested persons to receive timely notice of all hearings and determinations” related to the above-referenced project.

The City Clerk gave to us written notice of a PLUM Committee public hearing on the Project on October 5, 2018 for a hearing scheduled for October 30, 2018, and when the PLUM Committee meeting was continued, the City Clerk gave written notice of a revised PLUM Committee public hearing on the Project on November 2, 2018 for a hearing scheduled for November 27, 2018. The Council File shows that the PLUM Committee Report for November 27, 2018 took action to recommend to the City Council approval of the Project, denial of the appeals, and referral the matter to the City Council for “further consideration.” Neither the PLUM Committee Report nor the audio recording of the November 27, 2018 meeting state the date that the hearing in City Council would be held.

Thus, for months the City has not communicated with any of the land use appellants in this case, including Sunset Landmark and this firm. Apparently, last Friday afternoon, without any notice to our client or us as Appellant’s representative, the City Clerk scheduled a meeting agenda for Tuesday, February 27, 2019 at which the City Council will “further consider” the Project and pending land use appeals. However, in breach of the City’s duty to provide at least 10 days written notice of zoning and land use hearings, our client and this firm has received no written notice so that we can prepare for the City Council hearing, including filing responses to any last minute submittals by the City Planning Department staff or the developer.

And consistent with the City’s pattern and practice of failing to provide notice to land use appellants so that they may prepare responses to Planning Department or developer efforts to supplement the record without notice, last Friday afternoon, the attorneys for the applicant dropped into the City Council File a response to appeal letters previously filed by the appellants, and supported their arguments with letters and new data from three outside consultants. Sunset Landmark, just as the City and applicants have done in other cases, has been sandbagged with rebuttals and new studies one business day prior to the scheduled final City Council hearing.

Despite our three prior written requests on behalf of Appellant, the City has failed to provide proper advance notice of tomorrow’s City Council hearing of this appeal. We

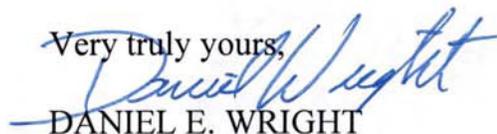
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only learned of the regular meeting by happenstance when contacted by another appellant.

If the City Council goes forward tomorrow with a hearing on the Selma Wilcox Hotel project, our client will have received neither adequate notice nor sufficient time to review and respond to the significant new materials that have been submitted to the Council File. Under the current conditions, the City has not even complied with its usual LAMC requirements regarding notice to an appellant, much less constitutional notice requirements owed to a land use appellant.

Because the City has violated noticing requirements to Sunset Landmark as the Appellant in this matter, we demand that the City cancel and reschedule the February 26, 2019 hearing so as to comply with our client's due process rights as an appellant, which means formal notice by the City to our client and us at least 10 days before the actual scheduled event. **Please immediately reply**, and please include this letter in the City Council File administrative record for this matter. Thank you.

Very truly yours,



DANIEL E. WRIGHT

FOR

THE SILVERSTEIN LAW FIRM, APC

DEW:vl
cc: May Sirinopwongsagon