



**APPLICATIONS:**

**APPEAL APPLICATION**

Instructions and Checklist

**Related Code Section:** Refer to the City Planning case determination to identify the Zone Code section for the entitlement and the appeal procedure.

**Purpose:** This application is for the appeal of Department of City Planning determinations authorized by the Los Angeles Municipal Code (LAMC).

**A. APPELLATE BODY/CASE INFORMATION**

**1. APPELLATE BODY**

- Area Planning Commission     City Planning Commission     City Council     Director of Planning
- Zoning Administrator

Regarding Case Number: VTT-82152 (ENV 2018-2116-EIR) (Hollywood Center Project)

Project Address: 1720-1770 N.Vine St; 1746-1764 N.Ivar Ave; 1733-1741 N.Argyle Ave; 6236, 6270 and *6334 W. Yucca St.*

Final Date to Appeal: 09/23/2020

**2. APPELLANT**

**Appellant Identity:**  
(check all that apply)

- Representative     Property Owner
- Applicant     Operator of the Use/Site

Person, other than the Applicant, Owner or Operator claiming to be aggrieved  
Vedanta Society of Southern California

Person affected by the determination made by the **Department of Building and Safety**

- Representative     Owner     Aggrieved Party
- Applicant     Operator

**3. APPELLANT INFORMATION**

Appellant's Name: Vedanta Society of Southern California

Company/Organization: \_\_\_\_\_

Mailing Address: 1946 Vedanta Place

City: Los Angeles State: CA Zip: 90608

Telephone: (310) 614-0065 E-mail: khlawfirm@aol.com

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

Self     Other: Vedanta Society of So. Calif.

b. Is the appeal being filed to support the original applicant's position?     Yes     No

**4. REPRESENTATIVE/AGENT INFORMATION**

Representative/Agent name (if applicable): Anthony Kornarens, Esq.

Company: Anthony Kornarens, a Professional Corporation

Mailing Address: 2491 Atlantic Avenue

City: Long Beach State: CA Zip: 90608

Telephone: (310) 614-0065 E-mail: khlawfirm@aol.com

**5. JUSTIFICATION/REASON FOR APPEAL**

a. Is the entire decision, or only parts of it being appealed?  Entire  Part

b. Are specific conditions of approval being appealed?  Yes  No

If Yes, list the condition number(s) here: 1-39 inclusive

Attach a separate sheet providing your reasons for the appeal. Your reason must state:

- The reason for the appeal
- How you are aggrieved by the decision
- Specifically the points at issue
- Why you believe the decision-maker erred or abused their discretion

**6. APPLICANT'S AFFIDAVIT**

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

Appellant Signature: 

Date: 9/22/2020

**GENERAL APPEAL FILING REQUIREMENTS**

**B. ALL CASES REQUIRE THE FOLLOWING ITEMS - SEE THE ADDITIONAL INSTRUCTIONS FOR SPECIFIC CASE TYPES**

**1. Appeal Documents**

a. **Three (3) sets** - The following documents are required for each appeal filed (1 original and 2 duplicates) Each case being appealed is required to provide three (3) sets of the listed documents.

- Appeal Application (form CP-7769)
- Justification/Reason for Appeal
- Copies of Original Determination Letter

**b. Electronic Copy**

Provide an electronic copy of your appeal documents on a flash drive (planning staff will upload materials during filing and return the flash drive to you) or a CD (which will remain in the file). The following items must be saved as individual PDFs and labeled accordingly (e.g. "Appeal Form.pdf", "Justification/Reason Statement.pdf", or "Original Determination Letter.pdf" etc.). No file should exceed 9.8 MB in size.

**c. Appeal Fee**

- Original Applicant - A fee equal to 85% of the original application fee, provide a copy of the original application receipt(s) to calculate the fee per LAMC Section 19.01B 1.
- Aggrieved Party - The fee charged shall be in accordance with the LAMC Section 19.01B 1.

**d. Notice Requirement**

- Mailing List - All appeals require noticing per the applicable LAMC section(s). Original Applicants must provide noticing per the LAMC
- Mailing Fee - The appeal notice mailing fee is paid by the project applicant, payment is made to the City Planning's mailing contractor (BTC), a copy of the receipt must be submitted as proof of payment.

**SPECIFIC CASE TYPES - APPEAL FILING INFORMATION**

**C. DENSITY BONUS / TRANSIT ORIENTED COMMUNITES (TOC)**

**1. Density Bonus/TOC**

Appeal procedures for Density Bonus/TOC per LAMC Section 12.22.A 25 (g) f.

**NOTE:**

- Density Bonus/TOC cases, only the *on menu or additional incentives* items can be appealed.
- Appeals of Density Bonus/TOC cases can only be filed by adjacent owners or tenants (must have documentation), and always only appealable to the Citywide Planning Commission.
- Provide documentation to confirm adjacent owner or tenant status, i.e., a lease agreement, rent receipt, utility bill, property tax bill, ZIMAS, drivers license, bill statement etc.

**D. WAIVER OF DEDICATION AND OR IMPROVEMENT**

Appeal procedure for Waiver of Dedication or Improvement per LAMC Section 12.37 I.

**NOTE:**

- Waivers for By-Right Projects, can only be appealed by the owner.
- When a Waiver is on appeal and is part of a master land use application request or subdivider's statement for a project, the applicant may appeal pursuant to the procedures that governs the entitlement.

**E. TENTATIVE TRACT/VESTING**

**1. Tentative Tract/Vesting** - Appeal procedure for Tentative Tract / Vesting application per LAMC Section 17.54 A.

NOTE: Appeals to the City Council from a determination on a Tentative Tract (TT or VTT) by the Area or City Planning Commission must be filed within 10 days of the date of the written determination of said Commission.

- Provide a copy of the written determination letter from Commission.

**F. BUILDING AND SAFETY DETERMINATION**

- 1.** Appeal of the *Department of Building and Safety* determination, per LAMC 12.26 K 1, an appellant is considered the **Original Applicant** and must provide noticing and pay mailing fees.

**a. Appeal Fee**

- Original Applicant - The fee charged shall be in accordance with LAMC Section 19.01B 2, as stated in the Building and Safety determination letter, plus all surcharges. (the fee specified in Table 4-A, Section 98.0403.2 of the City of Los Angeles Building Code)

**b. Notice Requirement**

- Mailing Fee - The applicant must pay mailing fees to City Planning's mailing contractor (BTC) and submit a copy of receipt as proof of payment.

- 2.** Appeal of the *Director of City Planning* determination per LAMC Section 12.26 K 6, an applicant or any other aggrieved person may file an appeal, and is appealable to the Area Planning Commission or Citywide Planning Commission as noted in the determination.

**a. Appeal Fee**

- Original Applicant - The fee charged shall be in accordance with the LAMC Section 19.01 B 1 a.

**b. Notice Requirement**

- Mailing List - The appeal notification requirements per LAMC Section 12.26 K 7 apply.
- Mailing Fees - The appeal notice mailing fee is made to City Planning's mailing contractor (BTC), a copy of receipt must be submitted as proof of payment.

**G. NUISANCE ABATEMENT**

**1. Nuisance Abatement** - Appeal procedure for Nuisance Abatement per LAMC Section 12.27.1 C 4

NOTE:

- Nuisance Abatement is only appealable to the City Council.

**a. Appeal Fee**

Aggrieved Party the fee charged shall be in accordance with the LAMC Section 19.01 B 1.

**2. Plan Approval/Compliance Review**

Appeal procedure for Nuisance Abatement Plan Approval/Compliance Review per LAMC Section 12.27.1 C 4.

**a. Appeal Fee**

Compliance Review - The fee charged shall be in accordance with the LAMC Section 19.01 B.

Modification - The fee shall be in accordance with the LAMC Section 19.01 B.

**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.*

***Please note** that the appellate body must act on your appeal within a time period specified in the Section(s) of the Los Angeles Municipal Code (LAMC) pertaining to the type of appeal being filed. The Department of 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:	Reviewed & Accepted by (DSC Planner):	Date:
Receipt No:	Deemed Complete by (Project Planner):	Date:
<input type="checkbox"/> Determination authority notified		<input type="checkbox"/> Original receipt and BTC receipt (if original applicant)

# ANTHONY KORNARENS

A PROFESSIONAL CORPORATION

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FACSIMILE 310.230.5104

September 22, 2020

## VIA EMAIL

**vince.bertoni@lacity.org;**

**mindy.nguyen@lacity.org**

Vincent Bertoni, Planning Director

Mindy Nguyen, City Planner

City of Los Angeles, Department of City Planning

221 North Figueroa Street, Suite 1350

Los Angeles, CA 90012

Re: EXHIBIT A: Appeal of the Vesting Tentative Tract Map No. VTT-82152  
for the Hollywood Center Project; Case Nos. ENV-2018-2116-EIR, CPC-  
2018-2114-DB-MCUP-SPR, CPC-2018-2115-DA, and VTT-82152 ; SCH 2018051002

Dear Ms. Nguyen:

This firm and the undersigned represents Vedanta Society Of Southern California (“VSSC”), a California non-profit religious corporation which since the 1930's has owned and operated a monastery, shrine and other facilities near the site of the proposed project. Please keep this office on the list of interested persons to receive timely notice of all hearings, votes and determinations related to the proposed Hollywood Center Project (“Project”).

VSSC objects to the decision of the City Planning Commission as stated in its September 14, 2020 letter of determination regarding Vesting Tentative Tract Map No.: 82152 for the project address: 1720-1770 North Vine Street; 1746-1764 North Ivar Avenue; 1733-1741 North Argyle Avenue; 6236, 6270, and 6334 West Yucca Street.

VSSC objects that the land use approvals are in error, are not supported by substantial evidence and otherwise fail to comply with the law.

VSSC further objects that the certification of the final Environmental Impact Report is improper, premature and constitutes a failure to proceed in the manner required by law, both procedurally and substantively.

Without limiting the forgoing, VSSC objects on the basis that the Lead Agency admittedly does not have adequate information to approve the Project or to certify the Environmental Impact Report. The letter of determination admits that the Project cannot proceed in the event there are active fault traces and states that further studies must be conducted in the suspected area to demonstrate, or rule out, the presence of an active fault prior to approval of this project; especially given the fact the concerns of the California Geological Survey (CGS) and

Mindy Nguyen, Planner  
City of Los Angeles, Department of City Planning  
September 22, 2020  
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other body's that there is an active fault traversing the southerly portion of the site.

There are no findings nor any legally proper reasons why that these further studies cannot be conducted prior to certification of the final Environmental Impact Report. VSSC submits that completion of these studies and a definitive conclusion that there are not active earthquake faults traversing the project site is required as a matter of law prior to certification of the final Environmental Impact Report. It is also required based on the facts in the record in this matter. The final Environmental Impact Report cannot be certified until all required environmental review is completed of that review made available.

Also without limiting the forgoing, VSSC objects for each of the reasons stated the June 1, 2020 letter, the September 11, 2020 letter and the September 22, 2020 letter submitted by The Silverstein Law Firm, APC on behalf of StopTheMillenniumHollywood.com. VSSC incorporates these objections by this reference.

VSSC further adopts and incorporates by reference all Project comments and objections raised by all others during the environmental review and land use entitlement processes for the Project. VSSC further incorporates by reference the entire administrative record for the original Millennium Hollywood project, Los Angeles County Superior Court Case No. BS144606.

Pursuant to Public Resources Code Section 21167(f), please provide a copy of each and every notice issued by the City in connection with this Project. We adopt and incorporate by reference all Project objections raised by all others during the environmental review and land use entitlement processes for the Project.

For the reasons stated above, a new Advisory Agency hearing must be properly noticed and held. If the City refuses to do so, then reserving all rights and objections, the City Planning Commission should grant the appeal and overturn the Determination.

Thank you.

Very Truly Yours,  
ANTHONY KORNARENS, APC



Anthony Kornarens