

From: Veronica Lebron <Veronica@robertsilversteinlaw.com>
Sent time: 10/07/2020 06:19:30 PM
To: mindy.nguyen@lacity.org
Cc: Dan Wright <Dan@robertsilversteinlaw.com>; Esther Kornfeld <Esther@robertsilversteinlaw.com>; Robert Silverstein <Robert@robertsilversteinlaw.com>
Subject: The Silverstein Law Firm | Inquiry re City's Responses to Appeals re Hollywood Center Project; Case Nos. ENV-2018-2116-EIR, CPC-2018-2114-DB-MCUP-SPR, CPC-2018-2115-DA, and VTT-82152 ; SCH 2018051002
Attachments: 10-15-20 [SCAN] City Planning Commission Notice of Public Hearing_2.PDF

Dear Ms. Nguyen:

Please advise when the City will provide its Appeal Recommendation Report of the 6 appeals to the project so that the public has an opportunity to timely comment ahead of the October 15, 2020 City Planning Commission hearing.

According to the attached hearing notice you distributed on September 24, 2020, the public has up to 48 hours prior to the hearing to submit "written materials in response to an Appeal Recommendation Report." The City has had 2 weeks, since September 23, 2020 (the deadline for appeal submissions), to compile its report. As of today, the public now has less than a week to review and comment.

Please include this letter and all following correspondence in the above-referenced project's administrative record.

Thank you.

Veronica Lebron
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The information contained in this electronic mail message is confidential information intended only for the use of the individual or entity named above, and may be privileged. The information herein may also be protected by the Electronic Communications Privacy Act, 18 USC Sections 2510-2521. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone (626-449-4200), and delete the original message. Thank you.

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CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING
City Hall 200 North Spring Street Los Angeles CA 90012
NOTICE OF PUBLIC HEARING

To Owners: Within a 100-Foot Radius
 Within a 500-Foot Radius
 Abutting a Proposed Development Site

And Occupants: Within a 100-Foot Radius
 Within a 500-Foot Radius
And: Interested Parties/Others

This notice is sent to you because you own property or are an occupant residing near a site for which an appeal from a Department action was filed with the Department of City Planning. All interested persons are invited to attend the public hearing where you may listen, ask questions, and/or present testimony regarding the project. The environmental document, if applicable, will be among the matters considered at the hearing. The Commission may consider all the testimony presented at the hearing, written communications received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations. **Please note that your attendance at the hearing is optional.**

Project Site: 1750 NORTH VINE STREET; 1720-1770 NORTH VINE STREET, 1746-1764 NORTH IVAR AVENUE, 1733-1741 ARGYLE AVENUE, AND 6236, 6270, AND 6334 WEST YUCCA STREET

Case No. VTT-82152-1A; CPC-2018-2114-DB-CU-MCUP-SPR; and CPC-2018-2115-DA

CEQA No. ENV-2018-2116-EIR

Held By: City Planning Commission

Date: **October 15, 2020**

Time: **AFTER 10:00 A.M.**

Place: In conformity with the Governor's Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the CPC meeting will be conducted entirely telephonically by Zoom [<https://zoom.us/>].

The meeting's telephone number and access code access number will be provided no later than 72 hours before the meeting on the meeting agenda published at <https://planning.lacity.org/about/commissions-boards-hearings> and/or by contacting cpc@lacity.org

Staff Contact: Mindy Nguyen, City Planner
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Los Angeles, CA 90012
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(213) 847-3674

cpc@lacity.org

Council No: 13 – O'Farrell

Related Case(s): None

Plan Area: Hollywood

Zone: C4-2D-SN

Plan Overlay: Hollywood Signage Supplemental Use District, Hollywood Redevelopment Area

Land Use: Regional Center Commercial

Applicant: MCAF Vine LLC, 1750 North Vine LLC, 1749 North Vine Street LLC, 1770 Ivar LLC, 1733 North Argyle, LLA, and 1720 North Vine LLC

Representative: Mayer Brown, LLP; Edgar Khalatian

Appellants:

- (1) Edgar Khalatian, Mayer Brown, LLP, on behalf of MCAF Vine LLC, 1750 North Vine LLC, 1749 North Vine Street LLC, 1770 Ivar LLC, 1733 North Argyle, LLA, and 1720 North Vine LLC
- (2) Federation of Hillside and Canyon Associations, Inc.
- (3) StopTheMilleniumHollywood.com
- (4) AMDA College of the Performing Arts
- (5) Ned Pan, Inc.
- (6) Vedanta Society of Southern California

Representatives:

- (1) Edgar Khalatian, Mayer Brown LLP
- (2) Jamie T. Hall, Channel Law Group, LLP
- (3) Robert Silverstein, The Silverstein Law Firm, APC
- (4) Jennifer Lynch, Esq., Manatt, Phelps & Phillips, LLP
- (5) John M. Bowman, Esq., Elkins Kalt Weintraub Reuben Gartside LLP
- (6) Anthony Kornarens, Esq., Anthony Kornarens, a Professional Corporation

PROPOSED PROJECT:

Alternative 8 involves the preservation of the Capitol Records Complex, removal of other remaining existing uses on the 4.60-acre Project Site, and the development of three new buildings (two mixed-use residential buildings on the West Site and one office building on the East Site) and public open space on the ground level. The maximum building height would be up to 595 feet (49 stories) on the West Site and 367 feet (18 stories) on the East Site. Alternative 8 would include the development of up to 903 residential units (770 market-rate units and 133 senior affordable units), 385,943 square feet of office uses, approximately 26,874 square feet of restaurant/retail space, 33,425 square feet of publicly accessible open space, and a five-level subterranean parking garage with one level of enclosed at-grade parking on the West Site, and a seven-level subterranean parking garage on the East Site. Alternative 8 would have a maximum FAR of 7:1, which includes 1,287,100 square feet of new development and the existing, approximately 114,303-square-foot Capitol Records Complex (consisting of the 92,664-square-foot Capitol Records Building and the 21,639-square-foot Gogerty Building), for a total floor area of 1,401,403 square feet.

REQUESTED ACTIONS:

The City Planning Commission shall consider:

VTT-82152-1A & ENV-2018-2116-EIR

An Appeal of the Deputy Advisory Agency's determination, dated September 14, 2020, which:

1. Found, pursuant to Sections 21082.1(c) and 21081.6 of the Public Resources Code, that the Advisory Agency reviewed and considered the information contained in the Environmental Impact Report prepared for this project, which includes the Draft EIR, No. ENV-2018-2116-EIR (State Clearinghouse No. 2018051002), dated April 16, 2020, and the Final EIR, dated September 3, 2020, (Hollywood Center Project EIR), as well as the whole of the administrative record;

CERTIFIED the following:

- 1) The Hollywood Center Project EIR has been completed in compliance with the California Environmental Quality Act (CEQA);
- 2) The Hollywood Center Project EIR was presented to the Advisory Agency as a decision-making body of the lead agency; and
- 3) The Hollywood Center Project EIR reflects the independent judgment and analysis of the lead agency.

ADOPTED the following:

- 1) The related and prepared Hollywood Center Project EIR Environmental Findings;
 - 2) The Statement of Overriding Considerations; and
 - 3) The Mitigation Monitoring Program prepared for the Hollywood Center Project EIR.
2. Approved, pursuant to LAMC Section 17.15, a Vesting Tentative Tract Map No. 82152 (Alternative 8), located at 1720-1770 North Vine Street; 1746-1764 North Ivar Avenue; 1733-1741 North Argyle Avenue; 6236, 6270, and 6334 West Yucca Street, to allow the merger of 16 existing lots totaling 200,972 square feet (4.46 acres) and 5,876 square feet (0.135 acres) of public right-of-way (including a 1,003 square-foot merger of a portion of an alley and a 4,873 square-foot merger of portions along the sidewalk of Yucca Street, Argyle Avenue, and both sides of Vine Street), dedicating five-foot-wide sidewalk easements over said sidewalk merger areas and the subsequent re-subdivision into three (3) ground lots and 13 airspace lots for a total of 13 lots; an associated haul route for the export of 542,300 cubic yards of soil; and the removal of 16 street trees.
 3. Adopted the Conditions of Approvals and Findings.

CPC-2018-2114-DB-CU-MCUP-SPR

1. Pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review, reserving at least 11 percent of the Alternative 8's units for Very Low- Income households, seeking the following incentives and waivers:

- a. An On-Menu Incentive to permit a 35 percent increase in the maximum allowable floor area ratio (FAR) from 2:1 to 2.7:1 (for portions of the Project Site located at the corner lot on the southeast corner of Yucca Street and Ivar Avenue and associated with APN 5546-004-032); and from 3:1 to 4.05:1 FAR (for the balance of the Project Site).
 - b. An Off-Menu Incentive to allow FAR and density averaging for a Housing Development Project located on non-contiguous lots.
 - c. A Waiver of Development Standards to permit a 7:1 FAR averaged across the Project Site.
 - d. A Waiver of Development Standards to allow the floor area of any residential balconies and terraces to be excluded for purposes of calculating the total floor area.
2. Pursuant to LAMC Section 12.24 U.14, a Conditional Use Permit for a Major Development Project.
 3. Pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit for the sale or dispensing of alcoholic beverages for on-site and off-site consumption within 12 establishments.
 4. Pursuant to LAMC Section 16.05, Site Plan Review for a development that results in an increase of 50 or more dwelling units and/or guest rooms or generates more than 1,000 average daily trips.

CPC-2018-2115-DA

1. Pursuant to California Government Code Sections 65864 through 65869.5, a Development Agreement between the Applicant and the City of Los Angeles.

Puede obtener información en Español acerca de esta junta llamando al (213) 978-1300

GENERAL INFORMATION

FILE REVIEW - The complete file will be available for public inspection by appointment only. Please email the staff identified on the front page, at least three (3) days in advance, to arrange for an appointment. **Files are not available for review the day of or day before the hearing.**

AGENDAS AND REPORTS- Commission Agendas are accessible online at planning.lacity.org, by selecting "Commissions & Hearings", the specific Area or City Planning Commission and "Agendas". Appeal Recommendation Reports are available on-line seven (7) days prior to the Commission meeting and are hyperlinked to the case numbers on the agenda. **Please note that Appeal Recommendation Reports are not prepared for appeals related to Zoning Administrator decisions.**

Be advised that the Commission may RECONSIDER and alter its action taken on items listed on the meeting agenda at any time during this meeting or during the next regular meeting, in accordance with the Commission Policies and Procedures and provided that the Commission retains jurisdiction over the case. **If a Commission meeting is cancelled or adjourned due to lack of quorum, all remaining agenda items shall be continued to the next regular meeting or beyond, as long as the continuance is within the legal time limits of the case or cases.**

TESTIMONY AND CORRESPONDENCE - Your attendance is optional; oral testimony can only be given at the Commission meeting and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the meeting in accordance to the Commission's submittal requirements. Commissions function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Commission become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

REQUIREMENTS FOR SUBMISSION OF MATERIALS - Written materials may be submitted prior to or at the meeting in accordance with the submittal requirements below. The case number must be written on all communications, plans and exhibits.

Please see revised submission guidelines below which have been modified in order to accommodate the conduct of the public hearing telephonically in conformity with the Governor's Executive Order N-29-20 (March 17, 2020).

- **Regular Submissions** – Written materials not limited as to volume must be received by the Commission Executive Assistant no later than by end of business day Monday of the week prior to the week of the Commission meeting. Materials must be delivered electronically to the staff and commission email identified on the front of this page.
- **Secondary Submissions** - All written materials in response to an Appeal Recommendation Report and/or additional comments must be

submitted no later than 48 hours before to the Commission meeting (for Central, South LA and Harbor APCs, materials must be received no later than by 3:00 p.m., Thursday of the week prior to the Commission Meeting). Submissions, including exhibits, shall not exceed ten (10) pages and must be submitted electronically to the Commission identified on the front of this notice.

- **Day of Hearing Submissions** - Submissions less than 48 hours prior to, and including the day of the Commission meeting, must not exceed two (2) written pages, including exhibits. Photographs do not count toward the page limitation. These must be submitted electronically to the Commission email identified on the front of this page.
- **Non-Complying Submissions** - Submissions that do not comply with these rules will be stamped "*File Copy. Non-complying Submission*". Non-complying submissions will be placed into the official case file, but they will not be delivered to, or considered by the Commission. The Commission Rules and Operating Procedures are available online at planning.lacity.org by selecting "Commissions & Hearings" and selecting the specific Commission.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing aenized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. 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.

ACCOMMODATIONS - As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other services, such as translation between English and other languages, may also be provided upon written request submitted a minimum of seven (7) working days in advance to: per.planning@lacity.org. Be sure to identify the language you need English to be translated into, and indicate if the request is for oral or written translation services. If translation of a written document is requested, please include the document to be translated as an attachment to your email.