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GOVERNMENT CODE SECTIONS 9140-9143

CALIFORNIA LEGISLATURE

LEGISLATIVE ANALYST
MAC TAYLOR

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(916) 445-4656

May 8, 2014

Ken Alex, Director
Governor's Office of Planning and Research
State of California
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Alex:

On April 8, 2014, you informed me that Governor Brown has determined that the 8150 Sunset Boulevard project in Los Angeles County is eligible for streamlined judicial review for CEQA compliance under the Jobs and Economic Improvement Act of 2011 (AB 900).

AB 900 (Buchanan), Chapter 354, Statutes of 2011, was intended to encourage California's economic recovery by providing a streamlined CEQA review process for construction projects that qualify as an environmental leadership development project. While projects that meet the criteria set forth in AB 900 are eligible for streamlined CEQA review, it does not alter the requirements a project must meet under CEQA; diminish the ability of project opponents to raise issues or file actions under CEQA; or change the standards a court must consider in reviewing CEQA plans. All the rights and remedies available to parties to challenge a project are expressly protected under AB 900.

The Legislative Analyst's Office (LAO) has reviewed the project on behalf of the Joint Legislative Budget Committee and advises me that the project "aligns with the intent of AB 900". I have attached their analysis for your review.

Based on the information you have provided, and the subsequent review by the LAO, I do not object to your determination that this project meets the criteria set forth in Public Resources Code § 21178 et seq. However, I have received a number of communications in opposition to this project and I am forwarding those to you for your review.

Sincerely,

Mark Leno
Chair

cc: Members of the Joint Legislative Budget Committee

Attachments

LAO

May 1, 2014

Hon. Mark Leno, Chair
Joint Legislative Budget Committee
Room 5100, State Capitol
Sacramento, California 95814

Dear Senator Leno:

On April 8, 2014, the Office of Planning and Research notified you of the Governor's determination that the 8150 Sunset Project is eligible for the alternative California Environmental Quality Act (CEQA) review process authorized by Chapter 354, Statutes of 2011 (AB 900, Buchanan). Under AB 900, the Joint Legislative Budget Committee (JLBC) has 30 days to concur or not concur with the Governor's determination. As we discuss below, we think the 8150 Sunset Project aligns with the intent of AB 900, and we recommend that you concur with the Governor's determination.

Background

Summary of AB 900. Assembly Bill 900 authorizes the Governor to review and certify submitted development projects for a streamlined judicial review process for CEQA compliance. This process is intended to allow projects to begin construction sooner by requiring that any legal challenge of a project's CEQA certification be referred to the state Court of Appeal and resolved within 175 days. In order to qualify for AB 900's alternative CEQA process, a project must meet a series of criteria outlined in the statute. For example, any project under AB 900 must result in a minimum investment of $100 million, create high-wage jobs, and not result in net additional greenhouse gas (GHG) emissions, as determined by the California Air Resources Board (ARB). Additionally, a residential and/or commercial project—such as the proposed project—must meet additional requirements. Specifically, it must be located on an infill site, be designed to achieve Leadership in Energy & Environmental Design (LEED) silver certification, be consistent with the relevant regional sustainable communities strategy (SCS), and exceed by at least 10 percent the transportation efficiency for comparable projects.

Description of Proposed Project. The proposed 8150 Sunset Project is a mixed-use infill project. The project is proposed for a 2.56 acre site in the Hollywood area within the city of Los Angeles that is currently developed with roughly 80,000 square feet of commercial space. The proposed project would demolish this existing development and replace it with roughly 222,000 square feet of residential space (249 units) and 111,000 square feet of commercial space. The lead agency for the project is the city of Los Angeles and the estimated total project cost is $200 million.

Legislative Analyst's Office
California Legislature
Mac Taylor • Legislative Analyst
925 L Street, Suite 1000 • Sacramento CA 95814
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Analyst's Comments

The Governor certified that the 8150 Sunset Project meets AB 900's requirements and has provided supporting information to the JLBC. After reviewing these materials, we find that the project clearly meets many of the criteria set out in AB 900. Specifically, the supporting documents demonstrate that the project will result in greater than the minimum $100 million investment, has received a determination from ARB that it will not result in any net additional GHG emissions, is on an infill site, and will be designed to achieve LEED silver certification.

We note, however, that some of the criteria in AB 900—job creation, SCS consistency, and transportation efficiency—are not clearly defined in the statute. As a result, while we believe the project is consistent with these requirements based on our interpretation of AB 900, it is possible that different reviewers could reach different conclusions. Thus, we discuss our understanding of these criteria and their application to this project below.

Job Creation. One condition of eligibility for the alternative CEQA process under AB 900 is that the "project creates high-wage, highly skilled jobs that pay prevailing wages and living wages and provide construction jobs and permanent jobs for Californians." This provision contains some requirements that the proposed project clearly meets. For example, the project will create construction jobs and the applicant has committed to paying prevailing wages. There is uncertainty, however, regarding how to interpret the requirement that the project generate permanent jobs. The applicant indicates that it expects the project to create over 300 jobs. However, it is difficult to verify this projection or determine with any certainty how many of these jobs would have existed without the project—for instance, within the existing development at the site or at nearby businesses. For that reason, consistent with our office's past practice, we interpret the statute to mean that the project must provide space for new permanent jobs (rather than the jobs themselves). Under that interpretation, we find that the project meets AB 900's permanent job requirements by creating roughly 30,000 square feet of additional commercial space (above the 80,000 square feet of commercial space that currently exists on the site).

SCS. Another condition of eligibility for the alternative CEQA process is that the project be consistent with the SCS covering the relevant region. In this case, the applicable SCS is the Southern California Association of Government's Regional Transportation Plan/SCS (SCAG's RTP/SCS). Since AB 900 does not specify how to determine consistency with the policies identified in the SCS, we interpret the statute as requiring that the project provide a reasonable justification for its consistency. The SCAG's RTP/SCS emphasizes goals and policies that encourage energy efficiency and promote land use and growth patterns that facilitate transit and non-motorized transportation. This project proposes an energy efficient design, includes transportation demand (TDM) programs to reduce vehicle trips, concentrates growth in an urban setting, and is located in an area with relatively robust transit service—characteristics that we believe are in keeping with the goals and policies of SCAG's RTP/SCS.

Transportation Efficiency. An additional condition for CEQA streamlining under AB 900 is that the project meet a 10 percent greater standard for transportation efficiency, meaning that the average number of vehicle trips by employees and visitors must be 10 percent less than that of a comparable facility. Assembly Bill 900 does not specify what data to use in measuring whether a project meets this level of transportation efficiency improvement or define the type of projects

that should be the basis of comparison. Accordingly, consistent with our office's past practice, we interpret this requirement to mean that the project must present a reasonable plan for achieving greater transportation efficiency than similar developments. The applicant indicates that, due to the project's location within a high-density and heavily developed area, the project is expected to benefit from high levels of "pass through traffic," which would reduce the vehicle trips it generates. Also, the applicant proposes various TDM programs, which are aimed at further reducing vehicle trips. Together, the applicant anticipates that these aspects of the project would enable it to reduce vehicle trips by roughly one-third compared to a mixed-use project in a suburban location without TDM. While not conclusive, we believe this represents a reasonable plan to reduce vehicle trips relative to other similar projects and thus aligns with AB 900's intent for greater transportation efficiency.

Conclusion

In view of the above, we think the 8150 Sunset Project aligns with the intent of AB 900 and therefore recommend you concur with the Governor's determination.

If you have any questions about this analysis, please contact Helen Kerstein of my staff at (916) 319-8364 or Helen.Kerstein@LAO.CA.GOV.

Sincerely,

Anthony Simbol
Deputy Legislative Analyst

cc: Members of the Joint Legislative Budget Committee

Collins, Peggy

From: Adam Gorgoni <adam@totalled.net>
Sent: Monday, May 05, 2014 10:35 AM
To: Collins, Peggy
Subject: Re: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Dear Senator Collins:

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

Thank you for your time and consideration.

Sincerely,

Adam Gorgoni
Concerned resident

Totalled, Inc.
8290 Skyline Drive
Los Angeles, CA 90046
323-654-5511
adam@totalled.net

Collins, Peggy

From: Adara Salim <adarasalim@gmail.com>
Sent: Friday, May 02, 2014 12:20 PM
To: Collins, Peggy
Subject: 8150 Sunset Blvd
Attachments: stjames+canterlogo1small.jpg; new%20logo.jpg

Dear Peggy Collins,

Thank you first of all for taking the time to read my email. My name is Adara Salim and my Fiancee and I are residents in the area directly north of the proposed 8150 Sunset Blvd project. As a real estate agent who specializes in this area I have a not only a personal, but a professional connection to the neighborhoods around the intersection of Sunset Blvd and Laurel Canyon. My fiancee, Gregory Widen, has been a resident for over 20 years here and was formally a firefighter for LA County.

1. Emergency Vehicle Response Times
The proposed project "8150 Sunset" is on the corner of Laurel Canyon and Sunset Blvd. This is a major traffic artery for my neighborhood of Sunset Hills, and is one of the sole access points to the neighborhoods of Mount Olympus (400+ homes) and of Laurel Canyon
((210,000 residents) for emergency vehicles. Already the congestion is at a standstill at rush hour times. The sheer volume of commercial businesses and residents "8150 Sunset" will further burden this intersection That is 500 + residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day. Furthermore the project is also proposing to remove a turning lane on this bottleneck intersection. If emergency vehicles are delayed even by a few seconds, let alone a minute, the data proves that this will cost lives.

2. Building within the Alquist-Priolo Earthquake Zone Part of the proposed building site is within the Hollywood earthquake fault line zone known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July 8th of 2014, it is imperative that that information be included in any determination regarding constructing such a large structure so close to a fault line. Ignoring this risk is deadly gamble with peoples lives. I don't want you, or townscape partners to be responsible for a tragedy.

3. Building Height:
The entire structure, which classified as 16 stories, but is actually
22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

4. Parking:
There is no mention or inclusion in the developers' plans for only 400 valet only parking for the 311 projected employees, 500 residents and the traffic that the restaurants, gyms and shops will generate.
Parking in our community is already untenably overcrowded, and all these cars roving around looking for somewhere to park will massively add to the local congestion, noise pollution and emissions. As of now they are 411 parking spots short

5.) Deliberate Underestimation of Car Parking Needed:
There is no way that the 900 bicycles they suggest parking for can work in an area with steeper hills than San Francisco and more traffic than New York. Sunset and Laurel Canyon are dangerous, tight streets for cyclists that have no bike lanes. Next time you go to a mall in Los Angeles count how many bicycles are parked there, it's easy work.
It is out of touch with how the majority of people travel in Los Angeles and is only a way to get around the parking needs of so many residents, employees, and daily patrons. Please take them to task on this deliberate obfuscation.

6.) Lack of Public Transport:
The site is over two miles from the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. The developers claim there are transportation hubs within a half-mile radius is absolutely false, the nearby bus stops are only serviced by a couple of lines. Their claim that there will be 10% greater efficiency in the number of vehicle trips per resident is not just untrue, it is laughable.

7.) Historic Landmarks
This building will destroy one historic building, The Bank of America, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

8. Home Values:
The burden of traffic already effects home values with Laurel Canyon and Mount Olympus. As a real estate agent I am very concerned with degradation of equity that homeowners will experience if traffic is to get worse on the entrance to Laurel Canyon. The traffic on the intersection that 8150 Sunset is on is a daily nuisance and it is a huge concern for my potential buyers in the neighborhood. It would be very sad for this project to take even 1% of equity off home values, but that is a likely outcome.

8.) The Developer:
Townscape LLC have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done. I personally spoke to a local merchant within the current shopping area who was harassed and intimidated by employees of Townscape Partners. They have already taken illegal action against business owners in this community as proven in court. Having worked in commercial real estate I know that for developers who use tactics like this, rules are only suggestions... made to ignored.

I sincerely thank you for your time and consideration,

To your success-

Adara Salim
Sales Associate
St. James + Canter team

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Collins, Peggy

From: Aggi Raeder <aggi@earthlink.net>
Sent: Monday, May 05, 2014 6:48 PM
To: Collins, Peggy
Subject: Project 8150 Sunset Blvd Tracking # 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Agnes Raeder
a resident of Hollywood from 1950 to 1968, now living in Santa Monica

Aggi Raeder

Collins, Peggy

From:	Alex Rose <nemorose@sbcglobal.net>
Sent:	Saturday, April 26, 2014 1:54 PM
To:	Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony; ken.alex@gov.ca.gov
Cc:	Rory Barish; Andrew Macpherson; Jay Grodin; JOANNA PAROL; simonvjones1 @gmail.com; sherrysexton7; DIAZ; c.rice78; JULIA HUNTER; ggg@copper.net; adarasalim@gmail.com; gregorywiden@mac.com
Subject:	URGENT NOTIFICATION: PROJECT 8150 SUNSET BD. TR.# 2014011087
Attachments:	8150_PROJECT__ REVISED_Sunset Boulevard.docx; SRIMAL LETTER_LA_PLANNING DEPT..docx; 8150 WeHo's submission-1.pdf

Project 8150 Sunset Boulevard April 25, 2014
TRACKING # 2014011087

(The italicized portions are direct quotes from the Project 8150 Application)

Dear Honorable Senators, Assemblypersons, and the J.L.B. Committee,

Kindly look carefully at the Project 8150 Sunset Boulevard application as well as the ARB report, and you will see that both make very little sense. The statistics that are used are bogus; the ARB report seems to purport that the new development will produce less pollution than the tiny, "mom-and-pop" business establishments that are on site there now generate.

Someone in Sacramento has really dropped the ball here. Is this what happens when "politicos" on the state level feel they know more than the municipal governments and the local residents in deciding the future of their own community?

And why if you wish to perpetrate the myth that we live under a democratic form of government wherein our elected officials are paid for by our hard-earned tax dollars; do you allow these very officials to, not only act as if we don't exist, but further enrage us by taking our rights away for examining and/or protesting the undeserving builders of this project.

Not only have the Townscape people behaved in a non-transparent fashion; when many of us spoke to them to attempt to present a community viewpoint, they refused to listen. As landlords, they used flagrantly bullying methods to coerce the tenants to give up their leases when the tenants wanted to continue operating their businesses under the legal terms of their leases. One of the

tenants came to our Save Sunset Boulevard meeting and explained that Townscape refused to give them an address to which they should send their rent checks, so it would appear that they were in default. Townscape put up parking arms at the entrances to the mall, charging egregiously inflated prices so the tenants lost customers. These parking arms were later proven in court to be illegal; and Townscape was ordered to take them down, but the damage to these small businesses was irreparable.

It's disheartening to communities when the political system rewards the moneyed elements and their lobbyists to override the hard-working citizens who pay your salaries to serve them; and, instead, receive short shrift because the governor has bought into a pack of lies.

I've had conversations with both Tom LaBonge our city council member and Michael LoGrande, head of the Los Angeles Department of Planning both of whom have stated that the project is too large and out of scale for the neighborhood. Jonathan Brand, Chief of Land use Planning, North in LaBonge's office stated, "We've told those guys they have to come back with a smaller plan."

Furthermore, this "High-density" ratio that Mayor Garcetti has been erroneously touting as the future for Los Angeles – Hollywood, in particular – has been struck down in court, because actuarial science shows that the populations of both Los Angeles and West Hollywood are on the decline; and if the city (and state) believe that urbanites are going to put up with crammed-in quarters, paying parking valets on a daily basis, untenable traffic, deficient Metro Transportation, and, finally, resorting to bicycles, you are all wrong. People will move out of L.A., and our tax revenues will decline even further. This city (and its street geography) are not equipped; nor can it afford, to build the transportation facilities to service its existing population – not to mention larger future populations.

Kindly read below.

The Report states:

"The Project's open space would provide a new, 9,134-square-foot public space ("Corner Plaza") at the northeast corner of the site (an area that is, and will continue to be, owned by the City, though the Applicant will be required to improve and maintain the area), a 34,050-square-foot central public plaza at the site interior ("Central Plaza"), public rooftop deck/garden areas.

RESPONSE: The corner plaza, which belongs to the citizens of Los Angeles, and which has been illegally usurped for the purposes of this plan includes a right-turn lane to increase the flow of traffic to the South on Crescent Heights Boulevard in the heavily congested intersection. In usurping this corner triangle, Townscape has neglected to inform you that the traffic turning right will be forced to turn back on itself, because there is no longer a facilitating right-turn lane in their plan. They've taken it away; so, the traffic flow will be even slower, if that's possible, and heavily and negatively impacted as Sunset Boulevard is quite narrow at that point with no hope of widening even by inches. Furthermore, Townscape has taken away one of the few bus stops in the area which is currently situated on this triangle island.

Furthermore, the mention of "public rooftop deck" will bring noise pollution to the neighborhoods surrounding the complex; and when we asked the Townscape leadership in a public forum if they would limit the rooftop areas to daytime use and restaurant use and NOT NIGHT CLUB activities, they refused to do so.

The Report states:

"Siting, Transportation, and Mixed Use addresses preservation of undeveloped property by encouraging infill development, facilitating pedestrian activity by integrating a diversity of uses and providing convenient access to public transportation. 8150 Sunset Boulevard is located in a prime urban location close to transit, entertainment and employment and will integrate a range of commercial, retail and residential spaces arranged around public and private open spaces. The Project's placement of residential units on the main commute arterial of Laurel Canyon increases efficiencies to the siting and transportation in the area. Additionally, the Project will provide short- and long-term bicycle parking and showers for bicycle commuters to facilitate "last mile" connectivity to transit options."

RESPONSE: If the bicycle ride is supposed to be so easy and attractive to shoppers, commuters, etc., why on earth will they need to take showers?! How are riders going to carry all their work gear – computers, clothes, sundries, make-up, purses, etc. on a bicycle up those steep hills?!?!? And WHAT TRANSIT OPTIONS are we talking about?! Two small bus stops within the two-block area, one of which is being taken away?

The Report states:

"Building Performance emphasizes water and energy efficiency to maximize livability with reduced resource consumption. Consideration will be taken to

select high-performance materials, fixtures and appliances to reduce energy and water consumption by 20% from the regional usage baseline. Additionally, a construction and demolition waste management plan will maximize recycling."

RESPONSE: Waste management is a substantial issue that your committee needs to "vet" with the city of West Hollywood as ALL the sewage from the construction as well as from the commercial establishments, apartment units and condominiums will flush into the sorely-taxed West Hollywood sewer system. This is a point that the West Hollywood City Council brought up in its letter of concern to the City of Los Angeles. (Kindly see the attached email).

The Report states:

"MTA bus stops front the subject site and service Metro Lines 2/302 along Sunset Boulevard and Metro Line 218 along Laurel Canyon and Sunset Boulevards. Metro Line 217 and Metro Rapid Bus Line 780 operate along Fairfax Avenue with a bus stop approximately 1,560 feet from the subject site. Additional bus lines in the area run along La Brea Avenue and Santa Monica Boulevard. Ridership along these four bus lines have been estimated to total well over 11 millions trips in 2013[3]."

RESPONSE: The bus lines that operate along Fairfax Avenue are all beyond the 1,500 foot zone (which by the way Townscape is trying to use as a statistic to achieve a 3 to 1 FAR ratio when the city's code ratio is 1 to 1; but the distances are too far! Also, La Brea Avenue is more than one mile away from the 8150 site, so it hardly qualifies as a metric for any Ridership statistic that impacts the site. Santa Monica Boulevard is also a long walk, over ½ a mile (six/tenths to be exact) which is 3,168 feet, which doesn't qualify the site for a FAR variance, not to mention that the walk to Santa Monica Boulevard is steep downhill and a steep uphill to return.

The Report states:

"As a result, the Project's commercial components will exhibit substantial "pass-by" patronage with commuters taking advantage of convenient services and shops provided by the Project during already-existing trips past the Project site, thereby reducing the amount of "new" project-related traffic added to the existing roadway network in the area."

RESPONSE: First of all there is not even a possibility of "new" project-related traffic." The traffic flowing north on Crescent Heights bottlenecks so badly at the Sunset Boulevard intersection already, the gridlock it causes blocks the East West traffic flow backing it up up far past both Fairfax Avenue to the east and

over a mile and a half to Doheny Drive to the West.

The commuters who make the drive in any direction to or from – or simply passing - this intersection are so road-weary after working all day and adding another hour of driving in bumper-to-bumper traffic - the LAST thing they're going to do is lose their place in the line of traffic to stop and shop at 8150. Many are friends, and I've asked them this question. They just want to get home!

The traffic is so dense that one of our group almost died of a heart attack because an ambulance couldn't get to his house in time; and he lives just one-half a block away from Sunset Boulevard. Emergency fire and police units are very concerned about the traffic density already, and this huge project is only going to add massive amounts of cars to an already overly-taxed intersection.

Furthermore, there is a notable, historic mid-century building that deserves preservation on the site called the LYTTON CENTER. The Los Angeles Conservancy just awarded the LYTTON CENTER architect Kurt Meyer its Modern Masters Award in December 2013.

To quote the **WEHOville** article by Dan Watson, from Thursday 9/26/2013,

"Concerned Residents Sound Off on Townscape Partners' 8150 Sunset Blvd. Project"

"The proposed project would demolish the Chase Bank building, which the Los Angeles Conservancy considers historic. The building was formerly Lytton Center, a 1960 modern bank building distinguished by its zigzag folded plate roof.

"With its dramatic, folded plate concrete roof and glass-walled banking floor, the former Lytton Center was a striking departure from traditional bank design when it opened in 1960," according to the Conservancy. "As financial institutions nationwide analyzed the need for progressive banking methods following World War II, architects responded by radically reinventing the bank's form. Lytton Center typified these national postwar banking trends through its modern architectural design, transparency, and integrated art component, and is one of Los Angeles' earliest remaining examples of this transformative shift in postwar-era bank design."

"The conservancy believes the building might qualify for CEQA (California Environmental Quality Act) and that it needs to be analyzed," Khalatian said. "The EIR will analyze the historic nature of the building and others in the area."

Furthermore, this project abounds with CEQA issues:

1) Parking – With only 295 parking spaces (too many of which are for compact vehicles) for 249 residences; only 46 units will have parking for 2 cars. This is woefully inadequate for most households in L.A. that are made up of two working professionals, both of whom drive. With 554 parking spaces for commercial use, where are the hundreds of employees going to park who don't work in the commercial establishments or shop in them, but who work in the complex to service it, maintain it, guard it, etc.?
2) Besides sewage, waste removal, etc. that will over-utilize the West Hollywood sewer system, another problem is that of shade and shadowing. Dwellings that "live" in the permanent shadow of a large structure become permanent "dead zones;" fungus takes over, gardens and swimming pools are destroyed; life forms cease to exist in these dark shadowy basement-type environments. There needs to be an appropriate study on the surrounding apartment and condominium units, some of which are very high-end that will fall into the 8150 structural shadow.
3) EARTHQUAKE DANGER: Governor Brown purports to be a proponent of continuing the earthquake mapping that proved to be the final undoing of the Hollywood Millennium Project. Has he or anyone in his office taken a look at where 8150 is located? It's less than 100 feet from the Alquist-Priolo zone! And since we're all waiting for the state geologist team to finish mapping that fault; why don't we wait until the report comes out and an appropriate determination can be made for the safety of the public before racing ahead with granting a streamlined judicial review. In the January, 2014 Los Angeles Times:

"Gov. Brown proposes sharp increase in earthquake fault mapping budget"

Further into the article, the State Senator for our district is even supportive of further fault exploration.

"State lawmakers have previously called for a boost in funding so the mapping can continue. In a letter last week to the state Senate president, Sen. Ted W. Lieu (D-Torrance) said that the state's budget situation has improved significantly in the last few years and fault mapping should fully funded immediately.

"It boggles my mind," Lieu said in an interview. "Every day across California, local planning departments are making decisions, and we need to make sure that no future buildings are going to be built on fault lines simply because a map wasn't updated."

Lieu's remarks came after The Times last month reported that more than a dozen buildings were approved for construction on or near the Hollywood and Santa Monica faults over the last decade without the rigorous studies that would have been required

had the state zoned the two faults. Both faults are well known and capable of producing disastrous earthquakes."

4) And where was the notification of the opening and closing of the Public Review Period posted? I am conversant with many people in many Los Angeles Councils, not to mention, the Save Sunset Boulevard group; and no one, to a person, had received any information that there was a Review process open to the public. No one who resides near 8150 Sunset Boulevard was notified of the Public review Period, and these are the very people whose neighborhood the governor is so willing to place in jeopardy from your unfamiliar vantage point in Sacramento.

In conclusion, please do not write a letter of concurrence for this disastrous project. Instead, at the very least, write a letter of non-concurrence so that the normal and less slippery wheels of the Los Angeles and West Hollywood City Councils and communities can have the normal access to the means to represent the safety and well-being of their citizens on a somewhat even playing field.

Yours truly,

ALEXANDRA ROSE
PRESIDENT, SAVE SUNSET BOULEVARD

Alexandra Rose, ***Producer***

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Project 8150 Sunset Boulevard **April 25, 2014**

TRACKING # 2014011087

(The italicized portions are direct quotes from the Project 8150 Application)

Dear Honorable Senators, Assemblypersons, and the J.L.B. Committee,

Kindly Look at this Project 8150 Sunset Boulevard application as well as the ARB report closely, and you will see that both make very little sense. The statistics that are used are bogus; the ARB report seems to purport that the new development will produce less pollution than the tiny, "mom-and-pop" business establishments that are there now generate.

Someone in Sacramento has really dropped the ball here. Is what happens when "politicos" on the state level feel they know more than the municipal governments and the local residents in deciding the future of their own community?

And why if you wish to perpetrate the myth that we live under a democratic form of government wherein our elected officials are paid for by our hard-earned tax dollars; do you allow these very officials to, not only act as if we don't exist, but further enrage us by taking our rights away for examining and/or protesting the undeserving builders of this project.

Not only have the Townscape people behaved in a non-transparent fashion; when many of us spoke to them to attempt to present a community viewpoint, they refused to listen. As landlords, they used flagrantly bullying methods to coerce the tenants to give up their leases when the tenants wanted to continue operating their businesses under the legal terms of their leases. One of the tenants came to our Save Sunset Boulevard meeting and explained that Townscape refused to give them an address to which they should send their rent checks, so it would

appear that they were in default. Townscape put up parking arms at the entrances to the mall, charging egregiously inflated prices so the tenants lost customers. These parking arms were later proven in court to be illegal; and Townscape was ordered to take them down, but the damage to these small businesses was irreparable.

It's disheartening to communities when the political system rewards the moneyed elements and their lobbyists to override the hard-working citizens who pay your salaries to serve them; and, instead, receive short shrift because the governor has bought into a pack of lies.

I've had conversations with both Tom LaBonge our city council member and Michael LoGrande, head of the Los Angeles Department of Planning both of whom have stated that the project is too large and out of scale for the neighborhood. Jonathan Brand, Chief of Land use Planning, North in LaBonge's office stated, "We've told those guys they have to come back with a smaller plan."

Furthermore, this "High-density" ratio that Mayor Garcetti has been erroneously touting as the future for Los Angeles – Hollywood, in particular – has been struck down in court, because actuarial science shows that the populations of both Los Angeles and West Hollywood are on the decline; and if the city (and state) believe that urbanites are going to put up with crammed-in quarters, paying parking valets on a daily basis, untenable traffic, deficient Metro Transportation, and, finally, resorting to bicycles, you are all wrong. People will move out of L.A., and our tax revenues will decline even further. This city (and its street geography) are not equipped; nor can it afford, to build the transportation facilities to service its existing population – not to mention larger future populations.

Kindly read below.

The Report states:

"The Project's open space would provide a new, 9,134-square-foot public space ("Corner Plaza") at the northeast corner of the site (an area that is, and will continue to be, owned by the City, though the Applicant will be required to improve and maintain the area), a 34,050-square-foot central public plaza at the site interior ("Central Plaza"), public rooftop deck/garden areas.

RESPONSE: The corner plaza, which belongs to the citizens of Los Angeles, and which has been illegally usurped for the purposes of this plan includes a right-turn lane to increase the flow of traffic to the South on Crescent Heights Boulevard in the heavily congested intersection. In usurping this corner triangle, Townscape has neglected to inform you that the traffic turning right will be forced to turn back on itself, because there is no longer a facilitating right-turn lane in their plan. They've taken it away; so, the traffic flow will be even slower, if that's possible, and heavily and negatively impacted as Sunset Boulevard is quite narrow at that point with no hope of widening even by inches. Furthermore, Townscape has taken away one of the few bus stops in the area which is currently situated on this triangle island.

Furthermore, the mention of "public rooftop deck" will bring noise pollution to the neighborhoods surrounding the complex; and when we asked the Townscape leadership in a public forum if they would limit the rooftop areas to daytime use and restaurant use and NOT NIGHT CLUB activities, they refused to do so.

The Report states:

"Siting, Transportation, and Mixed Use addresses preservation of undeveloped property by encouraging infill development, facilitating pedestrian activity by integrating a diversity of uses and providing convenient access to public transportation. 8150 Sunset Boulevard is located in a prime urban location close to transit, entertainment and employment and will integrate a range of commercial, retail and residential spaces arranged around

public and private open spaces. The Project's placement of residential units on the main commute arterial of Laurel Canyon increases efficiencies to the siting and transportation in the area. Additionally, the Project will provide short- and long-term bicycle parking and showers for bicycle commuters to facilitate "last mile" connectivity to transit options."

RESPONSE: If the bicycle ride is supposed to be so easy and attractive to shoppers, commuters, etc., why on earth will they need to take showers?! How are riders going to carry all their work gear – computers, clothes, sundries, make-up, purses, etc. on a bicycle up those steep hills?!?!? And WHAT TRANSIT OPTIONS are we talking about?! Two small bus stops within the two-block area, one of which is being taken away?

The Report states:

"Building Performance emphasizes water and energy efficiency to maximize livability with reduced resource consumption. Consideration will be taken to select high-performance materials, fixtures and appliances to reduce energy and water consumption by 20% from the regional usage baseline. Additionally, a construction and demolition waste management plan will maximize recycling."

RESPONSE: Waste management is a substantial issue that your committee needs to "vet" with the city of West Hollywood as ALL the sewage from the construction as well as from the commercial establishments, apartment units and condominiums will flush into the sorely-taxed West Hollywood sewer system. This is a point that the West Hollywood City Council brought up in its letter of concern to the City of Los Angeles. (Kindly see the attached email).

The Report states:

"MTA bus stops front the subject site and service Metro Lines 2/302 along Sunset Boulevard and Metro Line 218 along Laurel Canyon and Sunset Boulevards. Metro Line 217 and Metro

Rapid Bus Line 780 operate along Fairfax Avenue with a bus stop approximately 1,560 feet from the subject site. Additional bus lines in the area run along La Brea Avenue and Santa Monica Boulevard. Ridership along these four bus lines have been estimated to total well over 11 millions trips in 2013[3]."

RESPONSE: The bus lines that operate along Fairfax Avenue are all beyond the 1,500 foot zone (which by the way Townscape is trying to use as a statistic to achieve a 3 to 1 FAR ratio when the city's code ratio is 1 to 1; but the distances are too far! Also, La Brea Avenue is more than one mile away from the 8150 site, so it hardly qualifies as a metric for any Ridership statistic that impacts the site. Santa Monica Boulevard is also a long walk, over ½ a mile (six/tenths to be exact) which is 3,168 feet, which doesn't qualify the site for a FAR variance, not to mention that the walk to Santa Monica Boulevard is steep downhill and a steep uphill to return.

The Report states:

"As a result, the Project's commercial components will exhibit substantial "pass-by" patronage with commuters taking advantage of convenient services and shops provided by the Project during already-existing trips past the Project site, thereby reducing the amount of "new" project-related traffic added to the existing roadway network in the area."

RESPONSE: First of all there is not even a possibility of "new" project-related traffic." The traffic flowing north on Crescent Heights bottlenecks so badly at the Sunset Boulevard intersection already, the gridlock it causes blocks the East West traffic flow backing it up up far past both Fairfax Avenue to the east and over a mile and a half to Doheny Drive to the West.

The commuters who make the drive in any direction to or from – or simply passing - this intersection are so road-weary after working all day and adding another hour of driving in bumper-to-bumper traffic - the LAST thing they're going to do is lose their place in the line of traffic to stop and shop at 8150. Many are

friends, and I've asked them this question. They just want to get home!

The traffic is so dense that one of our group almost died of a heart attack because an ambulance couldn't get to his house in time; and he lives just one-half a block away from Sunset Boulevard. Emergency fire and police units are very concerned about the traffic density already, and this huge project is only going to add massive amounts of cars to an already overly-taxed intersection.

Furthermore, there is a notable, historic mid-century building that deserves preservation on the site called the LYTTON CENTER. The Los Angeles Conservancy just awarded the LYTTON CENTER architect Kurt Meyer its Modern Masters Award in December 2013.

To quote the **WEHOville** article by Dan Watson, from Thursday 9/26/2013,

"Concerned Residents Sound Off on Townscape Partners' 8150 Sunset Blvd. Project"

"The proposed project would demolish the Chase Bank building, which the Los Angeles Conservancy considers historic. The building was formerly Lytton Center, a 1960 modern bank building distinguished by its zigzag folded plate roof.

"With its dramatic, folded plate concrete roof and glass-walled banking floor, the former Lytton Center was a striking departure from traditional bank design when it opened in 1960," according to the Conservancy. "As financial institutions nationwide analyzed the need for progressive banking methods following World War II, architects responded by radically reinventing the bank's form. Lytton Center typified these national postwar banking trends through its modern architectural design, transparency, and integrated art component, and is one of Los Angeles' earliest remaining examples of this

transformative shift in postwar-era bank design."

"The conservancy believes the building might qualify for CEQA (California Environmental Quality Act) and that it needs to be analyzed," Khalatian said. "The EIR will analyze the historic nature of the building and others in the area."

Furthermore, this project abounds with CEQA issues:

1) Parking – With only 295 parking spaces (too many of which are for compact vehicles) for 249 residences; only 46 units will have parking for 2 cars. This is woefully inadequate for most households in L.A. that are made up of two working professionals, both of whom drive. With 554 parking spaces for commercial use, where are the hundreds of employees going to park who don't work in the commercial establishments or shop in them, but who work in the complex to service it, maintain it, guard it, etc.?
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"It boggles my mind," Lieu said in an interview. "Every day across California, local planning departments are making decisions, and we need to make sure that no future buildings are going to be built on fault lines simply because a map wasn't updated."

Lieu's remarks came after The Times last month reported that more than a dozen buildings were approved for construction on or near the Hollywood and Santa Monica faults over the last decade without the rigorous studies that would have been required had the state zoned the two faults. Both faults are well known and capable of producing disastrous earthquakes."

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In conclusion, please do not write a letter of concurrence for this disastrous project. Instead, at the very least, write a letter of non-concurrence so that the normal and less slippery wheels of the Los

Angeles and West Hollywood City Councils and communities can have the normal access to the means to represent the safety of their citizens on a somewhat even playing field.

Yours truly,

ALEXANDRA ROSE
PRESIDENT, SAVE SUNSET BOULEVARD
PRODUCER – CHAIR
Industry Initiatives and Special Projects
DODGE COLLEGE OF FILM AND MEDIA ARTS
Chapman University
Orange, CA

Dear Ms. Srimal,

As a concerned citizen in the West Hollywood Hills of Los Angeles (zipcode90069), I can only "say" that this proposed development is vastly lacking in its details, its renderings are sketchy, to put it mildly; and there is absolutely ZERO assessment – which reads – concerns about the adjoining neighborhood, which has height restrictions and many buildings and homes of historic value.

Some examples of insufficient details are as follows:
The COMMERCIAL ELEVATOR seems to be only one in number; which means it's challenging for apartment dwellers to move furniture or shoppers to come up from the parking lot.

The rooftop level uses are not adequately detailed, and when I questioned both the builder and his representative, neither would say what was really going to be developed on the roof? There are no covenants in the plan against noisy clubs, which would echo throughout the entire area, and there is no description of the indoor/outdoor space. There is a great deal of danger in including a rooftop venue, as both people and "things" could fall over the edge.

The question of a dangerous earthquake fault running under the property seems not to bother anyone; yet, we, the residents want to see at least THREE highly credentialed geologists give the project their UNQUALIFIED SAFETY STAMP.
The article in the Sunday Los Angeles Times describing how LAX the city has been regarding repairing concrete buildings that have been assessed as earthquake dangers is shocking and bespeaks a City Hall and its' Council Members who are more interested in receiving donations than caring about the safety of their constituents.

Furthermore, the ADVERTISED height of the project is 16 stories; when in fact, in real numbers, it's 22 stories. Again, this demonstrates the wanton carelessness the builders feel they have to demonstrate to the community. One can only hope the Planning Department will function in a more truthful, UNAGENDAED, manner.

THE PLAN is sorely lacking in details of the exterior wall material(s) of the parking garage, making it impossible to understand the impact of the parking garage and its internal circulation, on neighboring properties. For example, THE GRANVILLE was bludgeoned so hard by the underground parking structure of the CRUNCH GYM/TRADER JOE'S next door (during an earthquake – '92, I believe), that the Mall on the South East side of Sunset and Crescent Heights, was forced to pay the Granville $15 million in damages. Specifically, what are the exterior walls made of? And, how are they going to be lit and vented.

THE PLAN is missing information on the South side of the property, which will affect residents who live along that perimeter.

The number of parking spaces is woefully small. Even if an apartment is a single, there are going to be two people living in it? Where is the second person going to park? There is VIRTUALLY ZERO parking in the area surrounding the proposed structure.

Furthermore, I see no parking spaces allocated to the 50 – 75 employees who are going to be working there on a daily basis both in the stores, maintenance, security, parking, etc., etc. Again, there is ZERO extra parking in the surrounding streets.

We also weren't in formed as to HOW MANY valet parkers; security people, trash collection people, etc. will be working on a daily/weekly basis.

And the HELIPAD! That's a verbal discussion item that doesn't seem to be reflected on the plans, either.

The traffic is already SO DENSE in the intersection, it's impossible to get through Crescent Heights/Laurel Canyon coming from the East, driving West now during RUSH HOUR, because the North/South Laurel Canyon drivers hang over into the intersection, causing gridlock.

We have no information as to how trucks will even be able to enter the structure, as many trucks will be needed to service the volume of what is being proposed. Again, large semis have HUGE CHALLENGES on Sunset Blvd; and, in fact, are rarely allowed – sometimes only at hours that will most assuredly wake residents; and when they do SERVICE Trader Joe's or Bristol Farms (two grocery stores right across the street) they tie up traffic for a very long time.

What types of signs and lights will be on the structure? Will there be billboards, bright, flashing neon signs – there's no details provided in this regard, either.

There is no information provided as to HOW LATE establishments will be allowed to stay open, disturbing the neighbors, either.

This neighborhood is NOT HIGHLY URBANIZED. Downtown L.A. is highly urbanized; Westwood is highly urbanized. This description, again, reflects the agendas of the builders (and perhaps the city) to disregard the life-style this neighborhood has always enjoyed. People live here

because they DON'T want a highly urbanized lifestyle. The streets are TINY, NARROW, HILLY, and WINDING; and if myriads of cars from Sunset Blvd and Crescent Heights suddenly start using the small streets as short cuts, the neighborhood will be ruined. Housing values will plummet; and the city's tax base from houses will be negatively impacted.

There are only two bus lines – sporadic at best – that service this area; how are the buses going to be able to traverse such a densely trafficked area. The buses already can barely get through.

There needs to be a study implemented that includes the impact from the 8150 project, in conjunction with the large residential edifice planned on the corner of Sunset and Olive as well as the large hotel planned, which will include the Petersen Building on La Cienega and the old Tiffany Theatre on Sunset. There is also discussion of a new Marriott on the corner of Sunset and Doheny.

There is no question that the impossibly dense influx of additional traffic on Laurel Canyon will send drivers to ALL THE OTHER CANYONS east and west of Laurel. Has anyone counted cars in all these canyons and then added the new influx?

With the closures Sunset Blvd. experiences now due to parades, premieres, and special events on Hollywood Blvd. and Santa Monica Blvd. (and often Sunset Blvd., itself) it's challenging to imagine how the community is going to survive 2 ½ years of construction blockages, noise, dust, a substantial number of construction workers (not to mention their vehicles). That kind of turmoil will knock the business out from the Chateau Marmont and possibly The Standard

hotels. Visitors are not going to want to pay for a tranquil room at the Chateau Marmont when the experience will be anything but. I doubt that the Chateau Marmont could sustain the losses that would be generated during a 2 ½ year period of construction.

There are no indications as to how traffic on Sunset Blvd. would be helped by this proposed structure; and they've admitted there will be no traffic mitigation on Sunset Blvd.; however, the plan to somehow block-off Havenhurst would only increase difficulty of access for that entire street of residences, not to mention that Havenhurst is a free-flowing north south street now, and to arrest the flow of traffic only builds up congestion on nearby neighborhood streets, which are already congested.

Furthermore, the plan appropriates a pedestrian crossing triangle (a traffic island) and right turn lane as if the builders are offering the citizens something when that triangle already belongs to the city of Los Angeles – i.e., the citizens.

Entrance and egress to and from the garage/parking area are ill-planned and appear to cause additional, unsafe traffic conditions – again, adding so much congestion to the two boulevards – currently overloaded and insufficient to bear existing traffic. These need to be examined closely.

Trucks unloading fresh produce often never turn off their engines when at a loading dock. The loading area in the plan seems insufficient to handle more than one or two trucks at a time; and since most trucks need to unload by a designated time, one questions how many trucks are going to be sitting in line waiting to unload on any given morning. And what will the hours of delivery allowed?

The plan does not specify the exact material the exterior of the building will be made of. The Planning Department would be well served to look at the effect of reflective glare that might occur on neighboring buildings.

The proposed area supposedly consecrated as a pedestrian area/walkway/etc. space is also not well defined or described. Not too many neighbors are going to walk up a rather steep hill from Santa Monica Blvd. or Fountain Ave. to shop – particularly, if they're going to be returning home with heavy packages.

There is an apartment nearby on Havenhurst that houses the disabled and elderly. What plans do the builders for see to make sure the residents of this "home" are comfortable and not endangered health wise due to the construction.

There are numerous homes, particularly on the North side of Sunset Boulevard that have been built as far back as the turn of the century – and certainly in the 1920's and 1930's. The owners of these residences have invested heavily in their restoration, and to destroy the charm and history of the surrounding areas with an unattractive high-rise that does not suit the area is wrong. The neighborhood also boasts historic commercial buildings that bespeak certain financial values because they ARE historic magnets for tourists.

Addressing the above issue is important on several fronts: 1) Will the value of the businesses of historic significance decrease? Will tourism continue to flourish if Sunset Blvd. turns into Westwood – a mass of unappealing high-rises that could exist in any American city? And, what about the residents whose homes delight in magnificent views overlooking the city? The value of these homes will decrease immeasurably when blocked by a giant high-rise.

Furthermore, we have scene a distinct lack of co-ordination between the West Hollywood City Hall and the Sheriff's Dept. with their Los Angeles counterparts, and this site is just on the border between the two cities. Criminal perpetrators know they just have to step over a close line to avoid pursuit and prosecution.

Our neighborhood residents are extremely concerned that the City Of Los Angeles is on the path to yet another disastrous, ill-planned, and unsupervised building project under the aegis of developers who care not one whit or the neighbors concerns. Nor are they or the city bothered that a giant earthquake fault runs below Sunset Blvd. at the base of the hills; nor, has the building group been forthcoming in its presentation of its plan.

We can only hope that SOMEONE in the Planning Department will look closely at the proposal and examine it thoroughly, honestly, and without personal agenda.

I thank you for your consideration of our concerns.

Alexandra Rose
PRODUCER and PROFESSOR
CHAIR, Industry Initiatives and Special Projects
THE DODGE COLLEGE OF FILM AND MEDIA ARTS
CHAPMAN UNIVERSITY (323) 654-8662

8291 PRESSON PLACE, LOS ANGELES, CA 90069

Collins, Peggy

From: Amy Minchin <amy@jamesminchin.com>
Sent: Monday, May 05, 2014 10:26 AM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

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www.jamesminchin.com

Collins, Peggy

From: info@savesunsetboulevard.com
Sent: Friday, April 25, 2014 6:28 PM
To: Collins, Peggy
Cc: Alex Rose; Jay Grodin; Robert Silverstein; Adara Salim; Gregory Widen; Joanna Parol; Rory Barish
Subject: PUBLIC OUTCRY AGAINST - Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184 - SCH Tracking Number 2014011087

Dear Ms Collins,

I am writing to you on behalf of our 501c, Save Sunset Boulevard, to protest the CEQA fast tracking that is about to be granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, that has been forwarded to your committee.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review. This initiative is being abused by the developers to try and circumvent the concerns of both the city and the community. In this package I have added several letters to back this up, and the recent judicial ruling against high density development in Hollywood. Also I have included State Geologist John Parrish's latest earthquake map, which places the entire project within the fault safety zone.

I would also like to bring to your attention these CEQA issues that need further investigation, clarification , and transparency:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) There is no mention or inclusion in the developers' plans for only 400 valet only parking for the 311 projected employees, 500 residents and the traffic that the restaurants, gyms and shops will generate. Parking in our community is already untenably overcrowded, and all these cars roving around looking for somewhere to park will massively add to the local congestion, noise pollution and emissions.

3.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

4.) There is no way that the 900 bicycles they suggest parking for can work in an area with steeper hills than San Francisco and more traffic than New York.

5.) The site is over two miles from the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. The developers claim there are transportation hubs within a half-mile radius is absolutely false, the nearby bus stops are only serviced by a couple of lines. Their claim that there will be 10% greater efficiency in the number of vehicle trips per resident is not just untrue, it is laughable.

6.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

7.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

8.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information be included in any determination regarding constructing such a large structure so close to a fault line.

9.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

This email is also coming to you with supporting documents via USPS Priority Mail (tracking # 9405 9036 9930 0173 6190 99) In it you will find public letters of concern that were entered into the city records for the EIR. from our council member Tom Le Bonge, the West Hollywood Preservation Alliance, John Parish's latest earthquake map, with a PDF showing the location of the proposed tower by the fault, images showing its impact on the historic neighborhood, and also the court documents giving Judge Goodman's finding and conclusions on the flawed Hollywood Density Plan that allowed this monster to ever even be considered. All of those documents can also be accessed here to download -
https://www.dropbox.com/sh/99lk4x46nz0gup9/CwNbmv4b5D

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt the normal workings of the city and the law to limit its size and impact on historic Hollywood.

Please confirm your receipt of this, and that it has been duly entered into the record

Thank you, yours sincerely,

Andrew Macpherson
Treasurer
Save Sunset Boulevard Inc

City of West Hollywood
California 1984

CITY OF WEST HOLLYWOOD

CITY HALL
8300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6475
FAX: (323) 848-6575

TTY: For hearing impaired
(323) 848-6496

COMMUNITY DEVELOPMENT DEPARTMENT

October 14, 2013

Srimal Hewawitharana
City of Los Angeles
Environmental Analysis Section
Department of City Planning
200 N. Spring Street, Room 750
Los Angeles, CA 90012

RE: Notice of Preparation of a Draft Environmental Impact Report
8150 Sunset Boulevard Mixed-Use Project
Case Number: ENV-2013-2552-EIR

Dear Ms. Hewawitharana:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the 8150 Sunset Boulevard Mixed-Use Project (Project). Included in this letter is a list of issues the City of West Hollywood would like studied in the DEIR that is to be completed for the Project.

ANALYSIS REQUESTED

Due to the Project's close proximity to the City boundary, there is a potential that the City of West Hollywood and its residents could experience negative impacts both during the construction of the Project and as a result of operation thereafter. The Project has a potential to create negative impacts and therefore the City of West Hollywood requests that the potential for any environmental impact, including the following specific issues, be studied in the DEIR:

TRAFFIC

Due to the Project's vicinity to the City of West Hollywood, the following intersections are requested to be studied as part of the DEIR traffic analysis:

1. Sunset Blvd. & Harper Ave.
2. Sunset Blvd. & Sweetzer Ave.
3. Sunset Blvd. & La Cienega Blvd.
4. Fountain Ave. & Fairfax Ave.
5. Fountain Ave. & Crescent Heights Blvd.
6. Fountain Ave. & Havenhurst Dr.
7. Fountain Ave. & Sweetzer Ave.

shop WEST HOLLYWOOD

8. Fountain Ave. & La Cienega Blvd.
9. Santa Monica Blvd. & Fairfax Ave.
10. Santa Monica Blvd. & Crescent Heights Blvd.

In addition to the intersections listed above, please also study the residential street segment of Havenhurst Drive between Sunset Boulevard and Fountain Avenue.

As part of the study, consider traffic generated by cumulative projects located within the City of West Hollywood. The list of projects is available upon request.

For all study locations within the City of West Hollywood, please use the City of West Hollywood's adopted level of service methodologies and significant impact criteria when assessing potential traffic impacts. Please contact the City's Transportation Planner, Bob Cheung, at (323) 848-6346 for the methodology and thresholds of significant impact criteria.

INFRASTRUCTURE

The Project is located just to the north of the City of West Hollywood boundary at Crescent Heights Boulevard and Havenhurst Avenue. The City of West Hollywood owns and operates 8-inch diameter sewer lines which convey flows from north to south in both of these streets. The Project will have sewer flow which will discharge into both of these City of West Hollywood sewers.

The Project may generate a net increase of sewage flow into the City of West Hollywood sewers. Therefore, the City of West Hollywood requests a sewer capacity study be conducted to evaluate the impacts to the downstream City of West Hollywood sewers, and include all necessary mitigation measures to ensure our sewer system is protected.

Also, if the Project uses a large portion of the available capacity of the City of West Hollywood sewers, then it could potentially preclude any future development within the City of West Hollywood from being able to discharge flows into these sewers. If the capacity of the City of West Hollywood sewers is impacted, relief sewers or larger pipes need to be installed to provide additional capacity for the City of West Hollywood sewer system.

Here is a link to West Hollywood's guideline packet for preparation of a sewer capacity study:

http://www.weho.org/Modules/ShowDocument.aspx?documentid=2320

Please use this as a starting point to put together a scope of work for the DEIR sewer capacity study.

CULTURAL RESOURCES

Eight (8) designated Cultural Resources and one Thematic District located in the City of West Hollywood are within a quarter-mile radius of the project site. Due to the Project's proximity to these historic resources, we request that the Project's potential impacts on these resources be studied as part of the DEIR.

NOISE

The Project may generate a substantial permanent increase in ambient noise levels in the project vicinity due to project-related traffic, truck loading and unloading for businesses within the Project, and HVAC systems. The proposed outdoor dining above the ground floor, and the rooftop restaurant use, may also contribute to a permanent ambient noise level increase which may negatively impact surrounding properties within the City of West Hollywood. Thus, we request that these potential noise impacts be studied as part of the DEIR.

LIGHT, GLARE, AND SHADE

The Project includes buildings that will be up to 16-stories tall (approximately 216 feet in height), introduces new building surface materials to the site, and includes nighttime illumination which may cause light, glare, and shade impacts on surrounding properties within the City of West Hollywood. We request that these issues be studied as part of the DEIR.

SEISMIC

The Project is located within close proximity to the active Hollywood Fault. Given the increased level of ground shaking in areas near active faults, we request that all geology, soils, and building design requirements related to seismic activity be studied as part of the DEIR to ensure the protection of public safety.

CONSTRUCTION IMPACTS

All potential construction related impacts for the proposed project should be studied in detail, and mitigation measures should be proposed when applicable. This includes, but is not limited to, all of the following:

1. Heavy haul routing
2. Haul frequency

3. Truck size
4. Hours of construction
5. Street closures
6. Location of construction ramps and driveways
7. Construction parking supply (Note: No construction parking will be allowed within the City of West Hollywood)
8. Construction Noise
9. Project Duration
10. Dust control and truck wheel washing practice
11. Pavement quality control
12. Any other construction related issues and information that could impact City of West Hollywood neighborhoods

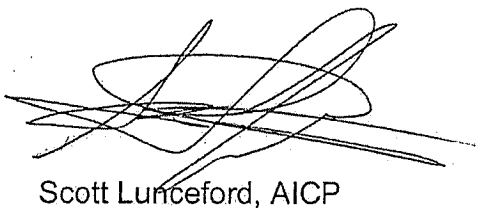
If any construction related haul route passes through the City of West Hollywood, dust control for construction traffic needs to be addressed. We request that the DEIR specify the mitigation measures for this issue.

PUBLIC NOTICE

Thank you again for this opportunity to provide input on the environmental review of this project. Please list me as primary contact for the City of West Hollywood, and place my name on the list of interested parties to receive copies of all notices issued regarding the Project. Please also provide a copy of any notice of determination that may be filed with respect to the Project, pursuant to the provisions of Public Resources Code Section 21197 (f).

If you have any questions regarding this letter, please feel free to contact me.

Best Regards,



Scott Lunceford, AICP
Contract Planner
Current and Historic Preservation Planning
City of West Hollywood
slunceford@weho.org
323-848-6427

Collins, Peggy

From: Barbara Rounds <barbara@radioexpress.com>
Sent: Monday, May 05, 2014 1:21 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Please do not let this project go through.
Traffic is a nightmare there already during commuter hours especially.
Thanks for your consideration.

Barbara Rounds
7815 Mulholland Dr.
L.A., CA 90046

Collins, Peggy

From: Benjamin <benjamin35mm@live.com>
Sent: Sunday, April 27, 2014 11:54 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony; ben@benjamingeorge.net
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency,

such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

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7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York.

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

Sincerely,

Benjamin Filinson

Collins, Peggy

From: Bess <bessbcheung@yahoo.com>
Sent: Monday, May 05, 2014 12:06 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

peggy.collins@sen.ca.gov

brady.vanengelen@sen.ca.gov

senator.lieu@senate.ca.gov

anthony.molina@asm.ca.gov

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Save Sunset Blvd shared Christopher Rice's status.
April 27

New York Times bestselling author and SAVE SUNSET BLVD member Christopher Rice is speaking out and encouraging his 100K+ Facebook .

followers to do the same. In the next few days, we'll be posting more information about the ridiculous "fast tracking" Governor Brown's office has granted Townscape LLC for their massive development proposal for the 8150 Sunset site. Fast tracking an environmental review? For a massive development that's expected to bring incredible traffic congestion to Laurel Canyon, one of the most congested arteries in Los Angeles? We don't think so! Speak out and make your voice heard.

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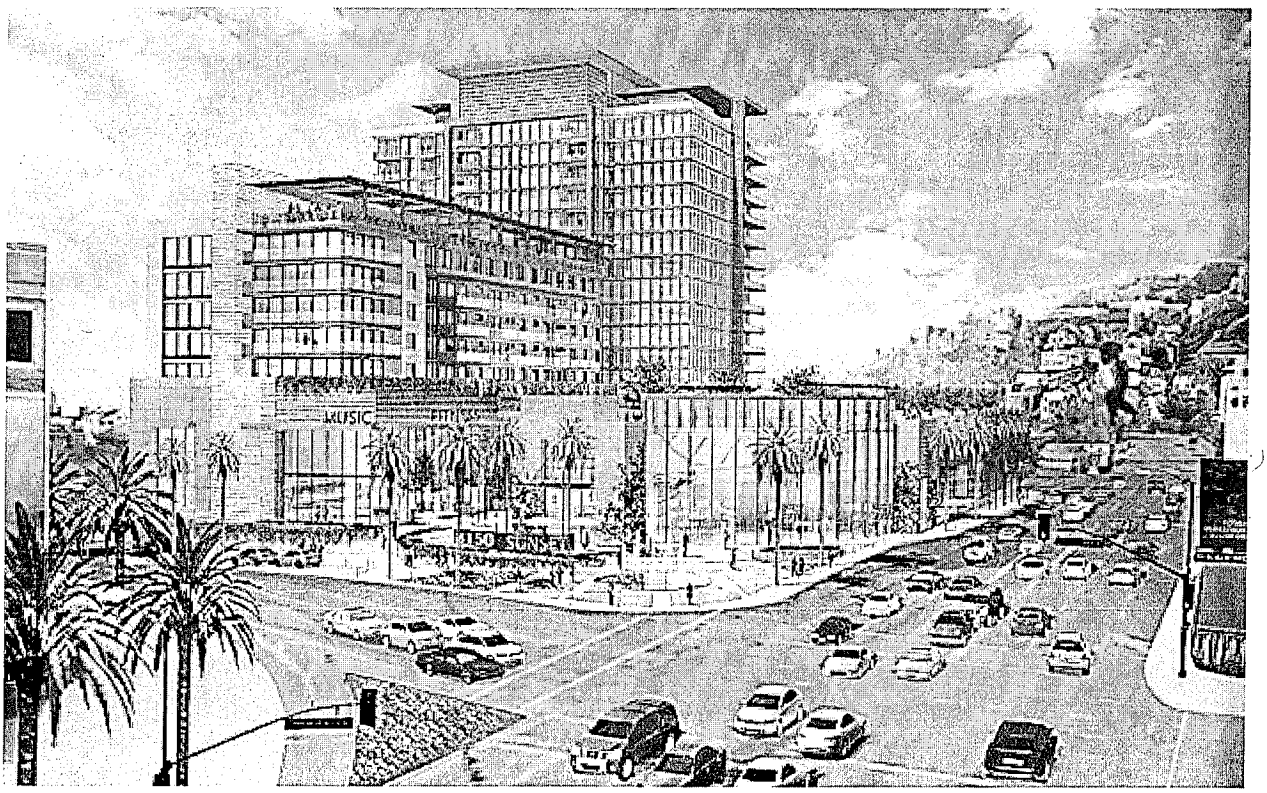

Collins, Peggy

From: Bill Swearinger <coolnesss@mac.com>
Sent: Monday, May 05, 2014 10:24 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

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Collins, Peggy

From: Bonnie Garvin <bonniegarvin@sbcglobal.net>
Sent: Monday, May 05, 2014 5:09 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

IS THERE NOTHING YOU WON'T DO FOR DEVELOPERS? WHAT ABOUT THE PEOPLE WHO LIVE HERE, PAY TAXES AND YOUR SALARIES??? LAST TIME I CHECKED WE'RE THE PEOPLE WHO VOTED YOU IN. YOU SHOULD BE ASHAMED OF YOURSELVES!

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Sincerely,
Benita Garvin

Collins, Peggy

From: bonzane@aol.com
Sent: Monday, May 05, 2014 2:02 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: 150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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Collins, Peggy

From: Olim, Catherine (LAN-ENT) <Catherine.Olim@pmkbnc.com>
Sent: Monday, May 05, 2014 5:05 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, that this building is wholly unsuitable, out of scale. Please confirm your receipt of this, and that it has been duly entered into the record

Catherine Olim
Resident, Spaulding Square

Collins, Peggy

From: Cathy. Wayne <c.wayne@sbcglobal.net>
Sent: Sunday, May 04, 2014 4:24 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry. Additionally, I would like to ask WHY you are fast tracking this building project? These developers are coming into our neighborhood, building a project that will cause undue congestion and potential safety issues, and then leaving the area, taking there profits with them. They don't live in the area. They will just build and leave, and leave us with the consequences.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Additionally, this project is located in very close proximity to a main thoroughfare for commuter traffic on and off of Laurel Canyon Blvd, which is the access to Canyon resident's in case of emergency. Laurel Canyon is a HIGH FIRE AREA, and ingress and egress is paramount. Let it be known, that if there is an emergency, and residents are unable to evacuate due to congestion which is caused by over development from this project, action will need to be taken.

Thank you, and I would hope you would let this project take its normal course, and not FAST TRACK this project that would potentially cause harm to so many people and citizens of this State.

Sincerely,

Cathy Wayne
Local Resident
310-386-3920 Cell

Collins, Peggy

From: Claire Best <claire@clairebest.net>
Sent: Monday, May 05, 2014 10:28 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Cc: Jordan Hawley
Subject: 8150 SUNSET BLVD. Tracking Number: 2014011087

To Whom it May Concern,

We are residents in the neighborhood where the proposed development at 8150 Sunset Boulevard would take place. Currently we often try to find narrow hill roads (which aren't suitable for emergency vehicles) to avoid the congestion on Sunset Boulevard. For this reason, we oppose the rushed review to enable construction of a high rise building at 8150 Sunset since the neighborhood cannot deal effectively currently with the traffic from existing businesses and to add this would create further congestion and further dangers.

There are plenty of other areas in the City which are less congested which would be more appropriate than adding to an already over congested zone.

Additionally, this building will destroy the heart of Hollywood's historic center including the iconic Chateau Marmont Hotel.

You only have to look at the lack of parking in the area for the existing structures to know that this area of Sunset Boulevard is at capacity and verging on being over. It takes me 1 hour to go home some days from Hollywood to Laurel Canyon because of the traffic. Adding another high rise is going to increase many people's commutes for a journey that should take less than 15 minutes and since it's over 2 miles to the closest Subway line, public transport is not a solution.

Regards,

Claire & Jordan Hawley
8804 Lookout Mountain Avenue
Los Angeles, CA 90046

Collins, Peggy

From: Cori Allvey <cori_gordon@hotmail.com>
Sent: Tuesday, May 06, 2014 12:06 PM
Subject: 8150 SUNSET BLVD. Tracking Number: 2014011087

Greetings:

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that ~~there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset~~ Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Collins, Peggy

From: courtneyandeva@att.net
Sent: Monday, May 05, 2014 11:49 AM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Dear Peggy Collins,

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

I am a 45 year resident of the Hollywood Hills area that this development would impact, and am OUTRAGED that this would be fast-tracked around the normal course of consideration and community involvement that these mega proposals have been required by law to take.

My neighbors and I are 100% opposed to such a a wanton disregard of our concerns and the potential silencing of the voices of the very people that will be impacted day and night by a development such as this.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of

2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

Courtney Reid
8620 Lookout Mountain Ave.
Los Angeles, CA 90046

Collins, Peggy

From:	Cyd Zeigler <cydzeiglerjr@gmail.com>
Sent:	Wednesday, May 07, 2014 11:32 AM
To:	Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject:	Oppose fast-tracking for Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

As a resident of Nichols Canyon, near Sunset & Crescent Heights, I strongly oppose any fast tracking for the project at 8150 Sunset Blvd. Increased tax revenues are not a good reason to circumvent the safety and well-being of the local environment, residents, commuters and other business owners.

Please keep the project on track by pulling back any fast-tracking for the project.

Thank you!

Cyd Zeigler
2539 Nichols Canyon Road
LA, CA 90046
323-841-8293

Collins, Peggy

From: Danica Ruscha <druscha@mac.com>
Sent: Monday, April 28, 2014 2:29 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Danna Ruscha

Collins, Peggy

From: Dave Erickson <squareheadpictures@gmail.com>
Sent: Monday, May 05, 2014 11:50 AM
To: Collins, Peggy
Subject: Save Sunset Blvd (8150 Sunset)

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

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6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

Best,

Dave Erickson

Collins, Peggy

From: David Rosen <dwrosen11@gmail.com>
Sent: Monday, May 05, 2014 10:44 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Sunset Blvd. Project

To Whom It May Concern:

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

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5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

Sincerely,

David Rosen
Associate Manager
Master Trust & Probate Division
Cell - 323-428-9277
www.davidrosenproperties.com
CalBRE.#01706346

John Aaroe Group
150 South Rodeo Drive
Beverly Hills, CA 90212

This message is intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited.

Collins, Peggy

From: Diane Cary <attrice17@gmail.com>
Sent: Monday, April 28, 2014 9:50 AM
To: Collins, Peggy
Cc: James Parriott
Subject: Project 8150 Sunset Blvd, Tracking # 2014011087

Dear Ms. Collins,

I am writing to you as a 14-year home owner and resident at 8235 Lincoln Terrace, LA, 90069. My husband and I are stunned that
a structure at 8150 Sunset Blvd, would even be CONSIDERED being permitted!!! And we just learned that the Governor signed a fast track permit
to the developers... which is appalling!!

We both drive daily several times by and through the very congested intersection at Crescent Heights and Sunset. I myself have witnessed countless car accidents, most involving pedestrians and bicyclists!! And there is a homeless shelter located very nearby, so the corners are often crowded with people pushing their homes in carts and
soliciting for donations.... making it a very tenuous and dangerous place to be walking or driving. The traffic is some of the most congested in the City... how could
anyone agree to such a terrible idea that will bring many more cars and pedestrians to that spot?!?!?

You must also consider that this neighborhood is one of Los Angeles's most famous historical areas, filled with architectural landmarks that attracts a vital tourism
trade which brings huge revenue to the City. Don't bite the hand that feeds you!!! As residents here, we understand and tolerate an enormous flow in and out of star tour
buses and vans, etc, to our streets. That is something we accept as part of living where we do. The proposed monster building is an insult and we are outraged
that our own government would consider the needs of greedy developers over the safety and preservation of its own citizens and neighborhood!!!

Kindly confirm that you have received my resounding complaint... and that it is entered into the public record.

Thank you,

Sincerely,

Diane Cary
8235 Lincoln Terrace
LA 90069

http://www.imdb.com/name/nm0142619/
http://resumes.actorsaccess.com/dianecary

Collins, Peggy

From: Dietrich Nelson <dnelson@dnaepr.com>
Sent: Tuesday, May 06, 2014 2:16 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project 8150 Sunset Blvd., Tracking Number 2014011087

My Letter of Protest to Fast Tracking Project 8150 Sunset Blvd., Tracking Number 2014011087

I live less than a mile and a half from this proposed development and am writing to protest the CEQA fast tracking that your office has granted to the undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 211184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

I emphasize in no uncertain terms that this project should ***not*** be eligible for streamlined judicial review for the following reasons. There are numerous CEQA issues that need further investigation, clarification and transparency such as:

The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. The California Geological Survey is updating their map, due out in July of 2014, it is imperative that the information be included in any determination regarding constructing such a massive complex and structure so close to the fault line. You might want to read the L.A. Times article from May 6, 2014 on Los Angeles faults http://touch.latimes.com/#section/1780/article/p2p-80115260/.

- The 500 plus residents, 311 employees and countless delivery trucks will generate over 5,000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

- The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density which is a grave concern to the Los Angeles Fire Department and other emergency services that service the area. The Developer (Townscape LLC) has not incorporated access for police and fire into the design of the project. Also the intersection is already categorized by the Department of Transportation as one of the most dangerous in the city. There is nothing the developer can do to mitigate this danger even though they have stated that removal of a traffic island will improve the safety which is incorrect.

- Morning and evening traffic at the intersection of Crescent Heights and Sunset is presently a nightmare in every direction but mostly where traffic travelling north on Crescent Heights reducing from three lanes to one lane just north of Sunset where it becomes Laurel Canyon Boulevard. Cars today back up nearly a half mile driving north on Crescent Heights while drivers wait to merge onto Laurel Canyon. The massive project will only make the traffic situation worse.

- While the Developer claims this is within a half-mile from a transportation hub is false. It is over two miles from the site to the nearest metro stop and traffic is so bad that what few buses there are travel slower that a pedestrian can walk. The bus stops that are nearby are local and serviced by two or three lines only. The Developer's claim that there will be a 10% greater efficiency in the number of vehicle trips per resident cannot be true. The bus transportation is absolutely inadequate.

- There is absolutely no way that the 900 bicycles parking spaces they suggest parking will work in an area with hills as steep as those in San Francisco and more traffic than New York. Bicycles on Crescent Heights and Sunset Boulevard are suicidal prospect at best. The project needs more parking for vehicles.

- There is no mention or inclusion in the Developer's plan for parking for the hundreds of employees required to manage, maintain and service such a huge structure replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

- This project will destroy one historic building and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of Los Angeles' architectural treasures.

- The entire structure, which classified as 16 story and 9 story is massively out of scale, height and density in relation to any other structure within a two mile radius.

Please make not of these objections that this building is wholly unsuitable, out of scale and should not be allowed to skirt and of the normal workings of the city and the law to limit the size and impact.

Please confirm receipt of this and that it has be duly entered into the record.

Dietrich Nelson
President
Nichols Canyon Neighborhood Association

Collins, Peggy

From: Dolores Scozzesi <dscozzesi@aol.com>
Sent: Monday, April 28, 2014 2:07 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses

there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Dolores Scozzesi, a 30 year resident of West Hollywood

Collins, Peggy

From: efurst <efurst@prodigy.net>
Sent: Monday, May 05, 2014 10:33 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information
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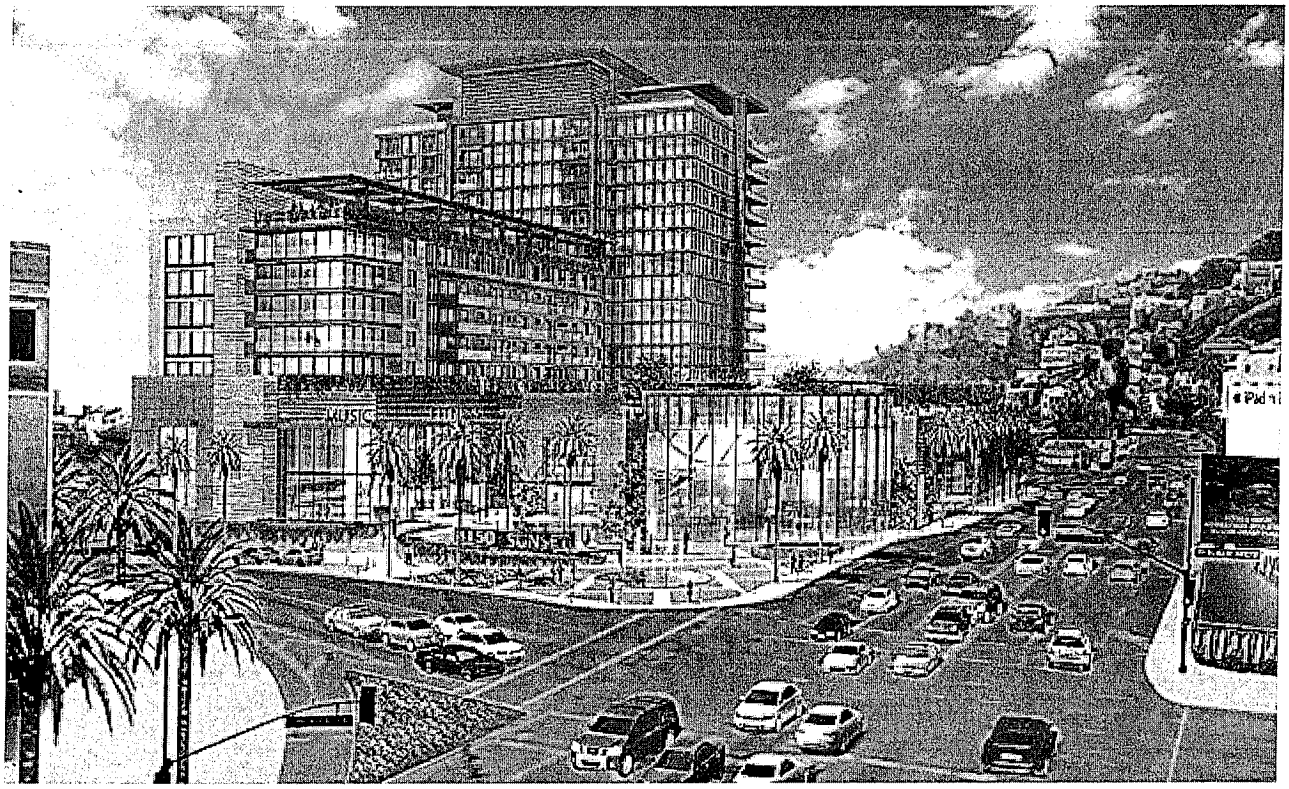
Sincerely, Dan and Elaine Furst

Beech Knoll Rd, Los Angeles 90046



Proposed structure at Sunset and Crescent Heights/Laurel Canyon Blvds.

Sent from my iPad

Collins, Peggy

From: Ethlie Ann Vare <ethlieannvareinc@aol.com>
Sent: Monday, May 05, 2014 2:04 PM
To: Collins, Peggy
Subject: 8150 SUNSET BLVD. Tracking Number: 2014011087

PLEASE LISTEN TO A NEIGHBORHOOD CONSTITUENT. Thank you.

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

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2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

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4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

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8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

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Please confirm your receipt of this, and that it has been duly entered into the record.

Ethlie Ann Vare
8106 Amor Road
Los Angeles, CA 90046

Collins, Peggy

From: Gabriel Khakhanashvili <gabrielk1891@gmail.com>
Sent: Tuesday, May 06, 2014 12:52 PM
To: Collins, Peggy; Van Engelen, Brady
Subject: Project 8150 Sunset Boulevard / TRACKING # 2014011087

Hi, I am a community member in the Hollywood Hills, and have recently been told of new future construction taking place at 8150 Sunset Boulevard. I am appalled and saddened that Governor Brown has determined that the 8150 Sunset Project in the City of Los Angeles is eligible for streamlined judicial review under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087. I am also amazed that this was done with no transparency. The public was not made aware of this nor did they know that there was a period of public comment. I would be hard pressed to believe that anybody would/could sign off on this having visited the proposed project site. If they have not visited the site in question, then they were extremely careless. Has anyone that signed off on this talked to Tom LaBonge, City Councilman representing the 4th district or Michael LoGrande, City Planning Director? Well I have, and they have both stated that this project is too big and does not fit into the landscape of the neighborhood. This proposed project is unfortunate due to the mass impact it will negatively have on the community in several major ways, as listed below. 1. The site is extremely close to the Alquist - Priolo Earthquake zone and no reference appears to have been made about the potential danger of a tall building being constructed so close to a fault line; 2. Traffic flow in this area is already a major problem around this intersection of Sunset Blvd. and Crescent Heights (noted as 1 of the 10 deadliest intersections in Los Angeles). I understand that this site will generate requirements for over 300 employees and over 500 residents. How will this area cope with the increase in congestion - surely this will create a hazard for the emergency service? I would invite you and your colleagues to visit this area during the morning rush hour period to appreciate the scale of the problem; 3. A similar issue will of course arise in respect of parking in this already over congested location; 4. The 16 story structure (22 with parking levels) is completely out of scale to the surrounding community, will dwarf local landmarks such as the Chateau Marmont and change forever the heart and feel of one of Los Angeles most important historic sites; and 5. The area is too far away from any metro stops or other meaningful transportation hubs. This project will vastly and negatively impact an already overly dense, overly congested and overly polluted area to becoming levels of extremely hazardous living, working, and driving conditions for thousands of residents in both West Hollywood and Los Angeles - not to mention anyone driving along the Sunset Boulevard artery going from East to West and Vice versa. Please make a note of these objections, confirm your receipt of this, and that it has been duly entered into the record. Very truly yours,

Gabriel Khakhanashvili

Collins, Peggy

From: Geoffrey McCabe <merkaba22@sbcglobal.net>
Sent: Monday, April 28, 2014 7:43 AM
To: Collins, Peggy
Subject: 8150 SUNSET BLVD — Tracking Number: 2014011087

Ms Collins,

8150 SUNSET BLVD — Tracking Number: 2014011087.

Please know that I object to a project of this size and density being able to receive anything other than the most comprehensive environmental review possible from municipal authorities with the involvement of community groups.

Please save Los Angeles — Please SAVE SUNSET BLVD!

Thank you in advance ...

Best,

Geoffrey McCabe
323 464-1895
323 819-0100 cell

http://www.myspace.com/geoffreymccabe -- rock
http://www.myspace.com/geoffreymccabequartet -- jazz/instrumental
http://www.geoffreymccabe.com
attentionspanradio.net

"We are the ones we have been waiting for!"

"We owe a lot to the Indians (from India), who taught us how to count, without which no worthwhile scientific discovery could have been made." - Albert Einstein.

Twenty years from now you will be more disappointed by the things you didn't do than by the ones you did do ... Explore. Dream. Discover'. Mark Twain

"Someday," Neil Young said, "the digital age will be seen as the Dark Ages of recorded sound."

"Like the Maya, we shall understand that the path to the stars is through the senses."

"Dream big -- because no matter how big that is, it's nothing compared to what you really can do".

"Using the most reliable approach for bending reality to your desires, imagination is always the key first ingredient, then by adding clear intention, expectation and action, results will be realized."

Collins, Peggy

From:	ggg@copper.net
Sent:	Wednesday, May 07, 2014 12:31 PM
To:	Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject:	Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Dear Governor and Legislators,

In addition to the objections listed below there are two more significant reasons for the Governor to rescind his approval of the 8150 Sunset project for fast tracking:

10) The notification provisions of the Jobs and Economic Improvement Act (AB 900) are inherently unfair to the community that would be affected by a project. While CEQA specifies that there be a Notice of Preparation and the municipal code has other notification requirements the fast tracking under AB 900 does not follow the same notification requirements. Citizens are deprived of a meaningful participation in the CEQA process. This urgent appeal to the Governor and Legislature is a sign of that failure to afford the public the opportunity to provide input into the CEQA process.

21187. Within 10 days of the Governor certifying an environmental leadership development project pursuant to this section, the lead agency shall, at the applicant's expense, issue a public notice in no less than 12-point type stating the following:

"THE APPLICANT HAS ELECTED TO PROCEED UNDER CHAPTER 6.5 (COMMENCING WITH SECTION 21178) OF THE PUBLIC RESOURCES CODE, WHICH PROVIDES, AMONG OTHER THINGS, THAT ANY JUDICIAL ACTION CHALLENGING THE CERTIFICATION OF THE EIR OR THE APPROVAL OF THE PROJECT DESCRIBED IN THE EIR IS SUBJECT TO THE PROCEDURES SET FORTH IN SECTIONS 21185 TO 21186, INCLUSIVE, OF THE PUBLIC RESOURCES CODE. A COPY OF CHAPTER 6.5 (COMMENCING WITH SECTION 21178) OF THE PUBLIC RESOURCES CODE IS INCLUDED BELOW."

The public notice shall be distributed by the lead agency as required for public notices issued pursuant to paragraph (3) of subdivision (b) of Section 21092.

21092. (b) (3) The notice required by this section shall be given to the last known name and address of all organizations and individuals who have previously requested notice, and shall also be given by at least one of the following procedures:

(A) Publication, no fewer times than required by Section 6061 of the Government Code, by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area will be affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.

(B) Posting of notice by the lead agency on- and off-site in the area where the project is to be located.

(C) Direct mailing to the owners and occupants of contiguous property shown on the latest equalized assessment roll

These provisions are grossly inadequate.

11) In addition, the developer is a bad person who has used illegal and threatening tactics to force his current tenants out of the existing development in order to facilitate the construction of his proposed project. He installed gates to the parking lot and charged $10 for customers to visit the businesses. They had to go to court to get the gates removed. Just for this alone why would the Governor want to give any favor to this nasty developer?

George Abrahams

3150 Durand Drive

Los Angeles, CA 90068

323 463 9209

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8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

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Please confirm your receipt of this, and that it has been duly entered into the record

Collins, Peggy

From: grafton tanquary <gpt1287@sbcglobal.net>
Sent: Tuesday, May 06, 2014 3:11 PM
To: Collins, Peggy
Subject: Fw: 8150 Sunset Boulevard ddevelopment

From: grafton tanquary
Sent: Tuesday, May 06, 2014 3:09 PM
To: brady.vanengelen@sen.ca.gov
Subject: 8150 Sunset Boulevard ddevelopment

I live one block away from the proposed development of 8150 Sunset Boulevard in Los Angeles and am head of the Crescent Heights – Havenhurst Neighborhood Protective Association, a group of homeowners and residents in the four block area immediately adjacent to and south of the 8150 Sunset site.

I and the other other residents in the area strongly oppose the project proposed for this site. The proposed design is a monstrosity, totally out of place in this residential community. The developer proposes to build two contemporary 9 and 12 story buildings in area of low-density, older apartments, built between the 1920s and the early post WWII years.

There are 12 historically registered buildings within one block of the site, and the development is only two blocks away from the Harper Historic District. The area north of the site is the location for hillside single family homes, and the area to the south is composed of apartment buildings of two to four stories, plus single family dwellings.

There is nothing the size of this commercial structure within a half-mile of the site. It is totally out of place in the area.

A complete EIR is mandatory. The site is located on the Hollywood earthquake fault just mapped by the state geologist. Traffic going north on Laurel Canyon is already stop and go for much of the day, already posing a problem for the fire department's ready access to the 2,000 homes located in the Canyon, which is serviced by only one two lane road. The sewage lines draining south through West Hollywood were designed for a residential area and are already close to capacity.

The City Council of the City of West Hollywood has already expressed its strong opposition to short-cutting a complete analysis of the impact of this development on the city.

Please do not short-circuit a complete review of the effects of this development on the community.

Collins, Peggy

From: James Minchin III <james@jamesminchin.com>
Sent: Tuesday, May 06, 2014 9:12 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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James Minchin III

represented by fox creative
paige@foxcreative.net
la 818.558.1225
ny 212.375.0450

www.jamesminchin.com

Collins, Peggy

From: James Parriott <jamesparriott@gmail.com>
Sent: Friday, May 02, 2014 4:28 PM
To: Collins, Peggy
Subject: A Plea

Dear California Legislator:

I'm writing to appeal to your good sense and judgement.

I live in West Hollywood, California, 90069, and am about 3 blocks from the intersection of Sunset Boulevard and Laurel Canyon, where the mega building at 8150 Sunset Boulevard is being proposed. I will be directly, and negatively impacted by this structure. It will not affect my view of the city terribly, but will lower the value of my property by making an already crowded part of the city gridlocked - not just during the rush hours, as it is today, but pretty much from eight in the morning, until midnight, when the club traffic starts clearing out.

I know all of you are being pressured by the developers, and they're pitching bicycles and job creation and nice buzzy things. But the reality is that this huge project will destroy an historic district that is already dangerously close to being ruined.

The size of the building will dwarf everything in the area, towering over the famed Chateau Marmont, the Granville, and other historic buildings close by. Ruining their views, and, in the case of the beloved Marmont, greatly hurting their business. Property values will be obliterated for the enrichment of developers who live elsewhere.

Traffic, as stated, will be horrendous. Several years ago, my daughter was rescued by the Fire Department three minutes after we called 911, having just gotten home from work (everyone thought it was the flu). She was rushed to the hospital, diagnosed as having spinal meningitis, and dropped into a coma. Luckily, she survived and was, amazingly, unimpaired. But minutes counted. What would have happened if the Fire Department had been delayed getting through?

Has anyone done a density study of the area? Have you seen it? I believe you'll find that this is one of the most crowded areas of Los Angeles. We don't need more people living here.

The proposed monstrosity will be built on an earthquake fault line -- the same fault as the Millennium Project, which is on hold for that very reason. Does it make sense to ignore the fault in this case and build a high rise?

The Chase Bank building, which would have to come down, is an architectural treasure. I understand that sometimes we have to get rid of the old to make way for the new. But shouldn't the "new" be better? Shouldn't it bring something to the neighborhood besides high rise glass and people? What will this new building contribute to the area - to the people who already live there?

Nothing. It ticks every box in the negative column. The only people who benefit are the developers.

Please, please - don't approve this project. It is a huge, horrendous mistake.

Sincerely,

James D. Parriott
8235 Lincoln Terrace
Los Angeles, CA 90069

Collins, Peggy

From: Jeffrey Hersh <jhersh01@ca.rr.com>
Sent: Sunday, May 04, 2014 2:10 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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Please confirm your receipt of this, and that it has been duly entered into the record

Sincerely,

Jeffrey Hersh and Rick Ayres
1344 N. Spaulding Avenue
Los Angeles, CA 90046
(323)-882-6144

Collins, Peggy

From: Jeremy Gardiner <jeremy.gardiner@gmail.com>
Sent: Monday, May 05, 2014 11:09 AM
To: Collins, Peggy
Subject: Project: 8150 Sunset Blvd

Peggy Collins,

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Thank you,

Jeremy Gardiner
8751 Wonderland Park Avenue
Los Angeles, CA 90046
323-464-8877 home
323-899-4505 cell
jeremy.gardiner@gmail.com

Collins, Peggy

From: Joanna Parol <jparol@gmail.com>
Sent: Tuesday, April 29, 2014 8:31 PM
To: Collins, Peggy; Van Engelen, Brady
Subject: PROJECT 8150 SUNSET BLVD, Tracking Number 2014011087

Dear Ms Collins and Mr Van Engelen,

My husband and I are local residents and it has recently been brought to our attention that the 8150 Sunset Blvd Project has been pronounced as eligible for a streamlined judicial review process. I find it extraordinary that this has happened with no opportunity for public comment - where was the notification of the Public Review Period posted? This is especially troubling when there are a number of very grave concerns that need to be addressed. In particular, I would like to draw your attention to the following matters:

1. The site is extremely close to the Alquist - Priolo Earthquake zone and no reference appears to have been made about the potential danger of a tall building being constructed so close to a fault line;

2. Traffic flow in this area is already a major problem around this intersection. I understand that this site will generate requirements for over 300 employees and over 500 residents. How will this area cope with the increase in congestion - surely this will create a hazard for the emergency service? I would invite you and your colleagues to visit this area during the morning rush hour period to appreciate the scale of the problem;

3. A similar issue will of course arise in respect of parking in this already over congested location;

4. The 16 story structure (22 with parking levels) is completely out of scale to the surrounding community, will dwarf local landmarks such as the Chateau Marmont and change forever the heart and feel of one of Los Angeles most important historic sites; and

5. The area is too far away from any metro stops or other meaningful transportation hubs. It will bring an already over dense, over congested and over polluted area to its knees.

Please take time to reconsider and investigate the facts and circumstances in a meaningful way.

Yours sincerely,

Joanna Parol

Collins, Peggy

From: Jodi Teti <jodi.teti@blueprintprep.com>
Sent: Tuesday, May 06, 2014 12:37 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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Collins, Peggy

From: John Bollard <jcbollard@gmail.com>
Sent: Thursday, May 01, 2014 3:07 PM
To: Collins, Peggy; Van Engelen, Brady
Subject: 8150 Sunset Blvd

My husband and I are residents of of the City of Los Angeles, residing at 8292 Marmont Lane, 90069. Our neighborhood--its traffic, congestion, views, open spaces, etc.--will be significantly negatively impacted by the proposed project at 8150 Sunset Blvd. We do not oppose appropriate and scaled development at the sight--it's an eye sore that is in need of attention. However, we are strongly opposed to the size and scale of the project as it is currently proposed.

We strongly encourage a full review of the environmental impact (in all meanings of the term) and that the size and scope of the project be scaled down significantly.

Thank you for your attention to this important matter.

Respectfully,

John Bollard
310-694-7880

Collins, Peggy

From: Jono Hart <jonohart@earthlink.net>
Sent: Monday, May 05, 2014 3:28 PM
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Regards,
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Collins, Peggy

From: Josh C. Kline <josh@casakline.com>
Sent: Monday, May 05, 2014 9:29 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

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Josh C. Kline
josh@casakline.com
+1 323-909-2090

Collins, Peggy

From: Julie & Steven Frank <sfrank63@aol.com>
Sent: Monday, May 05, 2014 11:09 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

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Collins, Peggy

From: Justine Schmidt <justine@schmidt.net>
Sent: Tuesday, May 06, 2014 10:14 AM
To: Collins, Peggy
Subject: Letter of Protest

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April 27

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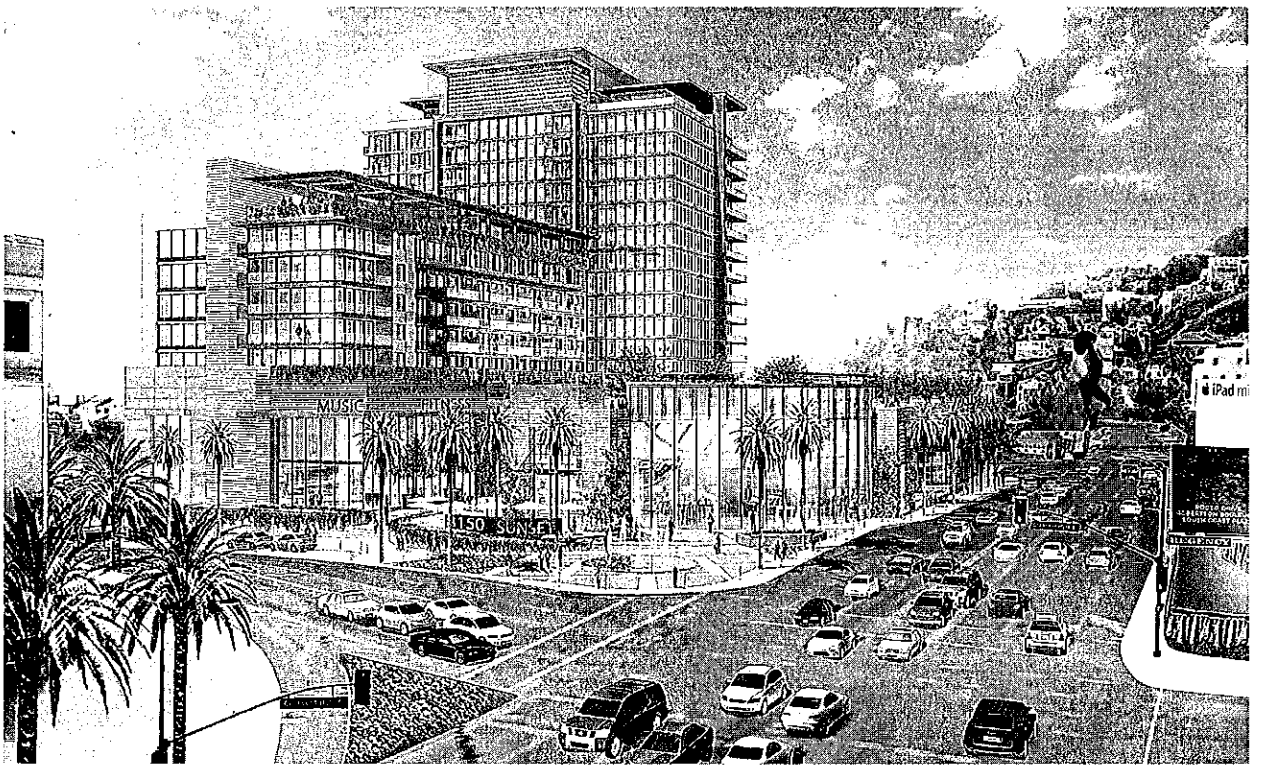
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Collins, Peggy

From: Katharina Koepke <katharinakoepke@gmail.com>
Sent: Monday, May 05, 2014 12:24 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

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April 27

New York Times bestselling author and SAVE SUNSET BLVD member Christopher Rice is speaking out and encouraging his 100K+ Facebook followers to do the same. In the next few days, we'll be posting more information about the ridiculous "fast tracking" Governor Brown's office has granted Townscape LLC for their massive development proposal for the 8150 Sunset site. Fast tracking an environmental review? For a massive development that's expected to bring incredible traffic congestion to Laurel Canyon, one of the most congested arteries in Los Angeles? We don't think so! Speak out and make your voice heard.

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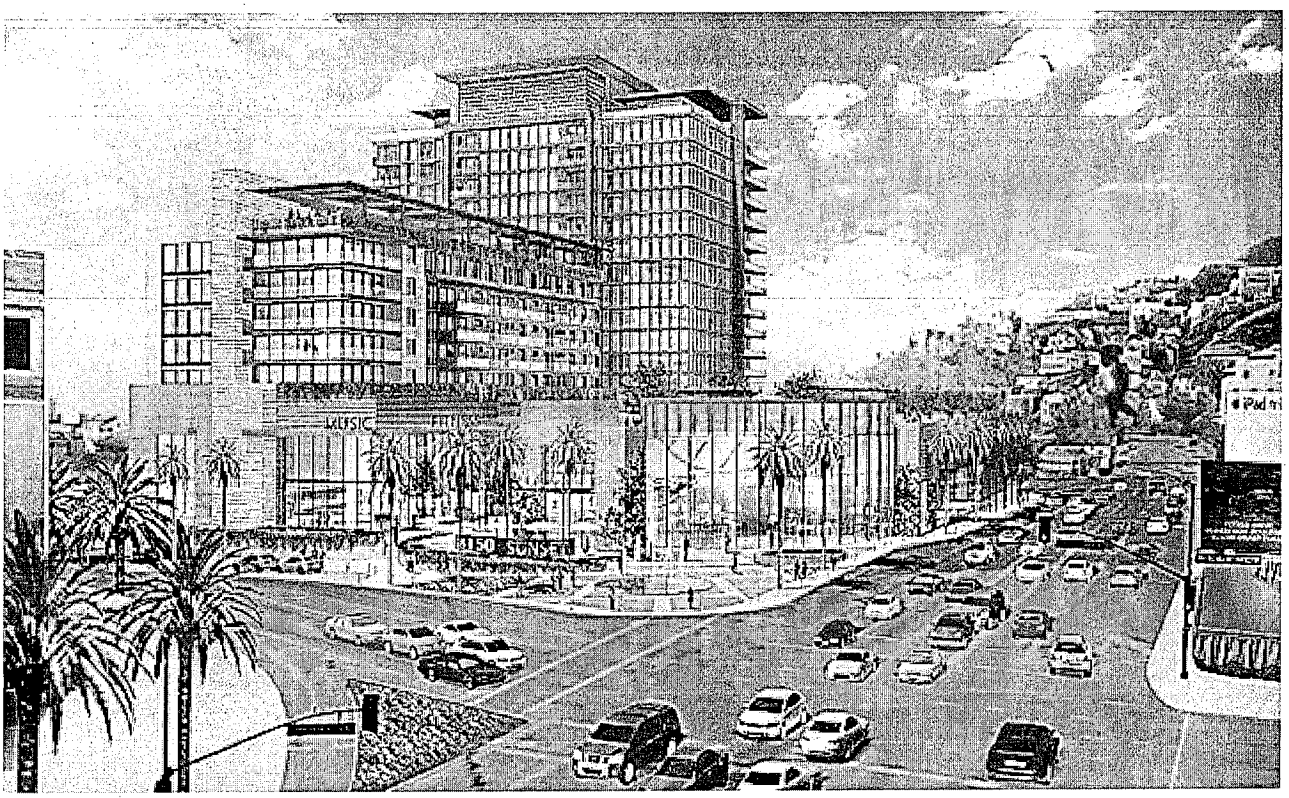

Though not opposed to development per se, I am opposed to a development of the proposed scale.

Kind Regards,

Katharina Salinger

Collins, Peggy

From: Liam Toohey <ltoohey@me.com>
Sent: Monday, May 05, 2014 11:51 AM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

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6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Thank you for your time,

Liam Toohey

(resident)

Collins, Peggy

From: Lisa Sergy <lisasergy@mac.com>
Sent: Monday, May 05, 2014 12:32 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please confirm your receipt of this, and that it has been duly entered into the record

Lisa Sergy
iPhone: 310-386-1196

Collins, Peggy

From: Margery Epstein <storyjewels@me.com>
Sent: Wednesday, May 07, 2014 2:14 AM
To: Collins, Peggy
Cc: Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Opposition to CEQA fast track of Project 8150 Sunset Blvd. Tracking #2014011087

LETTER OF PROTEST

As a resident of a neighborhood in close proximity to the site, I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number2014011087, and that determination has been forwarded to you for further inquiry.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

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1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

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9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please confirm your receipt of this comment in opposition to this proposed construction and that it has been duly entered into the record.

Respectfully,

M.S. Epstein

Collins, Peggy

From: maher ahmad <maherahmad@me.com>
Sent: Monday, May 05, 2014 10:33 AM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please confirm your receipt of this, and that it has been duly entered into the record

maher ahmad
resident
8580 walnut drive los angeles ca 90046

Collins, Peggy

From: marci levine <marcilevine@yahoo.com>
Sent: Monday, May 05, 2014 11:52 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Collins, Peggy

From: Marilyn Frandsen <poette@sbcglobal.net>
Sent: Monday, May 05, 2014 5:12 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Dear Peggy Collins:
everyday
I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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the most dangerous in the city. It one of only two ways out of Laurel Canyon which is really scary since I have to use it everyday.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

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Please confirm your receipt of this, and that it has been duly entered into the record

Best,

Marilyn Frandsen
Resident of Laurel Canyon near Kirkwood (just up the hill from the proposed project)

Collins, Peggy

From:	Martin Pitts <goodadvice@earthlink.net>
Sent:	Monday, April 28, 2014 3:15 PM
To:	Collins, Peggy
Cc:	Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject:	Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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Please confirm your receipt of this, and that it has been duly entered into the record

Martin Pitts,
DGA Director

Hollywood resident

Collins, Peggy

From: Louise <lulaw@earthlink.net>
Sent: Tuesday, May 06, 2014 4:57 PM
To: Collins, Peggy
Subject: Project 8150 Sunset Blvd. Tracking number 2014011087

LETTER OF PROTEST

Dear Sir, Madam and those whom this may concern

I am a 54 year resident and homeowner within 4 blocks of this proposed project. I am asking you to halt and quit the proposed building at

8150 Boulevard, Los Angeles, Ca. 90046. The quality of life will be destroyed for the residents here if this project is allowed to continue.

There are less invasive and less massive projects to consider that would lend themselves best to our community and city.

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please confirm your receipt of this, and that it has been duly entered into the record

Very Truly Yours,
Mary Louise Lawson

Collins, Peggy

From: matthew@msdsinc.com
Sent: Monday, May 05, 2014 11:59 PM
To: Collins, Peggy
Subject: Project 8150 Sunset Boulevard / TRACKING # 2014011087

Hi Peggy,

I am a community member in the Hollywood Hills, and have recently been told of new future construction taking place at 8150 Sunset Boulevard. I am appalled and saddened that Governor Brown has determined that the 8150 Sunset Project in the City of Los Angeles is eligible for streamlined judicial review under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087. I am also amazed that this was done with no transparency.
The public was not made aware of this nor did they know that there was a period of public comment. I would be hard pressed to believe that anybody would/could sign off on this having visited the proposed project site. If they have not visited the site in question, then they were extremely careless. Has anyone that signed off on this talked to Tom LaBonge, City Councilman representing the 4th district or Michael LoGrande, City Planning Director? Well I have, and they have both stated that this project is too big and does not fit into the landscape of the neighborhood.

This proposed project is unfortunate due to the mass impact it will negatively have on the community in several major ways, as listed below.

1. The site is extremely close to the Alquist - Priolo Earthquake zone and no reference appears to have been made about the potential danger of a tall building being constructed so close to a fault line;

2. Traffic flow in this area is already a major problem around this intersection of Sunset Blvd. and Crescent Heights (noted as 1 of the 10 deadliest intersections in Los Angeles). I understand that this site will generate requirements for over 300 employees and over 500 residents. How will this area cope with the increase in congestion - surely this will create a hazard for the emergency service? I would invite you and your colleagues to visit this area during the morning rush hour period to appreciate the scale of the problem;

3. A similar issue will of course arise in respect of parking in this already over congested location;

4. The 16 story structure (22 with parking levels) is completely out of scale to the surrounding community, will dwarf local landmarks such as the Chateau Marmont and change forever the heart and feel of one of Los Angeles most important historic sites; and

5. The area is too far away from any metro stops or other meaningful transportation hubs. This project will vastly and negatively impact an
already overly dense, overly congested and overly polluted area to
becoming levels of extremely hazardous living, working, and driving conditions for thousands of residents in both West Hollywood and Los Angeles - not to mention anyone driving along the Sunset Boulevard artery going from East to West and Vice versa.

Please make a note of these objections, confirm your receipt of this, and that it has been duly entered into the record.

Very truly yours,

Matthew E. Schneider
Matthew@msdsinc.com
323.842.3581

City of West Hollywood
California 1984

CITY OF WEST HOLLYWOOD

CITY HALL
8300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6460
FAX: (323) 848-6562

TTY: For hearing impaired
(323) 848-6496

CITY COUNCIL

JOHN D'AMICO
Mayor

JOHN HEILMAN
Mayor Pro Tempore

ABBE LAND
Councilmember

JOHN J. DURAN
Councilmember

JEFFREY PRANG
Councilmember

May 6, 2014

Hon. Mark Leno, Co-chair
Joint Legislative Budget Committee
State Capitol Room 5100
Sacramento CA 95814

Hon. Nancy Skinner, Co-chair
Joint Legislative Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

OPPOSE – Designation of 8150 Sunset Boulevard, Los Angeles, CA 90046 as an Economic Leadership Development Project (ELDP)

On May 5, 2014, the City Council adopted Resolution No. 14-4558, opposing the designation of 8150 Sunset Boulevard, Los Angeles, CA 90046 as an Economic Leadership Development project (ELDP). Thus, the City of West Hollywood requests that the Joint Legislative Budget Committee not concur in the Governor's designation of the above-referenced project as an ELDP, and that the committee affirmatively express its lack of concurrence with the Governor's certification.

The City believes that the designation is premature and also unwarranted, as the Environmental Impact Report (EIR), ordered by the City of Los Angeles has not been completed. The location of the development is on the Southern and Eastern borders of the City of West Hollywood, and at the intersection of major arteries like Sunset Boulevard and Crescent Heights/Laurel Canyon-- the location of the gateway into the City of West Hollywood.

The intersection is already severely impacted by traffic. The proposed development is currently under CEQA review and has yet to address concerns raised by the City of West Hollywood. The City conveyed its concerns in a letter dated October 14, 2013 submitted by the City of West Hollywood Community Development Department. The City's letter was submitted as part of the preparation process for an EIR. (Please see attached)

Designation of the proposed project as an ELDP at this time would translate into an expedited judicial review process should legal challenges arise,

shop WEST HOLLYWOOD

shortening the preparation of court records and any needed legal actions. The City of West Hollywood also is concerned that the abbreviated judicial review will not allow the pubic time to review the project.

The aforementioned is also aggravated by the fact that the EIR has not been completed, and as a result, traffic impacts and the respective generation of greenhouse gas emissions are unknown at this time. This raises questions as to process used by the Governor's office to expeditiously designate this project as ELDP.

The quick designation of this project as an ELDP is troubling in light of the guidelines adopted by the Judicial Council of California for streamlining of ELDP initiatives. Section C of those guidelines state: *"(c) The project does not result in any net additional emission of greenhouse gases, including greenhouse gas emissions from employee transportation, as determined by the State Air Resources Board pursuant to Division 25.5 (commencing with Section 38500) of the Health and Safety Code."*

The City of West Hollywood and its City Council is sensitive to the need for economic development, including the generation of highly skilled construction jobs and much needed housing; however, there is also a need to weigh the impacts of developments on the lives of our residents. Slowing this designation process down will allow until all needed information is the best course of action responsible policy makers can adopt. Thus, we urge the Joint Legislative Budget Committee members to affirmatively express their no-concurrence with the Governor's certification of 8150 Sunset as an ELPD.

Respectfully,

John D'Amico
Mayor

JAD:hgm

cc: Hon. Ted Lieu
Hon. Richard Bloom
Members of the Joint Legislative Budget Committee

Enclosed

RESOLUTION NO. 14-4558

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD OPPOSING THE DESIGNATION OF 8150 SUNSET BOULEVARD AS AN ECONOMIC LEADERSHIP DEVELOPMENT PROJECT

THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City of West Hollywood has a long track record of supporting and encouraging sensible and responsible development that takes into consideration the input of its residents; and

WHEREAS, the City has adopted a General Plan and its corresponding zoning ordinance including community input and the region's goals for increased mobility and sustainable development, that leads to improved quality of life to all residents of West Hollywood and adjacent residents; and

WHEREAS, the City of West Hollywood has embraced, as part of its strategic programs, standards of community development that include the creation of affordable housing for low income individuals and the further development of economic activity; and

WHEREAS, the City of Los Angeles has received an application for development of a project located at 8150 Sunset Boulevard, Los Angeles, CA 90046; and

WHEREAS, the 8150 Sunset Boulevard abuts the City of West Hollywood in its Southernmost boundary and it is closely located to Easternmost boundary of the City of West Hollywood; and

WHEREAS, given the close proximity of the parcels in which the project will be developed and the potential impacts of such development on West Hollywood, the City's Community Development Department has proactively monitored the application process and all related legislative and administrative layers of review; and

WHEREAS, part of said review entails the completion of an Environmental Impact Report (EIR) to determine what types of impacts this proposed project will have on traffic, noise, cultural resources, light/glare and shade, seismic and construction impacts, etc.; and

WHEREAS, City of West Hollywood staff requested, on a letter dated October 14, 2013, that the above areas be analyzed so as to determine the

impacts this project will have on them and how they will be mitigated, should they be able to be mitigated; and

WHEREAS, the project's applicant has requested certification of 8150 Sunset Boulevard as an Economic Leadership Development Project (ELDP) from the Governor's Office of Planning & Research pursuant to existing law (SB 743), statues of 2008; and

WHEREAS, said certification will have the effect of expediting judicial review in case any legal actions are filed challenging the approvals of this project; and

WHEREAS, Governor Jerry Brown's Office of Planning & Research has deemed 8150 Sunset Boulevard to meet the criteria established in SB 743 and has requested that the Joint Legislative Budget Committee affirm its findings by concurring with the Governor's designation of this project as an ELPD; and

WHERAS, the Joint Legislative Budget Committee of the California Legislature has yet to meet and consider whether it concurs with the findings that 8150 Sunset Boulevard indeed meets all criteria established in SB 743 to be designated as an ELDP; and

WHEREAS, the City of Los Angeles has yet to make public its findings from the Environmental Impact Report it has ordered and for which the City of West Hollywood has requested certain areas to be analyzed as part of that EIR; and

WHEREAS, in the absence of any conclusive findings from said EIR, the designation of 8150 Sunset Boulevard is premature, specifically as it relates to Section C of the Judicial Council of California adopted guidelines to determine whether a project meets all criteria for designation as an ELDP; and

WHEREAS, Section C of the above-referenced guidelines clearly state that "(c) The project does not result in any net additional emission of greenhouse gases, including greenhouse gas emissions from employee transportation, as determined by the State Air Resources Board pursuant to Division 25.5..."; and

WHEREAS, the concurrence of the Legislative Budget Committee with the Governor's proposed designation will also mean the shortening the period allowed for preparation of a record for judicial review and the ability of project's opponents to challenge the approval of this project:

THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF WEST HOLLYWOOD DOES OPPOSE THE DESIGNATION OF 8150 SUNSET BOULEVARD AS AN ECONOMIC LEADERSHIP DEVELOPMENT

PROJECT BY THE JOINT LEGISLATIVE BUDGET OF THE CALIFORNIA LEGISLATURE.

PASSED, APPROVED AND ADOPTED by the City Council of the City of West Hollywood at a regular meeting held this 5th day of May, 2014 by the following vote:

AYES:	Councilmember:	Land, Prang, Mayor Pro Tempore Heilman and Mayor D'Amico.
NOES:	Councilmember:	None.
ABSENT:	Councilmember:	Duran.
ABSTAIN:	Councilmember:	None.

JOHN D'AMICO, MAYOR

ATTEST:

YVONNE QUARKER, CITY CLERK

Collins, Peggy

From: Melanie Stagnaro <stagnaromel@gmail.com>
Sent: Monday, May 05, 2014 11:52 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

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9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

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Educator/Writer/Consultant
(310) 403-8510
stagnaromel@gmail.com

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Dr. Melanie Ann Stagnaro
Educator/Writer/Consultant
(310) 403-8510
stagnaromel@gmail.com

Collins, Peggy

From: Michael F Hoover <mfhoover@pacbell.net>
Sent: Monday, May 05, 2014 12:49 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

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manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already unutterably overcrowded in surrounding streets.

Thank you for your attention to this matter. I live in the area, and cannot imagine the plan as envisioned could be anything other than a disaster.

Regards,

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Michael Hoover

Collins, Peggy

From: Michael Peretzian <peretzian@gmail.com>
Sent: Sunday, May 04, 2014 2:33 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: LETTER OF PROTEST

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Collins, Peggy

From: Michelle Gagnon <michelle.adrienne.gagnon@gmail.com>
Sent: Monday, May 05, 2014 2:49 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
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To whom it may concern-

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Best,

Michelle Gagnon
local resident

Collins, Peggy

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Sent: Monday, May 05, 2014 2:49 PM
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4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

Best,

Michelle Gagnon
local resident

Collins, Peggy

From: Patricia Overly <patricia.overly@gmail.com>
Sent: Monday, May 05, 2014 3:32 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

10) Laurel Canyon is already considered to have freeway traffic and cannot with stand any more.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Very truly yours,
Patricia Overly
Laurel Canyon resident

Collins, Peggy

From: Patricia Overly <patricia.overly@gmail.com>
Sent: Monday, May 05, 2014 3:32 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

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1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

10) Laurel Canyon is already considered to have freeway traffic and cannot with stand any more.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Very truly yours,
Patricia Overly
Laurel Canyon resident

Collins, Peggy

From: Maxplanar <maxplanar@gmail.com>
Sent: Monday, May 05, 2014 12:13 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

TO WHOM IT MAY CONCERN,

I am a resident of Gould Avenue in Laurel Canyon, Los Angeles, and am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project at the intersection of Sunset Blvd and Crescent Heights in Los Angeles, under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood. It is not possible to gain access to my home in Laurel Canyon through any other intersection, and the traffic here is already horrendous.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius. It's simply completely out of character with the area.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York.

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops

that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections. This building is wholly unsuitable, out of scale, and should not be allowed to skirt the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record.

My best,

Philip Owens
8185 Gould Ave
Los Angeles, CA 90046

Collins, Peggy

From: Ray Barrios <ray.barrios@gmail.com>
Sent: Thursday, May 01, 2014 6:09 PM
To: Collins, Peggy
Subject: 8150 Sunset

Dear Peggy,

I'm writing this email regarding some concerns that I, along with other residents of the surrounding community, have regarding the proposed project at 8150 Sunset on the Sunset Strip in Los Angeles/West Hollywood. I'd very much appreciate it if you can pass this email along to members of the Joint Legislative Budget Committee.

My main concern is that this appears to be an outsized project relative to the site and the surrounding conditions. This is not another case of NIMBYism--there are legimate problems that are not being properly addressed. I'm not opposed to re-developing certain sites, but the scale (and height) of this proposed project appears to be so large that it would certainly make existing traffic and parking conditions worse. I use Sunset Blvd and the surrounding streets for my commute every day--as it currently stands, traffic already moves at a snail's pace.

Similarly, the current parking situation will only get worse. As it currently stands today, we see many cars illegally parked in the various streets in our neighborhoods.

As other concerned neighbors have surely highlighted, the proximity of documented earthquake faults also need to be taken into consideration.

Finally, the tactics the developers (Townscape Partners) have employed in trying to expedite their project have been not only unethical, but also downright mean-spirited. They effectively tried to kill the existing tenants' businesses by charging usurious and outrageous parking fees for patrons. These are small businesses that are part of the lifeblood of the community--and they are being squeezed out in a way to circumvent their existing leases. It appears that Townscape has tried to ram their project through to completion at any cost as fast as possible without concern for how they affect the local community, small businesses and residents.

Thank you for listening to our concerns.

A concerned resident,

Ray Barrios
8297 Presson Pl
Los Angeles, CA 90069

415-706-5700

Collins, Peggy

From: Renee Petropoulos <rrprr@earthlink.net>
Sent: Monday, April 28, 2014 9:30 PM
To: Collins, Peggy
Subject: development - no

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Sincerely,
Renee Petropoulos
343 5th Av
Venice, CA 90291
310.392.1526

Collins, Peggy

From: Rikki Poulos <redezine@pacbell.net>
Sent: Monday, May 05, 2014 11:42 AM
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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2.) **This building will destroy one historic building**, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) **The site is dangerously close to the earthquake fault line** known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information be included in any determination regarding constructing such a large structure so close to a fault line.

4.) **The entire structure, which classified as 16 stories, but is actually 22** when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) **The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape** placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) **The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department** and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) **There is no way that the 900 bicycles they suggest parking for can work** in an area with hills as steep as those in San Francisco and more traffic than New York

8.) **It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are**, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) **Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure,** replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

RIKKI POULOS
redezine@pacbell.net

Collins, Peggy

From: Rob Lewine <rob@roblewine.com>
Sent: Monday, May 05, 2014 10:38 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: 8150 Sunset Boulevard, Los Angeles

Dear Elected Officials....

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

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2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only.

Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Thanks,

Rob Lewine
8929 Holly Place
Los Angeles, CA 90046 USA
323 654-0830
213 280-0805 cell
rob@roblewine.com

Collins, Peggy

From: Robinne Burrell <robinneb@gmail.com>
Sent: Monday, May 05, 2014 11:18 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

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5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset

Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Sincerely,
Robinne Burrell
West Hollywood Hills resident

Sent from my iPhone

Collins, Peggy

From: Ron Charles <ron-charles@sbcglobal.net>
Sent: Tuesday, May 06, 2014 4:51 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Dear Sirs:

I protest the CEQA fast tracking that your office has granted to the obviously flawed building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087.

This project should not be eligible for streamlined anything. I live in Laurel Canyon and know for a fact that the Sunset/Crescent Heights intersection is one of the most congested intersections in the city. Going up Crescent Heights past Santa Monica going to Sunset is now, at times, a 10 to 15 minute wait and then getting from Sunset into the canyon itself can be another ten minutes.

Hollywood wants to redevelop and grow into a more lucrative place for residents and tourists to live and/or visit. A large portion of the population of Los Angeles resides in the San Fernando Valley. In order to get from the San Fernando Valley to Hollywood, you must go through the Hollywood Hills. There are very few avenues which you can take to do so. The same is true going back to the Valley. The most heavily traveled of these streets are Coldwater Canyon and Laurel Canyon and the most heavily traveled one - by far - is Laurel Canyon.

Emergency vehicles, paramedics, fire department are not able to get into the canyon in a timely manner now with this congestion. This construction will further impede them. We are now in an historic drought and the fire danger in the canyon is huge. You are endangering my life and the lives of all the residents of the Laurel Canyon, with this development.

Should a fire occur, you would be blocking first responders from reaching us and blocking the exits so we cannot get out. It is dangerous now and to further increase the traffic and congestion at this intersection is unspeakable.

There are many other CEQA issues that need further investigation, clarification, and transparency, such as:

The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and add a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. A new report is due out in July of 2014 and this should be taken into account.

The entire structure is out of scale to the structures around it. Hollywood has a rich and storied history and draws tourists for that reason. This monstrosity will not draw tourists and is just another modern and larger version of a "mall", which are a dime a dozen in the United States and actually detracts from historic places such as Chateau Marmont and other Hollywood landmarks.

In addition to the obvious and huge problems with this project, the developer, (Townscape LLC) has proven itself to be totally oblivious to the rights of others and to lack common sense and decency in its dealing with others. It, illegally, placed parking arms in the existing parking space, which caused anyone using this space to pay exorbitant amounts to do their banking or get food. This also served to increase the traffic problem at this intersection. which is already a "nightmare". These were proven illegal in court, thank God, but the damage to the merchants and their clientele was already done. Now the developer is being given cart blanche to do further damage to Hollywood and in my view, put in danger the residents of Laurel Canyon, which is itself a major tourist site in Hollywood.

This building is wholly unsuitable, out of scale, and frankly dangerous to Hollywood and should not be allowed to proceed until the size of the structure and huge impact of the project has been studied, including the major traffic issues at this intersection and the possible death sentence given to a large number of residents of the historic Laurel Canyon should there be a major fire there. Hollywood could be historic for a much more gruesome reason should this development be allowed.

Please confirm your receipt of this, and that it has been duly entered into the record.

I hope you will listen while there is still time and if not, any deaths in this area caused by traffic congestion will be on your heads and they will torture your souls forever.

Sincerely,

Ron and Gayle Charles

Collins, Peggy

From: ruthwernig@gmail.com
Sent: Tuesday, May 06, 2014 6:55 PM
To: Collins, Peggy
Subject: 8150 Sunset Blvd. Tracking No. 2014011087

Dear Ms. Collins,

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area -- these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record. I am a voter and supporter of Gov. Brown's but I don't understand this decision.

Sincerely,

Ruth Wernig
7906 Hillside Ave.
Los Angeles, CA 90046

Collins, Peggy

From: Sandra Murray <smurrayprod@gmail.com>
Sent: Monday, May 05, 2014 10:44 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please confirm your receipt of this, and that it has been duly entered into the record.

Thank you,

Sandra Murray
2070 Stanley Hills Drive
Los Angeles, California 90046

Sandra Murray
818-730-4464 cell

Collins, Peggy

From: Sarah BELL <moonbell1@mac.com>
Sent: Monday, May 05, 2014 12:03 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

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8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Sarah Bell

Collins, Peggy

From: Scott Sapire <scottsapire@gmail.com>
Sent: Monday, May 05, 2014 11:53 AM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

Stop fast tracking this project.

Collins, Peggy

From: Sean Newberg <sean.newberg@gmail.com>
Sent: Tuesday, May 06, 2014 4:38 PM
To: Van Engelen, Brady; Collins, Peggy
Cc: matthew schneider
Subject: Project 8150 Sunset Boulevard / TRACKING # 2014011087

Hello,

I am a community member in the Hollywood Hills, and have recently been told of new future construction taking place at 8150 Sunset Boulevard. I am extremely appalled and saddened that Governor Brown has determined that the 8150 Sunset Project in the City of Los Angeles is eligible for streamlined judicial review under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087. I am also amazed that this was done with no transparency. **The public was not made aware of this nor did they know that there was a period of public comment.** I would be hard pressed to believe that anybody would/could sign off on this having visited the proposed project site. If they have not visited the site in question, then they were extremely careless. Has anyone that signed off on this talked to Tom LaBonge, City Councilman representing the 4th district or Michael LoGrande, City Planning Director? Well I know people have, on the record,, and they have both stated that this project is too big and does not fit into the landscape of the neighborhood.

This proposed project is an extreme inconvience due to the mass impact it will negatively have on the community in several major ways, outlined below:

1. The site is extremely close to the Alquist - Priolo Earthquake zone and no reference appears to have been made about the potential danger of a tall building being constructed so close to a fault line;

2. **Traffic flow in this area is already a major problem around this intersection of Sunset Blvd. and Crescent Heights** (noted as 1 of the 10 deadliest intersections in Los Angeles). I understand that this site will generate requirements for over 300 employees and over 500 residents. How will this area cope with the increase in congestion - surely this will create a hazard for the emergency service? I would invite you and your colleagues to visit this area during the morning or night rush hour period to appreciate the scale of the problem;

3. **A similar issue will of course arise in respect of parking in this already over congested location; its hard enough to park around the area, try adding 800 cars to the mix. NO THANK YOU!**

4. The 16 story structure (22 with parking levels) is completely out of scale to the surrounding community, will dwarf local landmarks such as the Chateau Marmont and change forever the heart and feel of one of Los Angeles most important historic sites; and

5. The area is too far away from any metro stops or other meaningful transportation hubs. This project will vastly and negatively impact an already overly dense, overly congested and overly polluted area to becoming levels of extremely hazardous living, working, and driving conditions for thousands of residents in both West Hollywood and Los Angeles - not to mention anyone driving along the Sunset Boulevard artery going from East to West and Vice versa.

Please make a note of these objections, let me know that this email was received, and that this email is on the record.

Thank you for your time,

Sean Newberg

Collins, Peggy

From: Shaktiart@aol.com
Sent: Tuesday, April 29, 2014 7:11 AM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: LETTER OF PROTEST

. Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

peggy.collins@sen.ca.gov

brady.vanengelen@sen.ca.gov

senator.lieu@senate.ca.gov

anthony.molina@asm.ca.gov

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Collins, Peggy

From: Sharon Hagen <artfemme11@rocketmail.com>
Sent: Tuesday, April 29, 2014 5:53 PM
To: Collins, Peggy
Subject: development at Sunset and Crescent Heights, Los Angeles/Hollywood

Dear Ms. Collins,

As a native of Los Angeles and resident of Santa Monica who uses this intersection regularly, I cannot imagine the Senate fast tracking this egregious project. The project should be greatly reduced. My objections are the same as others in Los Angeles and are enumerated below.

Thank you,

Sharon Hagen
2603 23rd Street
Santa Monica, CA 90405

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please confirm your receipt of this, and that it has been duly entered into the record.

Collins, Peggy

From: Sheira Rees-Davies <sheira@me.com>
Sent: Monday, May 05, 2014 1:57 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Please confirm your receipt of this, and that it has been duly entered into the record,

Kind Regards,
Sheira Rees-Davies and Clark Eddy (my husband)

THE SILVERSTEIN LAW FIRM
A Professional Corporation

215 NORTH MARENGO AVENUE, 3RD FLOOR
PASADENA, CALIFORNIA 91101-1504
PHONE: (626) 449-4200 FAX: (626) 449-4205
ROBERT@ROBERTSILVERSTEINLAW.COM
WWW.ROBERTSILVERSTEINLAW.COM

April 29, 2014

VIA EMAIL AND OVERNITE EXPRESS

Joint Legislative Budget Committee
Senator Mark Leno, Chair
Assembly Member Nancy Skinner, Vice Chair
c/o Ms. Peggy Collins, Principal Consultant
peggy.collins@sen.ca.gov
Mr. Brady Van Engelen, Committee Consultant
brady.vanengelen@sen.ca.gov
1020 N Street, Room 553
Sacramento, CA 95814-5641

Re: Objection to Environmental Leadership Development Project Designation; 8150 Sunset Boulevard, Los Angeles, CA, Tracking No. SCH 2014011087

Dear Chair Leno and Vice-Chair Skinner:

I. INTRODUCTION.

This firm and the undersigned represent Save Sunset Boulevard, Inc., a nonprofit community organization whose members live and work in the vicinity of the proposed 8150 Sunset Boulevard project in Los Angeles ("Project"). The Project consists of two towers that would be 9 and 16 stories (in reality, higher when including the parking pedestals) containing residential units and retail space. It would be located at Sunset Boulevard and Crescent Heights, where Crescent Heights turns into Laurel Canyon, at one of the most severely congested intersections in Los Angeles.

We have just discovered that the Project was deemed eligible for designation as an Environmental Leadership Development Project by Governor Brown on April 8, 2014. We are deeply concerned because neither the application nor Governor Brown's consideration was subject to a public notification and review process.[1]

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[1] By copy of this letter to Governor Brown and to the Governor's Office of Planning and Research, and in light of the issues identified herein, we respectfully request that Governor Brown reconsider his approval.

If your honorable Committee does not, by May 8, 2014, affirmatively inform Governor Brown in writing of your non-concurrence (Pub. Res. Code § 21184(b)(2)(B)), the Project's designation as an Environmental Leadership Development Project will be deemed certified. (Pub. Res. Code § 21184(b)(2)(C).) This would be procedurally and substantively disastrous.

Designation has the effect of shortening any judicial review of the Project. That, in turn, removes a critical level of protection in the process – something possibly justified only under exceptional circumstances not present regarding the instant Project. As the Courts have repeatedly held: "The foremost principle under CEQA is that the Legislature intended the act 'to be interpreted in such manner as to afford the fullest possible protection to the environment . . . ." Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal.3d 553, 563-564. As discussed more fully below, by approving streamlined judicial review, protection of the environment and the public is weakened.

The California Supreme Court has explained that the CEQA "process protects not only the environment but also informed self-government." Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 392. Therefore, to permit expedited (and curtailed) judicial review of the Project – which has already drawn strong opposition from community stakeholders and other governmental agencies – would be to subvert critical protections by giving the Project an undeserved "pass."

As a result, we respectfully urge the Committee not to concur with the Governor's determination, which determination was based upon incomplete, misleading and false information provided by the Project developer, as described more fully below.

From a fundamental fairness standpoint, please appreciate that notice of the application for the designation ("Application") was not provided to the public and no opportunity was thus provided to comment to the Office of Planning and Research, the Air Resources Board, or the Governor's office prior to the Governor's determination.[2]

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[2] Pub. Res. Code Section 21184(b)(1) states that "Prior to certifying a project, the Governor shall make a determination that each of the conditions specified in Section 21183 has been met. These findings are not subject to judicial review." We question the legality (and certainly the fairness) of the latter sentence. As occurred here, the deprivation of notice to the public and opportunity to comment on the Application submittal and the Governor's consideration thereof violates long-standing California Supreme Court precedent. In Horn v. County of Ventura (1979) 24 Cal.3d 605, the Supreme Court held that "Due process principles require reasonable notice and

Our objections are based not only on mischaracterizations in the Application, but on numerous recent legal actions – including from the Los Angeles County Superior Court and the California Geological Survey – concurrent with the Application but of which reviewing State agencies, including the Governor's office, appear not to have been aware.

II. THE PROJECT IS NOT "REGIONAL" SO AS TO POTENTIALLY WARRANT DESIGNATION AS AN ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECT.

It is clear from the legislative history of both AB 900 and SB 743 that the special statutory scheme for the Environmental Leadership Development Project was designed for regional-scale projects with regional or statewide benefits. This is borne out by the other projects listed on the Office of Planning and Research website as having submitted applications: The Apple Campus 2 (more than 3 million square feet of office and research & development space, with 13,000 employees), the 750 megawatt McCoy Solar Energy project, and the 144 megawatt Soitec Solar Energy project.

By contrast, the size of the Project in comparison with the other projects for which applications have been submitted simply does not cross the threshold of regional impact and benefit that would warrant the Committee's concurrence with the Governor's determination of eligibility.

There is nothing special, regional or meritorious about the Project. Rather, it is a worse-than-normal, mixed use project which seeks to fit a size 10 foot into a size 5 shoe in one of the most impacted areas of Los Angeles from a traffic, density and infrastructure standpoint. It would also subject thousands to peril because of the Project's

---

opportunity to be heard before governmental deprivation of a significant property interest." "[G]overnmental decisions which are adjudicative in nature are subject to procedural due process principles." Id. at 612. The Governor's decision here was "adjudicative in nature" because it involved "application of general standards to specific parcels of real property." Id. at 614. In such cases, "the affected persons are entitled to a reasonable notice and an opportunity to be heard before the approval occurs." Id. at 616.

That did not happen with the Governor's approval. At a minimum, we ask that you provide written non-concurrence at least on the basis that the process through the Governor's approval deprived Save Sunset Boulevard, Inc., its members, other members of the public, and even other governmental entities such as the City of West Hollywood, of their due process rights, including under Horn v. County of Ventura.

proximity to, or in, the California State Geological Survey's recently mapped Alquist-Priolo Seismic Hazard zone for the Hollywood Earthquake Fault. If this Committee does not provide notice of non-concurrence, it will set a dangerous precedent for any project to gain an undeserved legal advantage by short-circuiting the normal process and protections.

The Project is immediately adjacent to the City of West Hollywood. Prior to the Project being proposed as an Environmental Leadership Development Project, the City of West Hollywood had stated numerous concerns in response to receipt of a Notice of Preparation for the Project under CEQA. The City of West Hollywood's correspondence is attached hereto as **Exhibit 1**.

However, we are informed that the City of West Hollywood also received no notice of the subsequent Application at issue herein, prior to the Governor's determination in favor of the Project and prior to it being transmitted from OPR to this Committee. (See fn. 2, ante.) Thus, an entire affected city government was denied its rights to comment, as were other governmental agencies that may have sought to provide input to the Governor, prior to the Governor making his decision.

We understand that the CEQA process will continue, and that opportunities to object under CEQA remain. But that is not our point. Our point is that the granting of special privileges to the Project applicant is a mistake, especially when based upon misleading and incomplete information, as has occurred. The process should have afforded specific notice at least to those entities and persons who were already on record with concerns about the Project (such as the City of West Hollywood and members of Save Sunset Boulevard) prior to the Governor making a precipitous decision which will lend greater momentum to the Project and thus, at least indirectly, negatively affect the CEQA review process.

Our concerns are compounded because the public has no faith in the integrity of a CEQA process overseen by the City of Los Angeles as lead agency. The City of Los Angeles is notorious for violating CEQA and disregarding the public's rights. See **Exhibit 2** hereto for an extremely recent and directly relevant example where the Los Angeles County Superior Court (whose critical review may be *eliminated* unless this Committee provides the Governor with notice of the Committee's non-concurrence) found that the City of Los Angeles and Los Angeles City Council committed multiple violations of CEQA, including basing its entire analysis on knowingly false population data, which in turn skewed multiple environmental review areas, distorted CEQA's mandatory disclosure requirements, and vitiated or totally avoided various critical

mitigation measures. The Superior Court had little positive to say about the City of Los Angeles' conduct.

It must also be emphasized that the case required two days of trial, something no Court of Appeal ever engages in or is equipped to handle. Perhaps most importantly, after the thorough review and analysis conducted by the Superior Court, the City of Los Angeles chose not to appeal the ruling against it. That is how the process is supposed to work, by giving all parties their day in Court at the trial level, where the judges are accustomed to and most able to oversee the trial of a case. That is not the expertise or role of the Court of Appeal. Yet the Court of Appeal is where a matter that has been granted this special designation would apparently directly go in the event of litigation. Such a process thwarts both constitutional due process rights and specific statutory protections under CEQA.

III. NO CONSISTENCY WITH THE CITY OF LOS ANGELES GENERAL PLAN HAS BEEN MADE IN THE APPLICATION.

The Application misleadingly indicates that the Project was analyzed for consistency with the Los Angeles General Plan by using the Hollywood Community Plan, which serves as the Land Use Element to the General Plan for the Hollywood area. In fact, the consistency analysis used the Hollywood Community Plan Update ("HCPU") and related amendments to the Transportation Element and Framework Element adopted by the Los Angeles City Council on June 19, 2012. The Los Angeles City Council also adopted an ordinance effecting changes of zone and height districts to implement the HCPU that became effective on August 8, 2012.

However, not disclosed by the applicant, on December 15, 2013, the Los Angeles County Superior Court issued a tentative ruling invalidating the HCPU both because the Los Angeles City Council's adoption of the HCPU violated the California Environmental Quality Act ("CEQA") and because it created internal inconsistency within the Los Angeles General Plan. This occurred in three related cases: *La Mirada Avenue Neighborhood Association of Hollywood v. City of Los Angeles*, L.A.S.C. Case No. BS138361; *Fix the City, Inc. v. City of Los Angeles*, L.A.S.C. Case No. BS138580; and *Save Hollywood.org, et al. v. City of Los Angeles*, L.A.S.C. Case No. BS138370.

The decision became final on January 10, 2014. On February 11, 2014, the Court issued a peremptory writ of mandate ordering the City of Los Angeles to rescind the HCPU and all related legislative actions. The Statement of Decision and writ of mandate are attached hereto as **Exhibit 2**. The writ has had the effect of requiring any project then

undergoing review by the City of Los Angeles that had been analyzed under the HCPU to be reanalyzed under the prior version of the Hollywood Community Plan.

The City of Los Angeles did not appeal the decision. Instead, earlier this month, the Los Angeles City Council on April 2, 2014 rescinded the HCPU, the related Transportation and Framework Element amendments, and the ordinance effecting changes of zone and height districts to implement the HCPU. Those actions are documented by the ordinance and resolution attached hereto as **Exhibit 3.**

Thus, the entire regulatory framework under which the Application claimed consistency with the Los Angeles General Plan has been invalidated. This is a rather dramatic turn of events, one which the Application chose not to inform the Governor about.

The Application engages in material misrepresentations and concealment by not informing the Governor or this Committee that the HCPU land use plan was invalidated by the Los Angeles County Superior Court. There is still time for this Committee to take corrective action by providing notice of its non-concurrence.

At a minimum, the Application should not be approved until the correct land use analysis is undertaken.

IV. SHORTENING OF ANY JUDICIAL PROCESS IS PARTICULARLY INAPPROPRIATE FOR THE PROJECT, WHICH IS LOCATED IN AN ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE.

On July 20, 2013, the California Geological Survey notified the Los Angeles City Council of its intention to complete zoning and mapping of the Hollywood Fault, which runs along Sunset Boulevard in the vicinity of the Project. At the time, the City Council and City Planning Commission were reviewing plans for a different project called the Millennium Hollywood project. In response to the Los Angeles City Council and Los Angeles Department of Building and Safety's failures to properly consider evidence of seismic risks, the California Geological Survey accelerated its timetable for zoning the Hollywood Fault because of public safety issues caused by the City of Los Angeles' approvals of development projects across active faults. This issue has garnered significant media attention, and Governor Brown has publicly stated his support for increased funding to the California Geological Survey for it to complete its critical mapping work for the health, safety and welfare of the public and our economy.

On January 8, 2014 – prior to the submittal of the Application at issue herein – the California Geological Survey issued its preliminary Alquist-Priolo Zone Map of the Hollywood Fault showing that virtually the ***entire*** Project site is within the Alquist-Priolo Zone. The Final Map of the Hollywood Quadrangle will be released later this year. A copy of the Preliminary Map for the Project area is attached as **Exhibit 4** [we have marked the Project site for ease of reference].

The potential damage caused by surface ruptures in a dense urban environment will be substantial and potentially catastrophic. Streamlining of review for any project in an Alquist-Priolo Earthquake Fault Zone is bad public policy. On this further ground, we ask that the Committee state its non-concurrence with the Governor's determination – which determination was based upon incomplete and misleading information provided in the Application, including the Application's suppression of the California Geological Survey's recent Alquist-Priolo mapping and the Project's relationship thereto.

At a minimum, this Committee should notify the Governor of its non-concurrence and wait until the Final Map is released and an appropriate determination can be made for the sake of public safety, prior to granting undeserved benefits through streamlined judicial review.

V. THE APPLICATION MISCHARATERIZES THE SURROUNDING COMMUNITY TO CLAIM GREATER "TRANSIT-FRIENDLINESS" THAN EXISTS OR WILL EXIST.

The Application engages in misleading characterizations to make the Project look friendlier to non-vehicular transit. Contrary to the Applicant's claims, the topography of the area discourages significant pedestrian and bicycle traffic, and the Project's towers would dwarf the surrounding community.

The Project site at the intersection of Crescent Heights Boulevard and Sunset Boulevard in Los Angeles sits at the base of Laurel Canyon, which rises steeply into the Santa Monica Mountains and single-family residential neighborhoods. To the south, the slope descends approximately 140 feet to the next major street, Santa Monica Boulevard, approximately 2,500 from Sunset Boulevard. This would be a profound impediment to north/south pedestrian and bicycle mobility to and from the Project. The pitch and curves of Sunset Boulevard to the west of the Project also create an additional impediment to bicycle mobility. The Application's prediction of vast bicycle usage is further belied by the fact that the surrounding streets – Sunset, Crescent Heights and Havenhurst – have no bike lanes and no place to put them.

By stating that "the Project would be located within a quarter-mile of public transportation, including existing Metro bus routes," the Application falsely suggests that other forms of public transportation exist within a quarter-mile of the site. The nearest form of public transportation other than a bus is the Metro Red Line subway, 1.8 miles from the site.

The Application also suggests compatibility of scale with the surrounding neighborhood by comparing it with other multi-story buildings "in the vicinity of the project site, including the Chateau Marmont hotel, the Sunset Tower hotel, and the Andaz hotel." The Sunset Tower and Andaz, however, are approximately one-half mile west of the Project site. The Chateau Marmont is only seven stories, sits at a higher grade to the north and west across Sunset, and is a historic structure dating from 1927. To the south of the project site, multi-family residential buildings of no more than a few stories predominate. The height disparity of the Project with the community to the south is magnified by the Project's location upslope of that community. Even the buildings along Sunset in the vicinity of the Project are generally no more than five or six stories.

The Application section discussing "Increased Land Use Diversity and Mixed Uses" includes the statement that "The Project Site is also located within a quarter-mile of open space/park uses at Havenhurst Park." This implies sufficient open space/park use to serve the Project. In reality, Havenhurst Park is a small, mid-block pocket park of only several thousand square feet serving the immediate neighborhood. It is also in West Hollywood, not Los Angeles. This is symptomatic of the misrepresentations that pervade the Application.

VI. CONCLUSION.

The Application failed to acknowledge that the Hollywood Community Plan Update had been invalidated; failed to acknowledge the mapping of the Hollywood Fault and Alquist-Priolo Zone to include the Project site and area; and engaged in multiple other misleading statements or omissions.

We respectfully ask that the Joint Legislative Budget Committee notify the Governor of the Committee's determination that the 8150 Sunset Boulevard Project is not appropriate for streamlined judicial review under AB 900. We ask that the Joint

Legislative Budget Committee, prior to May 8, 2014, inform Governor Brown in writing of the Committee's non-concurrence with the Governor's determination, which determination was based upon incomplete, misleading and false information provided in the Application. Thank you.

Very truly yours,

ROBERT P. SILVERSTEIN
FOR
THE SILVERSTEIN LAW FIRM

RPS:jmr
Attachments
cc: Governor Jerry Brown (governor@governor.ca.gov)
Senator Kevin de León (senator.deleon@sen.ca.gov)
Senate Jean Fuller (senator.fuller@sen.ca.gov)
Senator Jim Nielsen (senator.nielsen@sen.ca.gov)
Senator Alex Padilla (senator.padilla@sen.ca.gov)
Senator Richard D. Roth (senator.roth@sen.ca.gov)
Senator Mimi Walters (senator.walters@sen.ca.gov)
Senator Lois Wolk (senator.wolk@sen.ca.gov)
Senator Ted W. Lieu (Senator.Lieu@senate.ca.gov)
Assembly Member Rocky J. Chávez (assemblymember.chavez@assembly.ca.gov)
Assembly Member Wesley Chesbro
(assemblymember.chesbro@assembly.ca.gov)
Assembly Member Mike Gatto (assemblymember.gatto@assembly.ca.gov)
Assembly Member Jeff Gorell (assemblymember.gorell@assembly.ca.gov)
Assembly Member Diane L. Harkey (assemblymember.harkey@assembly.ca.gov)
Assembly Member Reginald Byron Jones-Sawyer, Jr.
(assemblymember.jones@assembly.ca.gov)
Anthony Molina, Legislative Aide to Assembly Member Bloom
(anthony.molina@asm.ca.gov)
Ken Alex, Governor's Office of Planning and Research (Ken.Alex@gov.ca.gov)
Dr. John Parrish, California Geological Survey
(john.parrish@conservation.ca.gov)
Mayor John D'Amico, City of West Hollywood (jdamico@weho.org)
Mayor Pro Tempore John Heilman, City of West Hollywood
(jheilman@weho.org)
Councilmember John J. Duran, City of West Hollywood (jduran@weho.org)

Councilmember Abbe Land, City of West Hollywood (aland@weho.org)
Councilmember Jeffrey Prang, City of West Hollywood (jprang@weho.org)
Paul Arevalo, City of West Hollywood, City Manager (parevalo@weho.org)
Stephanie DeWolfe, City of West Hollywood, Community Development Director
(sdewolf@weho.org)
John Keho, City of West Hollywood, Asst. Community Development Director,
(jkeho@weho.org)
(all via email)

EXHIBIT 1

City of West Hollywood
California 1984

CITY OF WEST HOLLYWOOD

CITY HALL
8300 SANTA MONICA BLVD.
WEST HOLLYWOOD, CA
90069-6216
TEL: (323) 848-6475
FAX: (323) 848-6575

TTY: For hearing impaired
(323) 848-6496

COMMUNITY DEVELOPMENT DEPARTMENT

October 14, 2013

Srimal Hewawitharana
City of Los Angeles
Environmental Analysis Section
Department of City Planning
200 N. Spring Street, Room 750
Los Angeles, CA 90012

RE: Notice of Preparation of a Draft Environmental Impact Report
8150 Sunset Boulevard Mixed-Use Project
Case Number: ENV-2013-2552-EIR

Dear Ms. Hewawitharana:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the Draft Environmental Impact Report (DEIR) for the 8150 Sunset Boulevard Mixed-Use Project (Project). Included in this letter is a list of issues the City of West Hollywood would like studied in the DEIR that is to be completed for the Project.

ANALYSIS REQUESTED

Due to the Project's close proximity to the City boundary, there is a potential that the City of West Hollywood and its residents could experience negative impacts both during the construction of the Project and as a result of operation thereafter. The Project has a potential to create negative impacts and therefore the City of West Hollywood requests that the potential for any environmental impact, including the following specific issues, be studied in the DEIR:

TRAFFIC

Due to the Project's vicinity to the City of West Hollywood, the following intersections are requested to be studied as part of the DEIR traffic analysis:

1. Sunset Blvd. & Harper Ave.
2. Sunset Blvd. & Sweetzer Ave.
3. Sunset Blvd. & La Cienega Blvd.
4. Fountain Ave. & Fairfax Ave.
5. Fountain Ave. & Crescent Heights Blvd.
6. Fountain Ave. & Havenhurst Dr.
7. Fountain Ave. & Sweetzer Ave.

shop WEST HOLLYWOOD

8. Fountain Ave. & La Cienega Blvd.
9. Santa Monica Blvd. & Fairfax Ave.
10. Santa Monica Blvd. & Crescent Heights Blvd.

In addition to the intersections listed above, please also study the residential street segment of Havenhurst Drive between Sunset Boulevard and Fountain Avenue.

As part of the study, consider traffic generated by cumulative projects located within the City of West Hollywood. The list of projects is available upon request.

For all study locations within the City of West Hollywood, please use the City of West Hollywood's adopted level of service methodologies and significant impact criteria when assessing potential traffic impacts. Please contact the City's Transportation Planner, Bob Cheung, at (323) 848-6346 for the methodology and thresholds of significant impact criteria.

INFRASTRUCTURE

The Project is located just to the north of the City of West Hollywood boundary at Crescent Heights Boulevard and Havenhurst Avenue. The City of West Hollywood owns and operates 8-inch diameter sewer lines which convey flows from north to south in both of these streets. The Project will have sewer flow which will discharge into both of these City of West Hollywood sewers.

The Project may generate a net increase of sewage flow into the City of West Hollywood sewers. Therefore, the City of West Hollywood requests a sewer capacity study be conducted to evaluate the impacts to the downstream City of West Hollywood sewers, and include all necessary mitigation measures to ensure our sewer system is protected.

Also, if the Project uses a large portion of the available capacity of the City of West Hollywood sewers, then it could potentially preclude any future development within the City of West Hollywood from being able to discharge flows into these sewers. If the capacity of the City of West Hollywood sewers is impacted, relief sewers or larger pipes need to be installed to provide additional capacity for the City of West Hollywood sewer system.

Here is a link to West Hollywood's guideline packet for preparation of a sewer capacity study:

http://www.weho.org/Modules/ShowDocument.aspx?documentid=2320

Please use this as a starting point to put together a scope of work for the DEIR sewer capacity study.

CULTURAL RESOURCES

Eight (8) designated Cultural Resources and one Thematic District located in the City of West Hollywood are within a quarter-mile radius of the project site. Due to the Project's proximity to these historic resources, we request that the Project's potential impacts on these resources be studied as part of the DEIR.

NOISE

The Project may generate a substantial permanent increase in ambient noise levels in the project vicinity due to project-related traffic, truck loading and unloading for businesses within the Project, and HVAC systems. The proposed outdoor dining above the ground floor, and the rooftop restaurant use, may also contribute to a permanent ambient noise level increase which may negatively impact surrounding properties within the City of West Hollywood. Thus, we request that these potential noise impacts be studied as part of the DEIR.

LIGHT, GLARE, AND SHADE

The Project includes buildings that will be up to 16-stories tall (approximately 216 feet in height), introduces new building surface materials to the site, and includes nighttime illumination which may cause light, glare, and shade impacts on surrounding properties within the City of West Hollywood. We request that these issues be studied as part of the DEIR.

SEISMIC

The Project is located within close proximity to the active Hollywood Fault. Given the increased level of ground shaking in areas near active faults, we request that all geology, soils, and building design requirements related to seismic activity be studied as part of the DEIR to ensure the protection of public safety.

CONSTRUCTION IMPACTS

All potential construction related impacts for the proposed project should be studied in detail, and mitigation measures should be proposed when applicable. This includes, but is not limited to, all of the following:

1. Heavy haul routing
2. Haul frequency

3. Truck size
4. Hours of construction
5. Street closures
6. Location of construction ramps and driveways
7. Construction parking supply (Note: No construction parking will be allowed within the City of West Hollywood)
8. Construction Noise
9. Project Duration
10. Dust control and truck wheel washing practice
11. Pavement quality control
12. Any other construction related issues and information that could impact City of West Hollywood neighborhoods

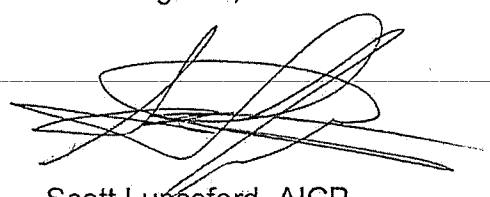
If any construction related haul route passes through the City of West Hollywood, dust control for construction traffic needs to be addressed. We request that the DEIR specify the mitigation measures for this issue.

PUBLIC NOTICE

Thank you again for this opportunity to provide input on the environmental review of this project. Please list me as primary contact for the City of West Hollywood, and place my name on the list of interested parties to receive copies of all notices issued regarding the Project. Please also provide a copy of any notice of determination that may be filed with respect to the Project, pursuant to the provisions of Public Resources Code Section 21197 (f).

If you have any questions regarding this letter, please feel free to contact me.

Best Regards,



Scott Lunceford, AICP
Contract Planner
Current and Historic Preservation Planning
City of West Hollywood
slunceford@weho.org
323-848-6427

EXHIBIT 2

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JAN 15 2014

Sherri R. Carter, Executive Officer/Clerk
By Darian Salisbury, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
WEST DISTRICT

FIX THE CITY, etc.,

Petitioner and Plaintiff,

vs.

CITY OF LOS ANGELES; LOS ANGELES CITY COUNCIL; LOS ANGELES DEPT. OF CITY PLANNING; and DOES 1 through 100, inclusive,

Respondents and Defendants.

HOLLYWOOD CHAMBER OF COMMERCE,

Intervenor.

CASE NO. **BS138580**

STATEMENT OF DECISION

LA MIRADA AVENUE NEIGHBORHOOD ASSN. OF HOLLYWOOD, etc.,

Petitioner and Plaintiff,

vs.

CITY OF LOS ANGELES; CITY COUNCIL OF THE CITY OF LOS ANGELES; and DOES 1 through 100, inclusive,

Respondents and Defendants.

CASE NO. **BS138369**

STATEMENT OF DECISION

HOLLYWOOD CHAMBER OF COMMERCE,
Intervenor.

SAVE HOLLYWOOD.ORG, aka PEOPLE FOR LIVABLE COMMUNITIES, etc., HOLLYWOOD-IANS ENCOURAGING LOGICAL PLANNING, etc.,

Petitioners/Plaintiffs,

vs.

THE CITY OF LOS ANGELES, CITY COUNCIL OF THE CITY OF LOS ANGELES, CITY ATTORNEY OFFICE OF CITY OF LOS ANGELES, HERB WESSON PRESIDENT OF CITY COUNCIL, CARMEN TRUTANICH CITY ATTORNEY, DOES 1 through 100, inclusive,

Respondents/Defendants.

HOLLYWOOD CHAMBER OF COMMERCE,

Intervenor.

CASE NO. **BS138370**

STATEMENT OF DECISION

These matters having been tried on September 16 and 17, 2013, and having been submitted for decision; the Court having issued its Tentative Decision and Proposed Statement of Decision; the parties having filed comments thereon; and those comments having been considered; the Court now issues this final Statement of Decision.

/ / /

INTRODUCTION

The Hollywood Community Plan Update (HCPU) (and its corollary environmental impact report [EIR]), which is a principal subject of this litigation, is a comprehensive, visionary and voluminous planning document which thoughtfully analyzes the potential for the geographic area commonly referred to as Hollywood (as defined in its several hundred pages). The HCPU includes scores of pages of text, detailed maps and tables which together express the finest thoughts of dedicated city planners. The HCPU is intended to be *the* essential component of the General Plan Framework (the Framework) for the City of Los Angeles (the City) as the General Plan for the City (in all of its elements) is applicable to planning and potential growth in Hollywood.

This otherwise well-conceived plan is also fundamentally flawed, and fatally so in its present iteration. As petitioners have articulated, and as will be discussed below, the HCPU, and its accompanying EIR, contain errors of fact and of law that compel granting relief to the community groups which challenge adoption of the HCPU and its EIR in their present forms.

While one can appreciate the goal of finalizing adoption of the HCPU, its accompanying EIR and related documents, and doing so as close to "on schedule" as possible given the many years since the City began its staged revisions to its General Plan planning documents (culminating in adoption of the Framework),[1] forging ahead in the processing of the HCPU, EIR and related documents in this case based on fundamentally flawed factual premises has resulted in a failure to proceed in the manner required by law. This and other bases for the rulings now made are set out below.

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[1] The first draft of the Framework was circulated to the public almost twenty years ago, in July 1994. It was not finalized until eleven years later when review of the decision of the Court of Appeal of late 2004 upholding a revised version of the Framework was denied review by the California Supreme Court in February 2005. The attenuated history of adoption of the Framework is described in *Federation of Hillside and Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252 [*Federation I*] and *Federation of Hillside and Canyon Associations v. City of Los Angeles* (2005) 126 Cal.App.4th 1180 [*Federation II*].

TRIAL PROCEEDINGS

The matter was tried to the Court on September 16 and 17, 2013. Prior thereto the parties filed extensive briefs, followed by their arguments at length at trial. Following the trial, the parties have filed requests for statement of decision (in addition to that provided for in Public Resources Code section 21005 (c) [requiring that a court specify all grounds on which a public agency has acted not in compliance with CEQA if it so finds]). While those statements have been filed, a controversy over the requests has been created. It is resolved in the accompanying footnote.[2]

Pursuant to Public Resources Code section 21005(c), Code of Civil Procedure section 632 and California Rules of Court 3.1590, this Tentative Decision is also the proposed Statement of Decision in these matters. If any party now renews its request for a statement of decision, it must timely and fully comply with Rule 3.1590. If not, then this document is also the Statement of Decision in these matters, and prevailing parties are to timely prepare, serve and lodge the appropriate peremptory writs and judgments.

Evidence

The Court admitted the Administrative Record in each case. (It is identical.)

Each party has sought judicial notice of certain items. With the consent of the parties, those items which are determined properly the subject of judicial notice in one case are admitted as to all cases.

Request for Judicial Notice by Fix the City

Fix the City (by Request for Judicial Notice filed August 21, 2013) seeks judicial

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[2] In addition to filing in each case a list of issues which it contends should be addressed in the statement of decision in each, City and intervenor filed in each case a lengthy set of objections and arguments as to why many of the requests made by each petitioner/plaintiff were erroneous. As no authority to support their editorial comments on the requests made by their adversaries was provided, and the Court is not aware of any authority to challenge another party's *request* for inclusion of any matter or issue in the statement of decision, the *objections* will not be considered *qua* objections: The Court is the final arbiter of the contents of its own statement of decision and does consider the parties' views with respect to its contents in connection with the Court's final document.

notice of sections 2.10 through 2.10.6 and 2.11 through 2.11.6 of the City's General Plan Framework EIR (addressing Fire and Emergency Medical Services and Police Services, respectively. These requests are granted pursuant to Evidence Code section 452(c).

Request for Judicial Notice by La Mirada

La Mirada seeks judicial notice of the meaning of the word "range" according to a particular dictionary and of Los Angeles City Charter sections 554, 556 and 558. The Court grants the second request in full and the first subject to the Court's own ability to discern the appropriate and applicable meanings of words when used in particular contexts.

La Mirada also sought to "supplement" the Administrative Record by its August 21, 2013 Notice of Lodging, to which City objected. The items are Chapter 2 of the City's General Plan Framework and the text of a particular hyperlinked document. The latter is already part of the record pursuant to the correct reading of *Consolidated Irrigation District v. Superior Court* (2010) 205 Cal.App.4th 697, 724-725. City's reading of this case is crabbed. City's objection to the Framework is frivolous as City itself both seeks judicial notice of the document and cites it in its Opposition (City's Op. at 11:17-21). La Mirada requests are granted, as is City's request for judicial notice of the Framework.

Request for Judicial Notice by SaveHollywood.org et al.

There is no objection to Item 1, which is an opinion in a federal court case; granted.

Nor is there any objection to item 2, which is a print out of a web page relating to the census, but the Court sees nothing other than the printed page. That is not sufficient basis for granting a request for judicial notice; this request is denied.

City objects to item 3, a SCAG document, but it is in the record at AR 21168. And, under the authority of *Consolidated Irrigation District v. Superior Court, supra*, the report at the hyperlinked cite was already also part of the record. The copy of that report

at that link (Exhibit 3 to the Cheng declaration, filed with the Request for Judicial Notice) is merely another copy of the document which is already in the record. This request is granted.

Request number 4 is not a part of the record and its contents indicate it is only raw data in any event. It is neither timely nor appropriate for judicial notice; City's objections to this item are sustained.

City's Request for Judicial Notice

The requests of City, et al. that the Court take judicial notice of several items (identical in each case) are resolved as follows:

Granted as to Sections 555, 556 and 558 of the City Charter. (Exhibits F, G and H.)

Granted as to the extracts of the City of Los Angeles General Plan Framework attached to the Request for Judicial Notice as Exhibit B.

Granted as to the official opinion of the Court of Appeal in *Saunders v. City of Los Angeles*, reserving determination as to the relevance and application of that opinion to the circumstances of this action.

As no adverse party objected, the Court also grants the requests as to the existence and filing of each of the Petitions for Writ of Mandate in *Federation of Hillside Canyon Associations v. City of Los Angeles* (two cases) and *Saunders v. City of Los Angeles*; and as to the excerpts of the EIR in the *Saunders v. City of Los Angeles* (Exhibits C, D and E).

Without additional explanation, which was never provided, the Court finds insufficient the proffer with respect to a single page of the 2013 update of the U.S. Census. (Exhibit A.) Although the population of the HCPU area is a point of considerable interest in and importance to this case, the document attached as Exhibit A to this RJN, was apparently updated in 2013 -- in some unexplained manner — and the particular document attached has no indication of any particular relevance itself.

Nor will the Court accept City's apparently implied offer that the Court search the

U.S. Census itself. That would be both improper and inordinately time-consuming. City had the obligation to explain the relevance of the document, and in this case to be clear about the particular parts of the document to which it seeks the Court's attention.

Declarations

The declarations of MacNaughton and Kruse are not proper subjects of judicial notice; nor is Exhibit 1 to the Reply Brief to which it is attached. City's objections to these matters are sustained.

Other evidence

All other evidence, which is in the Administrative Record, is admitted.

Status of the three cases

With the stipulation that all evidence admitted in one case is admitted in all, and based on the congruence of the subject matter of the cases, the Court issues this single decision to address the issues presented in each of the three cases.

Background; the Framework Element

City has sought, and the Court has granted, City's request for judicial notice of a portion of "The Citywide General Plan Framework - An Element of the City of Los Angeles General Plan" ("the Framework Element" [the same document the Court referenced *ante* and which was the subject of the cases cited in footnote 1, *ante*).

There is no explanation why this document was not originally included in the Administrative Record in this case as it sets forth "a citywide comprehensive long-range growth strategy" for the city and describes the role of community plans such as the Hollywood Community Plan Update (HCPU) at issue in these proceedings.[3] (City's RJN, Exh. B, page 2) Thus: "While the Framework Element incorporates a diagram that depicts the generalized distribution of centers, districts, and mixed-use boulevards throughout the City, it does not convey or affect entitlements for any property. **Specific**

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[3] The Court also granted Petitioner Fix the City's request that the Court take judicial notice of segments of Chapter 2 of the same document.

land use designations are determined by the community plans." [Par.] In fulfilment of the State's [planning] requirements [for general plans (Govt. Code secs. 65300, et seq.]), the City's general plan contains citywide elements for all topics listed except Land Use for which community plans establish policy and standards for each of the 35 geographic areas." (*id.*, emphasis added.) The HCPU is or will be such a plan for Hollywood.

The Framework also contains a statement of relevance with respect to the significance of population data:

> "In planning for the future, the City of Los Angeles is using population forecasts provided by the Southern California Association of Governments (SCAG). The Framework Element does not mandate or encourage growth. Because population forecasts are estimates about the future and not an exact science, it is possible that population growth as estimated may not occur; it may be less or it may be more. The City could be at the beginning of a long decline in population or at the beginning of a sharp increase." [Par.] The Element is based on the population forecasts provided by SCAG. Should the City continue to grow, the Element provides a means for accommodating new population in a manner which enhances rather than degrades the environment. The City does not have the option of stopping growth and sending it elsewhere. It must prepare for it, should growth occur. In preparing the General Plan Framework Element, the City has answered the question "What would the City do if it had to accommodate this many more people?" In answer to that question there are two possibilities: 1) prepare a Plan to accommodate density equally among all City neighborhoods, or 2) prepare a plan to preserve the single-family neighborhoods and focus density — should it occur — in limited areas linked to infrastructure." (*Id.*)

The HCPU is thus the updated, basic planning document for the Hollywood community which "establish[es] policy and standards for [the Hollywood] geographic area[]. (*Id.*)

As will be discussed, the HCPU, includes, *inter alia*, a plan to focus growth along transit corridors and in specific areas of Hollywood. Whether the final environmental impact report for the HCPU withstands scrutiny at this time is the focus of the differences between these petitioners, on the one hand, and City and Intervenor, the Hollywood Chamber of Commerce, on the other.

The fundamental dilemma is why and how "specific land use designations" are properly determined based on population estimates which, it is argued and clearly established, are substantially inaccurate.

PRELIMINARY PROCEDURAL ARGUMENTS

Waiver?

City and Intervenor contend that certain petitioners waived critical arguments by not asserting them in the administrative proceedings or in the petition for writ of mandate. This contention is an inaccurate statement of what occurred in the administrative proceedings below. Contrary to the claims of City and of Intervenor, it is well-established that whether a particular petitioner made a contention below is not the test for asserting that claim in CEQA proceedings. The question is: Was the subject matter of the claim made *by anyone* below with sufficient specificity?

As but two examples of the facts: (1) SaveHollywood raised the issue of the mis-use of the 2005 SCAG population estimate multiple times in the administrative proceeding, and (2) when the 2010 Census data was first incorporated into an official document just days prior to the final action by the City Council, La Mirada wrote to the body before which the issue was then being considered, the City Council, setting out in more than ample detail its objections. *Cf., Endangered Habitats League v. State Water Resources Control Board* (1999) 70 Cal.App.4th 482, 489-491 [exhaustion not required when no opportunity to challenge provided]. Public Resource Code section 21177 is simply not applied in the crabbed manner that City and Intervenor contend. Multiple additional examples of timely stated objections to the points now adjudicated appear in the record. Thus, on the facts, the issues now presented were all timely presented

below.

Next, there was considerable specificity in the objections made by petitioners (and others) at the several stages of the administrative process, specificity that meets the applicable test, even as discussed in the cases cited by Intervenor (*e.g.*, *Resources Defense Fund v. Local Agency Formation Commission* (1987) 191 Cal.App.3d 886, 894). Moreover, better reasoned cases such as *Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 163, make clear that the specificity prong of the Public Resources Code section 21177 requirement was amply met -- and for all of the issues raised in this proceeding. As the *Sensible Development* court states: " ... less specificity is required to preserve an issue for appeal in an administrative proceeding than in a judicial proceeding. This is because "'[i]n administrative proceedings, [parties] generally are not represented by counsel. To hold such parties to knowledge of the technical rules of evidence and to the penalty of waiver for failure to make a timely and specific objection would be unfair to them.' (Note (1964) Hastings L.J. 369, 371.) It is no hardship, however, to require a layman to make known what facts are contested." (*Kirby v. Alcoholic Bev. etc. Appeals Bd.* (1970) 8 Cal.App.3d 1009, 1020 [87 Cal.Rptr. 908].)" *Id.*, at 163.[4]

Claim Preclusion as to Fix the City?

City and Intervenor advance two arguments as to claim preclusion of certain contentions by petitioner Fix the City; neither is meritorious.

First, City mistakenly asserts (City's Op. at 28-29) that Fix the City's arguments about mitigation measures are barred because it is "in privity with" with a party to *Federation II* (*id.* at 23:12-27). City cites as its legal authority *Frommhagen v. Board of Supervisors* (1987) 197 Cal.App.3d 1292, 1301. That case does not support the

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[4] This last waiver contention is resolved based on the circumstance that the claims which City claims to have been waived are simply elements of petitioner Fix the City's Fourth Cause of Action. The cases City cites are inapposite. *See* Fix the City's Reply at 25:1-15.

argument made. At the cited page that court is addressing claims made by the same party, not which party is in privity with whom. It is clear that in this case we have multiple petitioning parties and that there is no sufficient evidence presented that Fix the City is in legal privity with any other party to the earlier case. City's claim is without support. *See, e.g., Planning & Conservation League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 229-231.

Nor does Fix the City's participation in *Saunders v. City of Los Angeles* (September 25, 2012) (2012 WL 4357444) support City's claim preclusion arguments. As Fix the City points out, the issue presented in *Saunders* was whether City breached a mandatory duty by failing to prepare annual reports on the City's infrastructure (Fix the City's Reply at 22:19-27); it involved the Framework and not either this EIR or the HCPU. It appears that City relies solely upon the circumstance that Fix the City was a party to *Saunders* as barring its contentions here. That argument ignores the material differences in the issues presented in the two cases. Nor were this HCPU and its EIR considered in any respect in *Saunders*; indeed, there is no way either could then have been subject to anyone's consideration as they had only been adopted and approved *after* the *Saunders* trial court had issued its decision.[5]

PRINCIPAL ARGUMENTS AND ANALYSIS

Petitioners' contentions

Petitioners advance several arguments in support of their contentions that the

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[5] The Court, *sua sponte*, takes judicial notice of the entry of judgment in the trial court in *Saunders* -- on March 2, 2011 — a date *prior* to the public dissemination of the draft EIR in the present case, making City's argument -- that of a party to *Saunders* and with detailed knowledge of its proceedings -- more than difficult: There is no way in which the claims now made concerning this, later issued EIR (and plan), could have been raised or litigated in that case. *See, Planning & Conservation League v. Castaic Lake Water Agency* (2009) 180 Cal.App.4th 210, 225-229 *and e.g., Federation II* at 1202.

HCPU and its EIR were not prepared in the manner required by law, etc.[6]

Population base

A fundamental contention of all petitioners is that the population data upon which the EIR for the HCPU is formulated is fatally flawed, with the result that the EIR must be revised and then recirculated with appropriate analysis of the corrected basic data.

Applicable facts

The first set of relevant facts is the timeline of significant actions for the items, now listed.

- April 28, 2005 * Notice of Preparation of Draft EIR published
- March 3, 2011 * Draft EIR released
- May 2011 * 2010 U.S. Census data released[7]
- October 2011 * Final EIR released
- December 11, 2011 * Planing Commission submits HCPU with recommendation of approval of HCPU
- May 8, 2012 * City Council Planning and Land Use Management Committee (PLUM Com.) submits HCPU to Council without recommendation
- May 18, 2012 * First Revisions to EIR [contains response to SCAQMD]
- June 14, 2012 * Second Revisions to EIR - [33 pages; contains references to 2010 US Census data released in May 2011]
- June 19, 2012 * City Council meeting at which EIR adopted
- June 21, 2012 * Notice of Determination filed

The principal factual and legal dispute concerns City's reliance on population

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[6] Certain petitioners also address claimed general plan defects. Because they are analyzed according to a different standard, the Court addresses them separately, *post*.

[7] City cited a web address at which census data could be viewed. The Court declines this entirely non-specific invitation as vague, overbroad and therefore insufficient.

data, which City obtained from the Southern California Association of Governments (SCAG), as the base for analysis in the HCPU and its EIR. There is agreement that the base used for analysis was the SCAG estimate of population in 2005 in the HCPU defined area, and that this number was 224,426 persons. The EIR describes this estimate as having been derived from the 2004 SCAG Regional Transport Plan. Neither this 2004 Plan nor any other source data with respect to the 2005 population number appear in the Administrative Record. (Limited background memoranda relevant to the population statistics do appear in the Reference Library, but they do not provide the missing data.) The Draft EIR (DEIR) uses a forecast of population for 2030 for the HCPU area of 244,302; this was derived from the same 2004 study. The DEIR also sets out a "revised" population estimate of 245,833.

Using these various data points, the DEIR analyzed what it referred to as a "reasonable expected level of development for 249,062 people.

Petitioners argue that the fact that the results of the 2010 Census became available just after the DEIR was released compelled revision of the DEIR to utilize that data and that failure to do so was prejudicial error requiring preparation and recirculation of a new DEIR which properly incorporates the 2010 Census population data. (While the exact date of release of this data is a point of dispute among the parties, it is clear that the official United States Government census data became available by May, 2011 — within 60 days of the release of the DEIR.)

This U.S. Census data is relevant to this litigation because it differs so significantly from that used in the EIR process here. The 2010 Census shows that the population of the HCP area was approximately 198,228 persons. The reason why this is given as an approximation is that the relevant census tracts cover an area slightly different than the boundaries of the HCPU area. This difference is known, however, to City's Planing Department, and City did make some adjustments to its own data in its Second Addition to Final EIR, dated June 14, 2012, five days before the City Council took final action on the HCPU and its EIR, confirming its knowledge in this respect.

The following table summarizes key data and illustrates the petitioners' contention that the base used by City in its planning constitutes error.[8]

1990 U.S. CENSUS	2000 U.S. CENSUS	**2004/2005 SCAG pop. est.**	**2010 U.S. CENSUS**	2030 Forecast in DEIR	2030 CITY est.
213,912	210,824	**224,426**	**198,228**	244,302	249,062

Reference to this table produces some obvious questions including the following:

(1) Why was the population base which City used for analysis in the DEIR the SCAG estimate of 224,426 when the Official Census data became available within 60 days of release of the DEIR — and when that data shows a significantly lower population (even in a somewhat larger geographic area)?[9]; and

(2) why was the 2030 population number used not further adjusted once the 2010 U.S. Census data was available?

The 2005 SCAG population estimate was a principal key to the analytical foundation for the DEIR. From it flowed not only the 2030 population estimate used in the DEIR, but, combined with other factors, estimates for water consumption, waste

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[8] While City argues that it was not possible to estimate the population in the HCPU area because of incongruity of census tracts with the HCPU area, the Administrative Record reveals that petitioner La Mirada was able to estimate the population in the HCPU area at 197,085 persons, and City itself made revisions to the EIR just 5 days prior to its approval by the City Council to incorporate some of the data from the 2010 Census, as noted in the text.

[9] It is clear that City's Planning Department had the ability to adjust for the slight differences between the HCP boundaries and the census tract data as the latter was discussed in the 33 page June 14, 2012 Second Revision to EIR released just 5 days prior to the City Council voting to approve the EIR -- and the census tracts themselves had been extant for a considerable period of time. City advanced several contentions based on the argued differences, claims that appear fully refuted by the actions taken by its own Planning Department.

water, solid waste, and energy demand,[10] as well as other elements of the EIR.

As Fix the City aptly describes the function of the EIR: "At the heart of the [DEIR for the HCPU] and indeed the defining purpose of the Plan Update itself, is the accommodation of projected population growth in the Plan area. The purpose of the EIR is to evaluate the environmental impacts of accommodating this growth in the manner and locations set forth in the Plan Update. In this regard, the magnitude of the population increase accommodated by the Plan Update is a critical component of the environmental analysis and [is] relied upon in numerous instances throughout the EIR." (Fix the City's Opening Memo. at 6:5-21). Thus, it is critical to the EIR that the population base be appropriate to the actual circumstances which exist in the area of the HCPU and its EIR. In this case, it was not.

Standard of Review

The standard for review of the sufficiency of any EIR is prejudicial abuse of discretion. Public Resources Code sections 21168 and 21168.5. "Abuse of discretion is established if the agency has not proceeded in a manner required by law or if the determination or decision is not supported by substantial evidence. *Laurel Heights* [*Impr. Asn. v. Regents* (1988) 47 Cal.3d 376,] at 392. A prejudicial abuse of discretion occurs if the failure to include relevant information precludes informed decision-making and informed public participation, thereby thwarting the goals of the EIR process." *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 653. "... the existence of substantial evidence supporting the agency's ultimate decision on a disputed issue is not relevant when one is assessing a violation of the information disclosure provisions of CEQA. " *Association of Irrigated Residents v. County of Madera* (2003) 107 Cal.App.4th 1383. 1392.[11] A clearly inadequate or unsupported study is

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[10] The estimates for public safety services will be discussed, *post*.

[11] The need to be alert for agency misconduct in CEQA matters is especially strong where, as here, the agency is the project proponent. *Deltakepper v. Oakdale Irrigation*

entitled to no judicial deference. *Berkeley Keep Jets Over the Bay v. Board of Port Commissioners* (2001) 91 Cal.App.4th 1344, 1355.

Here, a case cited by respondents also supports petitioners' contention.[12] In *Californians for Alternatives to Toxics v. Department of Food & Agriculture* (2005) 136 Cal.App.4th 1, the court held that a lead agency cannot forego its own analysis of base data and rely instead on such data provided by another agency. In the present matter, one of City's principal counter-arguments is that it was entitled by law to rely on the SCAG 2005 population estimate. That contention must be and is rejected upon the authority of *Californians for Alternatives, supra. See also, Ebbits Pass Forest Watch v. Calif. Department of Forestry* (2008) 43 Cal.4th 936, 956.

There are additional reasons why use of the SCAG population estimate is improper in the context of this EIR. As petitioners explain, this EIR does not contain the "analytical route" by which the lead agency reached the conclusions set out in such a document. This requirement, that fundamental information be disclosed in the planning documents, has been the law for decades. *E.g., Topanga Assn. for a Scenic Community v. County of Los Angeles* (1974) 11 Cal.3d 506:

> "We further conclude that implicit in section 1094.5 is a requirement that the agency which renders the challenged decision must set forth findings to bridge the analytic gap between the raw evidence and ultimate decision or order. If the Legislature had desired otherwise, it could have declared as a possible basis for issuing mandamus the absence of substantial evidence to support the administrative agency's action. By focusing, instead, upon the relationships between evidence and findings and between findings and ultimate action, the

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Distr. (2001) 94 Cal.App.4th 1092, 1109.

[12] Petitioner La Mirada clearly makes the argument that City did not proceed in the manner required by law. Petitioner Fix the City appears to rely on the other basis to set aside an EIR, viz., that there is no substantial evidence in its support — a claim joined by SaveHollywood, as well as by La Mirada.

Legislature sought to direct the reviewing court's attention to the analytic route the administrative agency traveled from evidence to action. In so doing, we believe that the Legislature must have contemplated that the agency would reveal this route. Reference, in section 1094.5, to the reviewing court's duty to compare the evidence and ultimate decision to 'the findings' (emphasis added) we believe leaves no room for the conclusion that the Legislature would have been content to have a reviewing court speculate as to the administrative agency's basis for decision." *Id.*, at 515.

City and Intervenor contend that City fully complied with EIR requirements, citing Guidelines section 15125(a), which provides:

"An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published .... This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant."

In addition to using the SCAG 2005 estimate of a population of 224,426, the DEIR forecast a population of 244,302 residents in 2030 for planning purposes. This data, as noted previously, was derived from the 2004 SCAG transportation report.[13] The EIR then estimated the "reasonable expected level of development" utilizing a further estimate of the population in the HCPU area in 2030 of 249,062.

Considering the *actual* population in 2010 as evidenced by the 2010 Census data, the real population increase essential to analysis in the DEIR was 50,744 rather than the 24,636 persons number which was utilized by City. Thus, the analysis in the DEIR was

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[13] As Petitioner SaveHollywood points out, the 2004 RPT was not included in the Administrative Record; this is "a fatal error" as it is "a key rationale" for the HCPU and "[b]y omitting purported relevant information from the record, the City deprived the public of the ability to independently verify [City's] population assumptions and its environmental assessments predicated thereon." SaveHollywod.org Opening Memo. at 8:16-21.

predicated upon a population increase — *well under half* — of what would occur if the 2030 estimate were to remain. And, if the population estimate for 2030 were to be adjusted based on what the 2010 Census data had shown, then all of the several analyses which are based on population would need to be adjusted, such as housing, commercial building, traffic, water demand, waste produced — as well as all other factors analyzed in these key planning documents.[14]

City's reliance on what is "normally" permissible as what is required is misplaced. The very fact that Guideline section 15125(a) uses the word "normally" suggests that there are circumstances in which such reliance is not appropriate. It is well-established that, "[i]n some cases, conditions closer to the date the project is approved are more relevant to a determination of whether the project's impacts will be significant. *Save Our Peninsula Com. v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99, 125. Thus, the Guideline in which City and Intervenor seek refuge instead recognizes, and the cases support, the petitioners' contention that there are substantial reasons to use a different (up-to-date) baseline when the circumstances warrant, as the circumstance did, and do, in this case:

> "Administrative agencies not only can, but should, make appropriate adjustments, including to the baseline, as the environmental review process unfolds. *No purpose would be served, for example, if an agency was required to remain wedded to an erroneous course and could only make a correction on remand after reversal on appeal.*" *Citizens for East Shore Parks v. California State Lands*

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[14] As La Mirada points out in its Opening Brief at 7:19-22, just before the City Council voted to approve the several documents in June 2012, City added its conclusion that it was still reasonable to rely on the 2005 SCAG population base even with the 2010 Census data. That clearly is a post-hoc rationalization of City's failure to recognize that the HCPU was unsupported by anything other than wishful thinking — and a demonstration of an effort to avoid further analysis in key planning documents. Nor is an agency's determination marked by changes such as those in evidence here, entitled to any deference. *Yamaha Corp. v. State Board of Equalization* (2001) 19 Cal.4th 1, 14.

Comsn. (2011) 202 Cal.App.4th 549, 563. (Emphasis added.)

Even when the surrounding conditions are recognized close in time to the final certification of the EIR, the baseline must be updated to reflect that new knowledge. *E.g.*, *Mira Monte Homeowners Assn. v. County of Ventura* (1985) 165 Cal.App.3d 357 (identification of additional wetlands made just prior to proposed certification of FEIR). Here, the significant factual predicate for the critical analytical issues explicated in the EIR was known far earlier in the EIR process than that in *Mira Monte*; here, just two months after release of the initial DEIR and over a year prior to final action on the EIR — yet no material adjustments were made. Multiple objections to the continued use of these demonstrably incorrect SCAG population estimates repeatedly were made "for the record" by several groups — and ignored by City until their limited [and inadequate] use, just 5 days before final approvals in the Second Addition to Final EIR. This conduct was itself a failure to proceed in the manner required by law. Public Resources Code section 21166; *Mira Monte, supra*, at 365-366.

When the new facts became known shortly after issuance of the DEIR, the baseline used for analysis should have been adjusted -- in the summer of 2011 rather than proceeding with a fundamentally flawed baseline. The failure to use accurate and then-current data was a failure to proceed in the manner required by law . This is made clear by cases such as *Save our Peninsula Committee v. Monterey County Board of Supervisors* (2001) 87 Cal.App.4th 99: "If an EIR fails to include relevant information and precludes informed decisionmaking and public participation, the goals of CEQA are thwarted and a prejudicial abuse of discretion has occurred. (*Sierra Club v. State Bd. of Forestry* (1994) 7 Cal.4th 1215, 1236 []; *Fall River Wild Trout Foundation v. County of Shasta* (1999) 70 Cal.App.4th 482, 492 []; *County of Amador v. El Dorado County Water Agency, supra,* 76 Cal.App.4th at p. 954; Pub. Resources Code, § 21005, subd. (a).)" *Id.*, at 128.

While CEQA gives the lead agency flexibility in establishing baseline conditions, as Fix the City argues, "that flexibility must be cabined by the rule that all CEQA

determinations must be supported by substantial evidence. (Fix the City, Opening Memo. at 8:17-19). Citing Guideline 15384, which defines substantial evidence, Fix the City points out (*id*, at 9:5 et seq.) that substantial evidence must have a factual basis which is "a serious deficiency of the 2005 estimate." Decision makers cannot arrive at the required reasoned judgment without it. *Concerned Citizens of Costa Mesa v. 32nd Agricultural Assn.* (1986) 42 Cal.3d 929, 935.

Intervenor errs in its claim that use of the incorrect baseline was not prejudicial. (Intervenor's Opposing Memo. at 17-18) Rather, as Fix the City argues, use of the flawed baseline "fundamentally distorted the EIR." (Fix the City's Opening Memo. at 8:20). Also, the attempted remedy to the prior utilization of the wrong baseline data in the DEIR resulted in City inserting an abbreviated analysis of the 2010 census data in its June 2012 Second Addition to the EIR, which contained a merely truncated — and insufficient — discussion of alternatives. As Fix the City notes: "Clearly, if one goal of the plan is to accommodate projected population growth — setting aside entirely the accuracy of the projection — and the City is advised that there is more capacity in the current plan than it realized, its analysis of necessary future actions to accommodate a projected increase would change." (Fix the City's Reply. at 9:1-4)

What is particularly flawed about the Second Addendum to the EIR is the failure to adjust for the 50,744 new residents that are a direct consequence of City's original error (use of the 2005 overstatement of population by SCAG rather than the actual number available from the 2010 Census). The Second Addendum is flawed because it is premised on the unsupportable notion that accommodating 50,744 new residents will have less impact than accommodating 24,636 new residents. The utilities, wastewater and public safety discussions of this EIR are all without support and City has not explained the "analytical route the ... agency traveled from evidence to action," thus rendering invalid its literally last minute attempt (viz., 5 days prior to final approval) to remedy its prior failures and refusals to accept as valid the many objections made to the mistaken use of outdated and substantially wrong SCAG data. *See, Laurel Heights*

Improvement Assn. v. Regents, supra, (1988) 47 Cal.3d 376, 404.[15-16]

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[15] No party makes any note of the discussion in *Federation II* of a discussion of projections based on SCAG and census data which appears at 126 Cal.App.4th at 1206-1207. That discussion is not applicable in any event to this case; as may be inferred by the parties omission of any reference to it.

At page 11 of its opening memorandum, City claims that a single sentence in the Framework precludes use of up to date population figures, especially the 2010 Census data. As La Mirada argues (Reply at 7:9-11) "Blind adherence to data [City] knows is wrong is not the 'good faith effort at full disclosure' mandated by CEQA. Guideline section 15151." See, *Citizens for East Shore Parks v. California State Lands Comsn.* (2011) 202 Cal.App.4th 549, in which the State Lands Commission as lead agency revisited its baseline during the environmental review process *and modified it as needed.* This practice was specifically approved by the reviewing court of appeal:

> "To begin with, plaintiffs cite no authority supporting the implied premise of their argument—that the Lands Commission could not revisit the baseline during the environmental review process and modify it as the Commission deemed appropriate or necessary.[fn omitted] Moreover, such a suggestion is unsound. Administrative agencies not only can, but should, make appropriate adjustments, including to the baseline, as the environmental review process unfolds. No purpose would be served, for example, if an agency was required to remain wedded to an erroneous course and could only make a correction on remand after reversal on appeal. [Par.] The record also reveals a sound basis for the Lands Commission's adjustment of the baseline. Chevron presented the Commission with information about other baseline determinations being made for proposed San Francisco Bay Area projects, and urged it to take the same approach so there would be uniformity in the environmental review process. In addition, the case law in the area was being developed through decisions such as *Fat,* 97 Cal.App.4th at pages 1277–1281, 119 Cal.Rptr.2d 402, which endorsed and followed *Riverwatch, supra,* 76 Cal.App.4th 1428, 91 Cal.Rptr.2d 322. Thus, as the Lands Commission explained, its view of the appropriate baseline evolved over time, ultimately leading to modification of the baseline in the 2003–2004 timeframe, some four years before it completed the environmental review process. [Par.] in sum, the Lands Commission did not abuse its discretion in defining the baseline used to assess environmental impacts of the proposed marine terminal lease renewal. The baseline was not contrary to the law, and it was based on substantial evidence." *Id.* at 563-564.

[16] The claims that the petitioners were too late with their objections is devoid of merit. As City only applied the 2010 Census data in the document dated June 14, 2012, five days prior to the City Council vote on the project component documents, and as the record is clear that some of the petitioners made their objections known even in that short time frame, that was all any citizen might (or need) do — and it fully complies with the standing requirements of CEQA under such a tight time frame. Public Resources Code section 21167; *e.g., Endangered Habitats League v. State Water Resources Control Board* (1997) 63 Cal.App.4th 227, 238-240.

Alternatives Analysis

Alternatives analysis is a core element of each EIR. *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1162.[17] An EIR must contain and analyze in depth a "range of reasonable alternatives." *Citizens of Goleta Valley v. Board of Supervisors* [*Goleta II*] (1990) 52 Cal.3d 533, 566; Guidelines section 15126.6(c). The range must be sufficient "to permit a reasonable choice of alternatives so far as environmental aspects are concerned. *San Bernardino Valley Audubon Society v. County of San Bernardino* (1984) 155 Cal.App.3d 738, 750-751. Each case must be evaluated on its own facts. *Goleta II, supra*, at p. 566. Among the usually included alternatives is one for "reduced density." *Watsonville Pilots Assn. V. City of Watsonville* (2010) 183 Cal.App.4th 1059. The EIR must always include analysis of the No Project Alternative (Guidelines section 15126.6(e); *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185, 203) which must discuss what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services. Guidelines section 15216.6(e). This alternative is not always the same as the baseline environmental setting, and the EIR's analysis of the No Project Alternative should identify the practical consequences of disapproving the project when the environmental status quo will not necessarily be maintained. *Planning & Conservation League v. Dept. Of Water Resources* (2000) 83 Cal.App.4th 892.

In determining what constitutes a reasonable range of alternatives, there must be a set or group of such alternatives which would feasiblely attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. Guidelines section 15126.6(a). The term feasible is defined in Public Resources Code section 21061.1 as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic,

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[17]. The other core element is that of mitigation. *Id.*

environmental, social, and technological factors. See Guidelines section 15126.6(f)(1). "The key issue is whether the range of alternatives discussed fosters informed decision making and public participation. *Laurel Heights Improvement Assn. v. Regents*, supra, 47 Cal.3d 376, 404-405.

The EIR must identify the alternatives considered in, and those excluded from, EIR analysis and should provide the reasons for their rejection. *Goleta II, supra*, at 569; Guidelines section 15126.6(b). A brief explanation of such excluded alternatives is sufficient; the entire administrative record may be considered in determining whether a reasonable range of alternatives has been discussed. *Id.*, at 569.

"The selection of alternatives discussed will be upheld, unless the challenger demonstrates that the alternatives are manifestly unreasonable and they do not contribute to a reasonable range of alternatives." *Calif. Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 988.

The EIR in this case contains analysis of three "alternatives": (1) the current (preexisting, 1988) plan, considered as the No Project Alternative, (2) the current/proposed project, and (3) a plan based on the SCAG 2030 population forecast (which is based on a one percent reduction in population from the proposed project). However, under applicable regulations, there are only two alternatives — Public Resources Code section 21100(b)(4) provides that the project itself cannot be an alternative to itself, as La Mirada points out. La Mirada Opening Brief at 16:17-20.

There is a further problem in "counting" the alternatives analyzed: La Mirada points out that Guidelines section 15126.6(e)(3)(A) when read in conjunction with *Planning and Conservation League v. Dept. Of Water Resources* (2000) 83 Cal.App.4th 892, 917-918 suggests that the "No Project Alternative" is not an alternative for purposes of CEQA. Instead, it is simply the continuation of the existing plan, policy or operation into the future....[T]he projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan." La Mirada Opening Memo. at 16:21-17:7.

However one counts the "alternatives," the flawed environmental setting presented in these EIR documents makes the analysis insufficient and inaccurate. *Friends of the Eel River v. Sonoma County Water Agency* (1994) 27 Cal.App.4th 713, 738-739. "[W]ithout [an adequate baseline] description, analysis of impacts, mitigation measures and alternatives becomes impossible." *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 953.

SaveHollywod and HELP contend that consideration of a down-sizing/down-zoning (DS-DZ) alternative was both feasible and required based on the actual population statistics and trends. These petitioners argue that notwithstanding multi-year and multi-million dollar investments in infrastructure in the Hollywood community, there has been a net outflow of population and an increase in vacancy rates in both commercial and residential properties. Interestingly, they argue that, based on the SCAG 2005 population estimate, the HCP area has lost over 26,100 people in the five year period 2005-2010 (basing the 2010 population on the U.S. Census data) and there have been massive financial losses connected to construction projects — the key example being the difference between the construction cost and eventual sale price of the Hollywood-Highland Project, of over $420 million. SaveHollywod Opening Memo. at 14-19.

Fix the City argues that the EIR's 10 page discussion of the three selected alternatives is perfunctory and "[a]s a result of the deficient alternatives analysis, the EIR fails to provide decision makers and the public with a genuine comparison of the environmental consequences of different levels of development in Hollywood." Fix the City Opening Memo. at 15:9-11. Nor, in Fix the City's view does the Second Addition to the EIR (June 14, 2012) sufficiently address the otherwise insufficient range of alternatives in the manner required by law. This petitioner points out that (1) these environmental documents ignore the requirement that other alternatives be identified or, consequentially, the reasons they were rejected be stated, and (2) that this defect was raised throughout the environmental review process in numerous comment letters.

Instead, "The FEIR states that City Planning 'considered and rejected as infeasible an alternative that would place a blanket moratorium on demolition permits and project development.' ... Like the DEIR, the FEIR also fails to meet CEQA's disclosure requirements...." Fix the City Opening Memo. at 16-17.

Focusing on the Second Addition document, Fix the City argues that the discussion there of the no-growth and DS-DZ alternatives are infeasible, but neither the EIR nor the Second Addition document contains "sufficient information ... to enable the public or decision makers to adequately evaluate the City's conclusory statements regarding the infeasibility of a downsizing alternative." *Id.* at 17

This argument has particular force when one considers the material discrepancy in the population statistics discussed, *ante*, and the short 5 day window between the release of the Second Addition and the vote by the City Council approving the several documents at issue. The evidence in this record strongly supports petitioners' contention that there has been an insufficiently-reasoned rush to completion of the EIR process, and that the process was administered in a way that is clearly contrary to well-established laws as interpreted by the appellate courts. As Fix the City argues: "The Plan Update EIR ... lacks an analysis of sufficient ranges of alternatives and fails to provide substantial evidence supporting its decisions to analyze only the narrowest range of alternatives. [Par.] While it may be a reasonable policy decision for the City to plan for the level of population growth accommodated in the Plan Update, the City cannot make that decision without a genuine understanding of what the environmental trade-offs are of accommodating this level of growth. The Plan Update EIR is the document designed to inform both the decision makers and the public of the environmental consequences of the Plan Update and of alternative approaches to the critical task of planning the City's growth.... CEQA does not permit an agency to evade its disclosure duties in this manner; the failure to analyze a reasonable range of alternatives without any support of a finding of infeasibility is an abuse of discretion." Fix the City

Opening Memo. at 18:21-19:7.

One can only wonder how this planning process ran so far off the track when consideration is given to the recent history of the Framework itself and the corrective action it required.[18]

In response to these arguments, neither City nor Intervenor presents any adequate counter-arguments. Both City and Intervenor ignore the cases, statutes and Guidelines cited by the petitioners. City instead focuses, *inter alia*, on other claimed defects in the petitioners' contentions, but these assertions do not respond to the fundamental point that petitioners have established: City did not proceed in the manner required by law with respect to ascertainment and discussion of these 'core components of the EIR process' as alternatives analysis is defined by our Supreme Court. *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings*, *supra*, 43 Cal.4th 1143, 1162.

Public Services

Fix the City contends, and City acknowledges, that the EIR's thresholds of significance did require City to evaluate whether the significant capacity increase permitted by the HCPU would require "unplanned upgrading or improvement of existing fire protection equipment or infrastructure" or would "induce substantial growth or concentration of population beyond the capacities of existing police personnel and facilities; or whether the HCPU would "cause deterioration in the operating traffic conditions that would adversely affect [police and fire] response times. City's Op. at 20. As Fix the City points out, "[t]he EIR determined that in fact such thresholds of significance would be exceeded for both police and fire services.... conclud[ing] that, absent mitigation, degraded performance in the[se] critical services was likely." (Fix the City's Reply at 13:4-14.) The issue was of substantial concern to many participants in the environmental and plan review process, including then Council member Eric

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[18] See footnote 1, *ante*.

Garcetti, who wrote a letter (dated March 23, 2012) highlighting the need for improved response times by City's Fire Department (AR21362).

Delayed response times of emergency services may be a factor in determining whether increased population concentration is significant. The focus of such analysis is on the physical changes that may result from economic and social changes. Guidelines section 15064(e) addresses this issue; e.g., population increases, as well as other "economic and social effects of a physical change may be used to determine that the physical change is a significant effect on the environment". *See also* Guidelines section 15131; and *Christward Ministry v. Superior Court* (1986) 184 Cal.App.4th 180.

For reasons explained throughout this decision, this EIR is fatally flawed. One of the reasons is particularly applicable here, *viz.*, the failure to use appropriate population statistics leads to fatally flawed estimation of the impact on fire and police services — and their impact on physical changes: "the effects of decreased response capacity, including both physical effects and social/economic effects that lead to physical effects, require [environmental] review." Fix the City's Reply at 15:12-13.

Prejudice

For reasons discussed above in detail, petitioners have demonstrated prejudice compelling the granting of relief. The facts and circumstances of the administrative proceedings in this record clearly evidence as much of a rush to completion of the EIR and HCPU as might be possible in a proceeding of this nature. As described, *ante*, the 2010 Census data became available within two months of release of the DEIR. As the time line, *ante*, demonstrates, there was ample time to revisit the critical population estimates and still have the documents [re]circulated, heard at public fora and submitted to various City committees and to the Council by June of the year after issuance. When community members and groups repeatedly wrote and spoke against key elements of the documents now being reviewed — and clearly articulated many reasons why the documents were flawed, there were two rushed efforts to supplement the relevant documents, including the first attempt to address some of the consequences of the 2010

Census data — but that only 5 days before the matter was voted on by the City Council. The result was a manifest failure to comply with statutory requirements.[19]

When a public agency does not comply with procedures required by law, its decision must be set aside as presumptively prejudicial. *Sierra Club v. State Bd. of Forestry* (1994) 7 Cal.4th 1215, 1236. "Noncompliance with substantive requirements of CEQA or noncompliance with information disclosure provisions 'which precludes relevant information from being presented to the public agency ... may constitute prejudicial abuse of discretion within the meaning of Sections 21168 and 21168.5, regardless of whether a different outcome would have resulted if the public agency had complied with those provisions." (§ 21005, subd. (a).) In other words, when an agency fails to proceed as required by CEQA, harmless error analysis is inapplicable. The failure to comply with the law subverts the purposes of CEQA if it omits material necessary to informed decisionmaking and informed public participation. Case law is clear that, in such cases, the error is prejudicial. (*Sierra Club v. State Bd. of Forestry* (1994) 7 Cal.4th 1215, 1236–1237[]; *Fall River Wild Trout Foundation v. County of Shasta* (1999) 70 Cal.App.4th 482, 491–493 []; *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 712[]; *East Peninsula Ed. Council, Inc. v. Palos Verdes Peninsula Unified School Dist.* (1989) 210 Cal.App.3d 155, 174 []; *Rural Landowners Assn. v. City Council* (1983) 143 Cal.App.3d 1013, 1021–1023 [].)'" *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 946.

That is what occurred here to the legal prejudice of petitioners, mandating relief.

Failure to recirculate

Guidelines section 15088.5(a) mandates that a DEIR be recirculated when "significant new information is added...." Here, it is clear that the significant new information begins with the 2010 Census data, but it cannot stop there. It is also evident

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[19] City's claim that the Framework mandated that SCAG estimates be used is without support for reasons discussed in the text, *ante*.

that that information must be given full consideration; this will in turn affect much of the analysis in key documents.

City's failure to incorporate and update the DEIR to reflect the significant different population statistics, and all that flows from them, necessarily means that the EIR is fatally flawed. As in *Mountain Lion Coalition v. Fish & Game Comsn.* (1988) 214 Cal.App.4th 1043, this DEIR is fundamentally inadequate, even with the Second Supplement, issued 5 days before City Council action — meaningful public review was thwarted by City's pyrrhic rush to final approvals. This hasty action constitutes an additional failure to proceed in the manner required by law, which is legally prejudicial.

GENERAL PLAN ISSUES

Contentions of Fix the City

Fix the City's opening brief sets the argument for this aspect of petitioners' contentions.[20] "California law and the Los Angeles City Charter require consistency between the policies set forth in the General Plan and land use ordinances adopted by the City," citing Government Code section 65300.5 and Los Angeles City Charter section 556.

This petitioner's principal contentions are that the HCPU is "fatally inconsistent" with the Framework because it fails to require policies that will ensure that the timing and location of development are consistent with City's ability to provide adequate infrastructure for additional development.

The findings made in support of the HCPU explain, correctly, that the Framework "establishes the standards, goals, policies, objectives, programs, terms, definitions, and direction to guide the update of citywide elements and the community plans."

Community plans, such as the HCPU, apply the elements of the Framework regarding growth and development in specific areas of the city, here of Hollywood. The

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[20] La Mirada makes a similar contention. SaveHollywood.com, *et al.* do not address this issue.

Findings made for the HCPU discuss consistency with Framework Element Objective 3.3: "Accommodate projected population and employment growth within the City and each community plan and plan for the provision of adequate supporting transportation and utility infrastructure and public services."

The reasoning for the Finding was that the HCPU was consistent with Objective 3.3 because it includes a recommended pattern of land use that directs future growth to areas of Hollywood where new development can be supported by transportation infrastructure and different types of land uses can be intermingled to reduce the length and number of vehicle trips.

Fix the City places emphasis on this finding because "it focuses exclusively on transportation infrastructure and not [on] other types of infrastructure and pubic services that are required to support increased population or commercial development; the Finding therefore does not demonstrate consistency with Objective 3.3." Fix the City Opening Brief 29:2-5.

Fix the City further focuses on what it contends is City's ignoring significant policies included in the Framework that, it argues, are designed to enable City to meet Objective 3.3. "Most significantly, the City's findings ignore the policies designed to ensure a continual monitoring of population growth *and* the ability of infrastructure to support the pace of growth.... Specifically, the Framework Element requires the use of a monitoring program to assess the status of development activity and supporting infrastructure and public services and '[i]dentify existing or potential constrains or deficiencies of other infrastructure in meeting existing and projected demand." .... The [HCPU] is inconsistent with the Framework Element because it does not include any mechanism to ensure that the state of infrastructure will be assessed or to provide for controls for controls on development in the event that infrastructure is insufficient to support the level of development permitted by the [HCPU]..... The City's approach to the Framework Element is focused entirely on the aspects that encourage growth, with no attention to those policies that require period[ic] assessment of the capacity for

additional growth. Without inclusion of similar policies in the [HCPU], which is part of the Land Use Element of the General Plan, the City's General Plan is fatally inconsistent. The [HCPU], while permitting increased density and growth in key parts of Hollywood, fails to provide a mechanism to continually assess whether the infrastructure has the ability to support the increased development and therefore frustrates the policies in the Framework Element that are designed to ensure provision of adequate public services. The Framework Element permits only the appropriate amount of growth in light of the City's infrastructure; the [HCPU] omits the necessary mitigation measures to require controls on development where the infrastructure is threatened. (Emphasis in original.) Fix the City's Opening Memo. at 29-30.

Fix the City next contends that City Charter section 558 mandates a finding that any plan adopted by City will not have an adverse effect on the General Plan or any other plans. And, this petitioner contends that, although City adopted such a finding, the Findings do not demonstrate actual compliance with this requirement. The Findings rely on the concept of concentrating growth in particular sectors, near public transport such as the new metro system, and the protection of existing single-family neighborhoods from denser development. Yet, Fix the City argues, "[t]he Finding is notable for what it lacks: any substantive discussion of the potential [inter]-plan effects of the [HCPU]. Fix the City next poses the question: "How can the decision makers conclude that the [HCPU] will not have an adverse effect on other community plan areas without considering if the increased growth facilitated by the [HCPU] will harm other areas?" (Fix the City Opening Memo. at 30:16-18).

Fix the City concludes as follows: "Because this analysis [that of inter-plan/area impact] is not in the EIR or in the record before the Council, substantial evidence does not support this finding. Indeed, the record before the City showed that public services are stretched thin throughout the City. On this record, the City cannot find that the [HCPU] will not adversely affect other areas of the City; the finding must be overturned." (*Id.*, at 30:18-22.)

La Mirada's Contentions

La Mirada also contends that the HCPU is not consistent with the General Plan for the City of Los Angeles, but focuses on different aspects. This petitioner's view is that, while the Framework is "growth neutral," the HCPU is not. Instead, La Mirada argues first, that the HCPU is "growth inducing," and contends that the reason the 2005 SCAG population estimate was used was to lower the population increase for which planning was required in the HCPU to just over 24,000 -- rather than the more accurate number of 50,000 — that would need to be planned for for 2030.[21] Using the true population data results in a plan that is growth inducing according to La Mirada, which it argues "provides for a significant amount of excess capacity, a growth inducing effect." La Mirada's Opening Memo. at 23:3-23.

Second argues La Mirada, the objective of growth neutrality was dropped in the final EIR and HCPU. Thus it notes that the final version of the HCPU accommodates "more than double the natural amount of growth through 2030, dropp[ing] all pretense of growth neutrality, further showing an inconsistency with the ... Framework. [Par.] The result is an internally inconsistent General Plan. Is it growth accelerating and inducing, as provided for in the Land Use Element via the HCP, or is it growth accommodating and neutral, as required by the Framework.... Because of this inconsistency, the City cannot make the necessary findings required by Section 556." (La Mirada, Opening Memo. at 24:10-16).

City's Contentions

City advances several counter-arguments in defense of its actions.

On the key issue of whether the General Plan and Specific Plans must be consistent -- and how that requirement is achieved here -- City first acknowledges that a general plan must be "internally consistent and correlative" (City's Op. Memo. at 25:24-

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[21] Whether that was the reason to use the higher baseline, or not, the result is the same — a substantial error in the population baseline and in all planning aspects that rely on it for other impacts.

27), and then points out that City has broad discretion to balance the many competing policies expressed in the general plan — and that balance "does not require equivalence, but rather a weighing of pros and cons to achieve an acceptable mix" (citing *Friends of Lagoon Valley v. City of Vacaville* [2007] 154 Cal.App.4th 807, 822 [quotations and citations omitted]). After noting the many factors and interests described in the findings made in this case, City notes the role of a court reviewing such arguments: "A reviewing court's role is simply to decide whether the city officials considered the applicable policies and the extent to which the proposed project conforms with those policies. (*Id.*, at 816 [internal citations omitted]).

Specifically in response to Fix the City's contentions,[22] City argues that there was no need to make a specific finding that the HCPU was consistent with Framework Objective Element 3.3. (City's Op. Memo. at 27:14-22). City's argument is that the HCPU is an amendment to a previous plan, the Hollywood Community Plan, which is itself a part of the General Plan, and that the adoption or amendment of a general plan is a legislative act -- and, pursuant to state law, "a city need not make explicit findings to support its action." *South Orange County Wastewater Auth. v. City of Dana Point* (2011) 196 Cal.App.4th 1604, 1619.

Further, City argues that General Plan amendments are governed by Charter Section 555 rather than section 556, which does not require any specific findings. And, to the extent that Section 556 applies, the findings it requires only need to show "'that the action is in substantial conformance with the purposes, intent and provisions of the General Plan; it does not require a separate specific finding of consistency for each of the thousands of policies and objectives contained in the General Plan.... The City's 16 pages of General Plan consistency findings would easily satisfy any requirements Section 556 would impose, if applied to the HCPU." (City's Op. Memo. at 27:28-28:7)

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[22] City's collateral estoppel arguments as to Fix the City were discussed and found invalid, *ante*.

Applicable Law

1. Consistency

"'[T]he propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable general plan and its elements.' (*Citizens of Goleta Valley v. Board of Supervisors* [1990] 52 Cal.3d 553, 570, 276 Cal.Rptr. 410, 801 P.2d 1161.) 'The consistency doctrine has been described as 'the linchpin of California's land use and development laws; it is the principle which infuse[s] the concept of planned growth with the force of law.' *Corona – Norco Unified School Dist. v. City of Corona* (1993) 17 Cal.App.4th 985, 994, 21 Cal.Rptr.2d 803.) 'A project is consistent with the general plan ' "if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment." ' " "A given project need not be in perfect conformity with each and every general plan policy. [Citation.] To be consistent, a subdivision development must be 'compatible with' the objectives, policies, general land uses and programs specified in the general plan.'" *Families Unafraid to Uphold Rural etc. County v. Board of Supervisors* (1998) 62 Cal.App.4th 1332, 1336 [emphasis added.].

"The general plan and its parts must be "an integrated, internally consistent and compatible statement of policies for the adopting agency." (Govt.C. 65300.5; see *Karlson v. Camarillo* (1980) 100 C.A.3d 789, 161 C.R. 260; *deBottari v. Norco* (1985) 171 C.A.3d 1204, 1210, 217 C.R. 790, infra, §1029 [referendum inconsistent with general plan is invalid]; *Families Unafraid to Uphold Rural El Dorado County v. Board of Supervisors of El Dorado* (1998) 62 C.A.4th 1332, 1336, 1341, 74 C.R.2d 1 [although given project need not be in perfect conformity with each and every general plan policy, it must be compatible with objectives, policies, general land uses, and programs specified in general plan; some general plans are more specific than others, leaving less room for discretion].)

"If a general plan is to fulfill its function as a 'constitution' guiding 'an effective planning process,' a general plan must be reasonably consistent and integrated on its

face. A document that, on its face, displays substantial contradictions and inconsistencies cannot serve as an effective plan because those subject to the plan cannot tell what it says should happen or not happen. When the court rules a facially inconsistent plan unlawful and requires a local agency to adopt a consistent plan, the court is not evaluating the merits of the plan; rather, the court is simply directing the local agency to state with reasonable clarity what its plan is." *Concerned Citizens of Calaveras County v. Board of Supervisors* (1985) 166 Cal.App.3d 90, 97.

The court in *Garat v. Riverside* (1991) 2 Cal.App.4th 259, *overruled on other grounds in Morehart v. County of Santa Barbara* (1994) 7 Cal.4th 725, 743, fn. 11 (discussed on this point in *Napa Citizens for Honest Government v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 388 [*Napa Citizens*], confirmed the application of the consistency requirement to charter cities such as Los Angeles, explaining that under Govt. Code sec. 65700(a), a charter city's general plan must contain the mandatory elements required by Govt. Code sections 65300 et seq. and section 65700, which construed together require not only that a charter city's general plan have the mandatory elements of Govt.Code sec. 65302, but also that these elements be internally consistent as required by Govt. Code sec. 65300.5. *Id.*, at 285, 287. *See Irvine v. Irvine Citizens Against Overdevelopment* (1994) 25 Cal.App.4th 868, 875, 876, 879 [Govt.C. 65860(a) prohibition of inconsistent zoning ordinances applied to charter city that had enacted ordinance requiring zoning and general plan consistency; hence, proposed referendum inconsistent with general plan was properly declared invalid]. As colorfully explained in *Napa Citizens, supra*, a "zoning ordinance that is inconsistent with the general plan is invalid when passed [citations] and one that was originally consistent but has become inconsistent must be brought into conformity with the general plan. [Citation.] The Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform." *Id.*, at p. 389.

2. Standard for review of general plan/specific plan consistency issues

General plan consistency issues such as those presented by these parties are reviewed under a particularly deferential standard. While a city has broad discretion to weigh and balance competing interests in formulating development policies (*Federation II, supra,* at p. 1196), a charter city's[23] general plan must be internally consistent.

The case upon which City relies sets out the standard to be applied here: "The adoption or amendment of a general plan is a legislative act. [Citation.] A legislative act is presumed valid, and a city need not make explicit findings to support its action. [Citations.] A court cannot inquire into the wisdom of a legislative act or review the merits of a local government's policy decisions. [Citation.] Judicial review of a legislative act under Code of Civil Procedure section 1985[24] is limited to determining whether the public agency's action was arbitrary, capricious, entirely without evidentiary support, or procedurally unfair. [Citations.] A court therefore cannot disturb a general plan based on violation of the internal consistency and correlation requirements unless, based on the evidence before the city council, a reasonable person could not conclude that the plan is internally consistent or correlative. [Citation.]" (*Federation of Hillside & Canyon Assns. v. City of Los Angeles* (2004) 126 Cal.App.4th 1180, 1195, 24 Cal.Rptr.3d 543.) SOCWA has the burden of proof to demonstrate that the amendment to the general plan rendered the plan internally inconsistent. (See *Garat v. City of Riverside* (1991) 2 Cal.App.4th 259, 293, 3 Cal.Rptr.2d 504, disapproved on other grounds in *Morehart v. County of Santa Barbara* (1994) 7 Cal.4th 725, 29 Cal.Rptr.2d 804, 872 P.2d 143.)" *South Orange County Wastewater Authority v. City of Dana Point* (2011) 196 Cal.App.4th 1604, 1618-1619 [*South Orange County*].

On the other hand, it is also true that direct conflict is not the litmus test for general plan consistency. All three petitioners cite *Napa Citizens*, a leading case on this

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[23] There is no dispute about Los Angeles' status as a charter city.

[24] Clearly a typographical error in the opinion; the citation should be to section 1085.

issue. And, City does not either rely on or seek to distinguish the holding of *Napa Citizens* when discussing the consistency arguments made by petitioners.

In *Napa Citizens*, the court of appeal specifically addresses the consistency issue in a way that the court in *South Orange County* does not. The *Napa Citizens* court explains:

> "We are of the opinion that the consistency doctrine requires more than that the Updated Specific Plan recite goals and policies that are consistent with those set forth in the County's General Plan. We also are of the opinion that cases such as *FUTURE v. Board of Supervisors, supra,* 62 Cal.App.4th 1332, do not require an outright conflict between provisions before they can be found to be inconsistent. The proper question is whether development of the Project Area under the Updated Specific Plan is compatible with and will not frustrate the General Plan's goals and policies. If the Updated Specific Plan will frustrate the General Plan's goals and policies, it is inconsistent with the County's General Plan unless it also includes definite affirmative commitments to mitigate the adverse effect or effects." *Id.,* at 379.

By contrast with *Napa Citizens*, the facts and procedural setting discussed in *South Orange County* lead to the conclusion that it is of limited value; indeed it is readily distinguishable from the present case. There, the issue of consistency with the general plan was not presented to the trial court; and the question of conflict was far more limited -- there, only whether a single zoning change was appropriate in the context of that general plan — rather than the massive, multi-faceted set of issues addressed in the HCPU. Further, the court of appeals there noted that no change could occur without further action, including review by the Coastal Commission. *Id.*, at 1609.

Analysis

Applying these principles to the present case, City's opening argument in its opposition, that it was not required to make findings in support of the HCPU, although

literally true, nevertheless lacks merit.[25]

While Charter section 555 contains no requirement that findings be made, this does not obviate the need for consistency. The consistency doctrine is, as noted, "the linchpin of California's land use and development laws." *E.g.*, *Families Unafraid, etc. v. County Board of Supervisors, supra*, 62 Cal.App.4th at 1336.

Fix the City points to what it contends is a fundamental inconsistency between the Framework and the HCPU, *viz.*, City's failure to address the absence from the HCPU of "policies that require monitoring of infrastructure to determine whether the growth permitted in the Plan Update should continue at a given time. The City's Revised Findings reveal how the Plan Update twists the monitoring requirements in Framework Policy 3.3.2 (the infrastructure monitoring policy)..... The City's position is that the Plan Update sufficiently addressed the infrastructure capacity of the area such that *no further monitoring is required during implemental of the Plan Update*. *This hands-off policy is completely contrary to the Framework Element's objective of continuous monitoring of development activity*. By asserting that the Plan Update conclusively establishes the ability of the infrastructure to absorb the level of development planned, the City thwarts the Framework Element's policy of limiting development when capacity becomes threatened. The failure to include a monitoring requirement makes the Plan Update inconsistent with the Framework Element." Fix the City's Reply at 24:8-26 [first emphasis in original; second emphasis added].

La Mirada's reply to City's arguments is multi-faceted.

(1) City's reliance on SCAG estimates is faulty and there is no substantial evidence to support the validity of that 2005 SCAG estimate;

(2) there is internal inconsistency with the Framework's focus on "growth neutrality" as the true data reveal that the HCPU is in actuality a plan to more than

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[25] It also is inconsistent as City concedes it was required to make findings in support of the zoning changes called for by the HCPU, which it did.

double the population in Hollywood;

(3) City's plan to focus growth close to transit stations elevates one policy over others, creating an inconsistency; and

(4) the 16 pages of findings used by City to justify its actions start from a false premise — the misleading population data used by City which is "less than half what the [HCPU actually] provides..... Accordingly, there is no evidence on which to base the findings, and abuse of discretion is established. Code of Civil Proced. Sec. 1094.5(b)." (La Mirada Reply 17:26-18:3.)[26]

City's reliance on the holding of *Napa Citizens, supra,* that "a governing body's conclusion that a particular project is consistent with the relevant general plan carries a strong presumption of regularity that can be overcome only by a showing of an abuse of discretion" (id., at 357) is correct (City's Opposition Memo. at 8:15-19) — but on these facts, circumstances and record — not sufficient. Petitioners' arguments on lack of consistency, particularly those of Fix the City, on balance, overcome the presumption of regularity and explain why adoption of the HCPU on this record constituted an abuse of discretion.

The Court also concludes that the actions of City do constitute an abuse of discretion. Fix the City, in particular, cogently sets forth the reasons (summarized above). The fundamental inconsistency between the Framework and the HCPU on the failure of the HCPU monitoring policy is completely contrary to the Framework's essential component of continuous monitoring of development activity. There is a void in an essential aspect of the HCPU where instead there should be a discussion of the inter-plan/area impacts created by the HCPU. And, to the extent City relies on the

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[26] Citation of this statute is inapposite; perhaps an inadvertence comparable to the typographical error noted in footnote 24, *ante*. General Plan adoption issues are legislative acts reviewed by ordinary mandamus under Code of Civil Procedure section 1085. Govt. Code section 65301.5; *Yost v. Thomas* (1984) 36 Cal.3d 561, 570-571; *Federation II, supra*, at 1195; see, generally, Miller & Starr, Calif. Real Estate Law, 3rd Ed. Ch. 25:9 at p. 25-39 and fn. 32.

entirely discredited SCAG 2005 population estimate (with the substantial impact that has on many facets of the HCPU), there is a fatal inconsistency between the HCPU and the General Plan.

The HCPU cannot survive in its present form and substance in the face of these very substantial inconsistencies. The HCPU is fatally flawed as a planning document as it presently stands.

City's Contentions Regarding the Tentative Decision

City filed two sets of comments concerning the Tentative Decision, to which the other parties responded. City's citation of *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013) 57 Cal.4th 439 is inapposite as this Court has concluded that, in the particular circumstances of the present case, reliance on the erroneous baseline was in fact prejudicial. Also, inapposite is City's contention regarding newly enacted Government Code section 65755(c).

To be clear, this Court has not ruled on Fix the City's challenge to the use of the Transportation Improvement and Mitigation Program (TIMP) as this Court finds that the overall impact analysis to be factually flawed and legally inadequate.

CONCLUSION[27]

For the reasons stated, petitioners are entitled to relief as follows:

(1) to a peremptory writ of mandate ordering respondents and defendants City and City Council to (a) rescind, vacate and set aside all actions approving the HCPU and certifying the EIR adopted in connection therewith and all related approvals issued in furtherance of the HCPU, including but not limited to the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of

[27] The relief set out below is the full relief to be awarded in the three cases. Any argument made and not addresses is deemed rejected.

rezoning actions taken to reflect zoning changes contained in the HCPU, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, adopting the Statement of Overriding Considerations, adopting the Mitigation and Monitoring Program, and adopting Findings in support of the foregoing; provided, however, that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related CEQA documents, and provided further, that the provisions hereof are not intended to order that respondents rescind those adjudicatory approvals not challenged which City may have made under the HCPU after its adoption by City; and (b) should City exercise its discretion to amend the HCP, City is to do so in a manner that conforms to the policies and objectives of the General Plan and the requirements of CEQA;

(2) to an injunction that respondents and defendants City and City Council, their officers, employees, agents, boards, commissions and other subdivisions shall not grant any authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated and certified as complete and is consistent with CEQA, CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistence are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws;

(3) attorneys fees and costs as may hereafter be determined.

ALLAN J. GOODMAN
JUDGE

DATED: January 15, 2014

ALLAN J. GOODMAN
JUDGE OF THE SUPERIOR COURT

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/11/14 DEPT. WEP

HONORABLE ALLAN J. GOODMAN JUDGE | D. SALISBURY DEPUTY CLERK

HONORABLE JUDGE PRO TEM | B. HALL, CSL/CT.ASST. ELECTRONIC RECORDING MONITC

Deputy Sheriff | NONE Reporter

8:30 am BS138580 Plaintiff Counsel

FIX THE CITY, INC. NO APPEARANCES

VS Defendant Counsel

CITY OF LOS ANGELES, ET, AL.

RELATED TO BS138369 AND BS13837

NATURE OF PROCEEDINGS:

MINUTE ORDER RE JUDGMENT AND PEREMPTORY WRIT OF MANDATE;

After reviewing the objections by respondents and the responses thereto by each petitioner, the Court today slightly modified and signed and filed the judgement in this case and the judgments in the related cases. The Clerk has also executed the Writ in this case and in each of the related cases.

The initial return date is 90 days from today. Any objections to the return are to be filed 40 days after the date of service of the Return.

The Court has calendared the matter for a non-appearance case review 140 days hence, viz., for June 20, 2014.

Each prevailing party is to give notice of entry of judgment.

Clerk to give notice.

CLERK'S CERTIFICATE OF MAILING

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this

MINUTES ENTERED
02/11/14
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/11/14 DEPT. WEP

HONORABLE ALLAN J. GOODMAN JUDGE | D. SALISBURY DEPUTY CLERK
B. HALL, CSL/CT.ASST.

HONORABLE JUDGE PRO TEM | ELECTRONIC RECORDING MONITOR

Deputy Sheriff | NONE Reporter

8:30 am BS138580

Plaintiff Counsel

FIX THE CITY, INC.
VS
CITY OF LOS ANGELES, ET. AL.

NO APPEARANCES

Defendant Counsel

RELATED TO BS138369 AND BS13837

NATURE OF PROCEEDINGS:

date I served the notice of entry of judgment upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Santa Monica, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Dated: February 11, 2014

Sherri R. Carter, Executive Officer/Clerk

By: D. Salisbury

Beverly Grossman Palmer
10940 Wilshire Blvd., Suite 2000
Los Angeles, CA. 90024

MINUTES ENTERED
02/11/14
COUNTY CLERK

FILED
Superior Court of California
County of Los Angeles
FEB 11 2014
Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Darian Salisbury

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

FIX THE CITY, INC., a California nonprofit corporation,

Petitioner and Plaintiff,

v.

CITY OF LOS ANGELES; LOS ANGELES CITY COUNCIL; LOS ANGELES DEPARTMENT OF CITY PLANNING; and DOES 1 through 100, inclusive,

Respondents.

HOLLYWOOD CHAMBER OF COMMERCE,

Intervener.

Case No. BS138580

JUDGMENT GRANTING PEREMPTORY WRIT OF MANDATE

Dept: West P
Judge: Hon. Allan J. Goodman

On September 16 and 17, 2013, this Court heard argument on Petitioner Fix the City's ("Petitioner") First Amended Verified Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief ("Petition"). Beverly Grossman Palmer appeared on behalf of Petitioner. Siegmund Shyu and Michael Bostrom appeared on behalf of Respondents and Defendants City of Los Angeles, Los Angeles City Council, and Los Angeles Department of City Planning ("Respondents"). Arthur Friedman appeared on behalf of Intervener Hollywood Chamber of Commerce ("Intervener"). Concurrently, related cases *La Mirada Neighborhood Association v. City of Los Angeles* (BS138369) and *SaveHollywood.org v. City of Los Angeles* (BS138370) came for hearing before the Court.

Following review and consideration of the pleadings and papers timely filed in support of and in opposition to the Petition, as well as the pleadings and briefs filed in support and opposition to the related cases and the certified administrative record lodged for all related cases, and after hearing arguments of the parties, and the matter having been submitted, the Court issued a Tentative Decision and Proposed Statement of Decision on December 10, 2013. After reviewing the parties' objections and responses to the Tentative Decision and Proposed Statement of Decision, on January 15, 2014 the Court issued its final Statement of Decision ("Decision"), granting the relief as stated in the Decision. The Statement of Decision is hereby incorporated in this judgment. This judgment addresses all matters in controversy.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that a peremptory writ of mandate shall issue, ordering RESPONDENTS AND DEFENDANTS CITY OF LOS ANGELES, LOS ANGELES CITY COUNCIL, and LOS ANGELES DEPARTMENT OF CITY PLANNING, together with their officers, employees agents, boards, commission, other subdivisions, representatives and successors, to immediately upon receipt of the writ, to rescind, vacate, and set aside all actions approving the Hollywood Community Plan Update ("HCPU") and all actions certifying the

Environmental Impact Report ("EIR") adopted in connection therewith, and all related approvals issued in furtherance of the HCPU, including but not limited to the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of rezoning actions taken to reflect zoning changes contained in the HCPU, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Consideration, the adoptions of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing; provided that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents and that the provisions hereof are not intended to order that Respondents rescind those adjudicatory approvals not challenged which the City may have made under the HCPU after its adoption by the City.

IT IS FURTHER ORDERED, ADJUDGED AND DECREEED that, in the event that the RESPONDENTS AND DEFENDANTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL exercise their discretion to amend the Hollywood Community Plan, they do so in a manner that conforms to the policies and objectives of the General Plan of the City of Los Angeles and the requirements of the CEQA.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that RESPONDENTS AND DEFENDANTS CITY OF LOS ANGELES AND LOS ANGELES CITY COUNCIL, together with their officers, employees, agents, boards, commissions, and other subdivisions, representatives and successors, be and are enjoined from granting any authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated, and certified as complete, and such EIR is consistent with CEQA, applicable CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistency are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the peremptory writ of mandate shall be served on Respondents by personally delivering the writ to Respondents, Attn: City Clerk, City of Los Angeles, 200 N. Spring Street, Room 360, Los Angeles, CA 90012, during regular business hours.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Respondents shall make an initial return to the peremptory writ of mandate under oath specifying what Respondents have done or are doing to comply with the writ, and to file that return with the Court, and serve that return by hand or facsimile upon Petitioner's counsel of record in this proceeding, no later than 90 days after issuance of the writ and service on Respondents. Any objections to said Return shall be filed no later than 40 days after the service date of the Return.

Respondents shall file a supplemental return after taking all actions to comply with the peremptory writ of mandate.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioner may seek an award of attorney fees against Respondents and Intervener, which award of attorney fees shall be determined by the Court based upon noticed motion and hearing thereon, and shall be awarded costs in the amount of $_____ as the prevailing party in this proceeding.

The Court reserves jurisdiction in this action until there has been full compliance with the writ as provided in Code of Civil Procedure Section 1097.

Dated: February 11, 2014

Honorable Allan J. Goodman
Judge of the Superior Court

FILED
Superior Court of California
County of Los Angeles
FEB 11 2014
Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Darian Salisbury

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

FIX THE CITY, a California nonprofit corporation, Petitioner, vs. CITY OF LOS ANGELES; LOS ANGELES CITY COUNCIL; LOS ANGELES DEPARTMENT OF CITY PLANNING; and DOES 1 through 100, inclusive, Respondents.	Case No. BS138580 **PEREMPTORY WRIT OF MANDATE** Writ Hearing: September 16-17, 2013 [Hon. Allan J. Goodman, Dept. West-P]
HOLLYWOOD CHAMBER OF COMMERCE, Intervener.	

THE PEOPLE OF THE STATE OF CALIFORNIA:

TO RESPONDENTS CITY OF LOS ANGELES, CITY COUNCIL OF THE CITY OF LOS ANGELES, LOS ANGELES DEPARTMENT OF CITY PLANNING, AND TO ALL PERSONS ACTING ON THEIR BEHALF:

Judgment having been entered in the above-captioned case, ordering that a peremptory writ of mandate issue from this Court,

IT IS ORDERED THAT:

RESPONDENTS CITY OF LOS ANGELES, LOS ANGELES CITY COUNCIL, and LOS ANGELES DEPARTMENT OF CITY PLANNING, together with their officers, employees, agents, boards, commissions, other subdivisions, representatives, and successors, shall, immediately upon receipt of this Writ, rescind, vacate, and set aside all actions approving the Hollywood Community Plan Update ("HCPU") and all actions certifying the EIR adopted in connection therewith, as well as all related approvals issued in furtherance of the HCPU, including but not limited to the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of rezoning actions taken to reflect zoning changes contained in the HCPU, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Considerations, the adoptions of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing; provided that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents, and that the provisions hereof are not intended to order that respondents rescind those adjudicatory approvals not challenged which the City may have made under the HCPU after its adoption by the City.

In the event that the RESPONDENTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL exercise their discretion to amend the Hollywood Community Plan, they shall do so in a manner that conforms to the policies and objectives of the General Plan of the City of Los Angeles and the requirements of CEQA.

RESPONDENTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL, their officers , employees, agents, boards, commissions and other subdivisions, shall be and are enjoined from granting any authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated, and certified as complete, and such EIR is consistent with CEQA, applicable CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistency are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws.

RESPONDENTS ARE FURTHER COMMANDED to make an initial return to this Peremptory Writ of Mandate under oath specifying what Respondents have done or are doing to comply with the writ, and to file that return with the Court, and serve that return by hand or facsimile upon Petitioner's counsel of record in this proceeding, no later than 90 days after issuance of this Writ and its service on Respondents. Any objections to said Return shall be filed no later than 40 days after the date of service of the Return.

Respondents shall file a supplemental return after taking all actions to comply with this Writ.

The Court reserves jurisdiction in this action until there has been full compliance with this Writ as provided in Code of Civil Procedure Section 1097.

SHERRRI R. CARTER,
CLERK OF THE SUPERIOR COURT

DATED: February 11, 2014

By: D. Soto

Deputy Clerk

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/11/14 DEPT. WEP

HONORABLE ALLAN J. GOODMAN JUDGE | D. SALISBURY DEPUTY CLERK

HONORABLE JUDGE PRO TEM | B. HALL, CSL/CT.ASST. ELECTRONIC RECORDING MONITOR

Deputy Sheriff | NONE Reporter

8:30 am BS138369

Plaintiff Counsel

LA MIRADA AVE. NEIGHBORHOOD ASSOCIATION OF HOLLYWOOD
VS
CITY OF LOS ANGELES

NO APPEARANCES

Defendant Counsel

RELATED TO BS138370 AND BS13858

NATURE OF PROCEEDINGS:

MINUTE ORDER RE JUDGMENT AND PEREMPTORY WRIT OF MANDATE;

After reviewing the objections by respondents and the responses thereto by each petitioner, the Court today slightly modified and signed and filed the judgement in this case and the judgments in the related cases. The Clerk has also executed the Writ in this case and in each of the related cases.

The initial return date is 90 days from today. Any objections to the return are to be filed 40 days after the date of service of the Return.

The Court has calendared the matter for a non-appearance case review 140 days hence, viz., for June 20, 2014.

Each prevailing party is to give notice of entry of judgment.

Clerk to give notice.

CLERK'S CERTIFICATE OF MAILING

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this

MINUTES ENTERED
02/11/14
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/11/14 DEPT. WEP

HONORABLE ALLAN J. GOODMAN JUDGE | D. SALISBURY DEPUTY CLERK
B. HALL, CSL/CT.ASST.

HONORABLE JUDGE PRO TEM | ELECTRONIC RECORDING MONITOR

Deputy Sheriff | NONE Reporter

8:30 am BS138369

Plaintiff Counsel

LA MIRADA AVE. NEIGHBORHOOD ASSOCIATION OF HOLLYWOOD
VS
CITY OF LOS ANGELES

NO APPEARANCES

Defendant Counsel

RELATED TO BS138370 AND BS13858

NATURE OF PROCEEDINGS:

date I served the notice of entry of judgment upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Santa Monica, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Dated: February 11, 2014

Sherri R. Carter, Executive Officer/Clerk

By: D. Salisbury

Robert P. Silverstein
215 North Marengo Avenue, 3rd Floor
Pasadena, CA. 91101

MINUTES ENTERED
02/11/14
COUNTY CLERK

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

FILED
Superior Court of California
County of Los Angeles

FEB 11 2014

Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Darian Salisbury

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

LA MIRADA AVENUE NEIGHBORHOOD ASSOCIATION OF HOLLYWOOD, a California unincorporated association, Petitioner, vs. CITY OF LOS ANGELES, a municipal corporation; CITY COUNCIL OF THE CITY OF LOS ANGELES, and DOES 1 through 20, inclusive, Respondents.	Case No. BS138369 [Related to Case Nos. BS138580 and BS138370] **JUDGMENT GRANTING PEREMPTORY WRIT OF MANDATE** Writ Hearing: September 16-17, 2013 [Hon. Allan J. Goodman, Dept. West-P]
HOLLYWOOD CHAMBER OF COMMERCE, Intervenor.	

On September 16 and 17, 2013, this Court heard argument on Petitioner La Mirada Avenue Neighborhood Association of Hollywood's ("Petitioner") First Amended Verified Petition for Writ of Mandate and Complaint ("Petition"). Bradly S. Torgan appeared on behalf of Petitioner. Siegmund Shyu and Michael Bostrom appeared on behalf of Respondents and Defendants City of Los Angeles and Los Angeles City Council ("Respondents"). Arthur Friedman appeared on behalf of Intervenor Hollywood Chamber of Commerce ("Interevenor"). Concurrently, related cases Fix the City, Inc. v. City of Los Angeles (BS138580) and SaveHollywood.org, et al. v. City of Los Angeles (BS138370) came on for hearing before the Court.

Following review and consideration of the pleadings and papers timely filed in support of and in opposition to the Petition, as well as the pleadings and briefs filed in support and opposition to the related cases and the certified administrative record lodged for all related cases, and after hearing arguments of the parties, and the matter having been submitted, the Court issued a Tentative Decision and Proposed Statement of Decision on December 10, 2013. After reviewing the parties' objections and responses to the Tentative Decision and Proposed Statement of Decision, on January 15, 2014 the Court issued its final Statement of Decision ("Decision"), granting the relief as stated in the Decision. The Statement of Decision is hereby incorporated in this judgment. This judgment addresses all matters in controversy.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that a peremptory writ of mandate shall issue, ordering RESPONDENTS AND DEFENDANTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL, together with their officers, employees, agents, boards, commissions, other subdivisions, representatives, and successors, to, immediately upon receipt of the said writ, to rescind, vacate, and set aside all actions approving the Hollywood Community Plan Update ("HCPU") and all actions certifying the Environmental Impact Report ("EIR") adopted in connection therewith, as well as all related approvals issued in furtherance of the HCPU, including but not limited to

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of rezoning actions taken to reflect zoning changes contained in the HCPU, and all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Consideration, the adoptions of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing; provided that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents, and that the provisions hereof are not intended to order that respondents rescind those adjudicatory approvals not challenged which the City may have made under the HCPU after its adoption by the City.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that, in the event that the RESPONDENTS AND DEFENDANTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL exercise their discretion to amend the Hollywood Community Plan, they shall do so in a manner that conforms to the policies and objectives of the General Plan of the City of Los Angeles and the requirements of CEQA.

IT IS FURTHER ORDERED, ADJUDGED AND DECREEED that RESPONDENTS AND DEFENDANTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL, together with their officers, employees, agents, boards, commissions, and other subdivisions, representatives and successors, be and are enjoined from granting any authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated, and certified as complete, and such EIR is consistent with CEQA, applicable CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistency are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Fourth Cause of Action of the First Amended Verified Petition is dismissed without prejudice.

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the peremptory writ of mandate shall be served on Respondents by personally delivering the writ to Respondents, Attn: City Clerk, City of Los Angeles, 200 N. Spring Street, Room 360, Los Angeles, CA 90012, during regular business hours.

IT ISFURTHER ORDERED, ADJUDGED, AND DECREED that Respondents shall make an initial return to the Peremptory Writ of Mandate under oath specifying what Respondents have done or are doing to comply with the Writ, and to file that return with the Court, and serve that return by hand or facsimile upon Petitioner's counsel of record in this proceeding, no later than 90 days after issuance of the Writ and its service on Respondents. Any objections to said Return shall be filed no later than 40 days after the date of service of the Return.

Respondents shall file a supplemental return after taking all actions to comply with the peremptory writ of mandate.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioner may seek an award of attorney fees against Respondents and Intervenor, which award of attorney fees shall be determined by the Court on noticed motion and hearing thereon, and shall be awarded costs as the prevailing party in this proceeding.

The Court reserves jurisdiction in this action until there has been full compliance with the writ as provided in Code of Civil Procedure Section 1097.

DATED: February 11, 2014

Honorable Allan J. Goodman
Judge of the Superior Court

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

FILED
Superior Court of California
County of Los Angeles

FEB 11 2014

Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Darian Salisbury

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

LA MIRADA AVENUE NEIGHBORHOOD ASSOCIATION OF HOLLYWOOD, a California unincorporated association, Petitioner, vs. CITY OF LOS ANGELES, a municipal corporation; CITY COUNCIL OF THE CITY OF LOS ANGELES, and DOES 1 through 20, inclusive, Respondents.	Case No. BS138369 [Related to Case Nos. BS138580 and BS138370] **PEREMPTORY WRIT OF MANDATE** Writ Hearing: September 16-17, 2013 Hon. Allan J. Goodman, Dept. West-P
HOLLYWOOD CHAMBER OF COMMERCE, Intervenor.	

THE PEOPLE OF THE STATE OF CALIFORNIA:

TO RESPONDENTS CITY OF LOS ANGELES and CITY COUNCIL OF THE CITY OF LOS ANGELES, AND TO ALL PERSONS ACTING ON THEIR BEHALF:

Judgment having been entered in the above-captioned case, ordering that a peremptory writ of mandate issue from this Court,

IT IS ORDERED THAT:

RESPONDENTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL, together with their officers, employees, agents, boards, commissions, other subdivisions, representatives, and successors, shall, immediately upon receipt of this Writ, rescind, vacate, and set aside all actions approving the Hollywood Community Plan Update ("HCPU") and all actions certifying the EIR adopted in connection therewith, as well as all related approvals issued in furtherance of the HCPU, including but not limited to the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of rezoning actions taken to reflect zoning changes contained in the HCPU, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Considerations, the adoptions of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing; provided that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents, and that the provisions hereof are not intended to order that respondents rescind those adjudicatory approvals not challenged which the City may have made under the HCPU after its adoption by the City.

In the event that the RESPONDENTS CITY OF LOS ANGELES and LOS ANGELES CITY COUNCIL exercise their discretion to amend the Hollywood Community Plan, they shall do so in a manner that conforms to the policies and objectives of the General Plan of the City of Los Angeles and the requirements of CEQA.

RESPONDENTS CITY OF LOS ANGELES and LOS ANGELES CITY

COUNCIL, their officers , employees, agents, boards, commissions and other subdivisions, shall be and are enjoined from granting any authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated, and certified as complete, and such EIR is consistent with CEQA, applicable CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistency are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws.

RESPONDENTS ARE FURTHER COMMANDED to make an initial return to this Peremptory Writ of Mandate under oath specifying what Respondents have done or are doing to comply with the writ, and to file that return with the Court, and serve that return by hand or facsimile upon Petitioner's counsel of record in this proceeding, no later than 90 days after issuance of this Writ and its service on Respondents. Any objections to said Return shall be filed no later than 40 days after the date of service of the Return.

Respondents shall file a supplemental return after taking all actions to comply with this Writ.

The Court reserves jurisdiction in this action until there has been full compliance with this Writ as provided in Code of Civil Procedure Section 1097.

SHERRRI R. CARTER,
CLERK OF THE SUPERIOR COURT

DATED: February 11, 2014

By: _____

Deputy Clerk

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE 02/11/14 DEPT. WEP

HONORABLE ALLAN J. GOODMAN JUDGE | D. SALISBURY DEPUTY CLERK
B. HALL, CSL/CT.ASST.

HONORABLE JUDGE PRO TEM | ELECTRONIC RECORDING MONITOR

Deputy Sheriff | NONE Reporter

8:30 am BS138370

Plaintiff Counsel

SAVE HOLLYWOOD.ORG
VS
THE CITY OF LOS ANGELES, ET. AL

NO APPEARANCES

Defendant Counsel

RELATED TO BS138369 AND BS13858

NATURE OF PROCEEDINGS:

MINUTE ORDER RE JUDGMENT AND PEREMPTORY WRIT OF MANDATE;

After reviewing the objections by respondents and the responses thereto by each petitioner, the Court today slightly modified and signed and filed the judgement in this case and the judgments in the related cases. The Clerk has also executed the Writ in this case and in each of the related cases.

The initial return date is 90 days from today. Any objections to the return are to be filed 40 days after the date of service of the Return.

The Court has calendared the matter for a non-appearance case review 140 days hence, viz., for June 20, 2014.

Each prevailing party is to give notice of entry of judgment.

Clerk to give notice.

CLERK'S CERTIFICATE OF MAILING

I, the below-named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this

MINUTES ENTERED
02/11/14
COUNTY CLERK

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 02/11/14 DEPT. WEP

HONORABLE ALLAN J. GOODMAN JUDGE | D. SALISBURY DEPUTY CLERK

HONORABLE JUDGE PRO TEM | B. HALL, CSL/CT.ASST. ELECTRONIC RECORDING MONITOR

Deputy Sheriff | NONE Reporter

8:30 am BS138370

Plaintiff Counsel

SAVE HOLLYWOOD.ORG NO APPEARANCES

VS

Defendant Counsel

THE CITY OF LOS ANGELES, ET. AL

RELATED TO BS138369 AND BS13858

NATURE OF PROCEEDINGS:

date I served the notice of entry of judgment upon each party or counsel named below by placing the document for collection and mailing so as to cause it to be deposited in the United States mail at the courthouse in Santa Monica, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown below with the postage thereon fully prepaid, in accordance with standard court practices.

Dated: February 11, 2014

Sherri R. Carter, Executive Officer/Clerk

By: D. Salisbury

Richard S. MacNaughton
9170 Wilshire Blvd., Suite 700
Beverly Hills, CA. 90210

Angel Law
Frank P. Angel
2601 Ocean Park Blvd., Suite 205
Santa Monica, CA. 90405

MINUTES ENTERED
02/11/14
COUNTY CLERK

FILED
Superior Court of California
County of Los Angeles

FEB 11 2014

Sherri R. Carter, Executive Officer/Clerk
By _____ Deputy
Darlan Sallsbury

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

SAVEHOLLYWOOD.ORG aka PEOPLE FOR LIVABLE COMMUNITIES and HOLLYWOODIANS ENCOURAGING LOGICAL PLANNING, an association, Petitioners/Plaintiffs, v. THE CITY OF LOS ANGELES et al., Respondents.	Case No. BS138370 JUDGMENT GRANTING PEREMPTORY WRIT OF MANDATE Dept: West P Writ Trial: Sept. 16-17, 2013 Judge: Hon. Allan J. Goodman
HOLLYWOOD CHAMBER OF COMMERCE, Intervenor.	

and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of rezoning actions taken to reflect zoning changes contained in the HCPU, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Consideration, the adoptions of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing; provided that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents and that the provisions hereof are not intended to order that Respondents rescind those adjudicatory approvals not challenged which the City may have made under the HCPU after its adoption by the City.

IT IS FURTHER ORDERED, ADJUDGED AND DECREEED that, in the event that the Respondents exercise their discretion to amend the Hollywood Community Plan, they do so in a manner that conforms to the policies and objectives of the General Plan of the City of Los Angeles and the requirements of the CEQA.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Respondents, together with their officers, employees, agents, boards, commissions, and other subdivisions, representatives and successors, be and are enjoined from granting any authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated, and certified as complete, and such EIR is consistent with CEQA, applicable CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistency are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the peremptory writ of mandate shall be served on Respondents by personally delivering the writ to Respondents, Attn: City Clerk, City of Los Angeles, 200 N. Spring Street, Room 360, Los Angeles, CA 90012, during regular business hours.

/ / /

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Respondents shall make an initial return to the peremptory writ of mandate under oath specifying what Respondents have done or are doing to comply with the writ, and to file that return with the Court, and serve that return by hand or facsimile upon Petitioner's counsel of record in this proceeding, no later than 90 days after issuance of the writ and service on Respondents. Any objections to said Return shall be filed no later than 40 days after the service date of the Return.

Respondents shall file a supplemental return after taking all actions to comply with the peremptory writ of mandate.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioner may seek an award of attorney fees against Respondents and Intervener, which award of attorney fees shall be determined by the Court based upon noticed motion and hearing thereon, and shall be awarded costs in the amount of $_____ as the prevailing party in this proceeding.

The Court reserves jurisdiction in this action until there has been full compliance with the writ as provided in Code of Civil Procedure Section 1097.

Dated: February 11, 2014

Honorable Allan J. Goodman
Judge of the Superior Court

FILED
Superior Court of California
County of Los Angeles
FEB 11 2014
Sherri R. Carter, Executive Officer/Clerk
By Darian Salisbury Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

SAVEHOLLYWOOD.ORG aka PEOPLE FOR LIVABLE COMMUNITIES and HOLLYWOODIANS ENCOURAGING LOGICAL PLANNING, an association, Petitioners/Plaintiffs, vs. THE CITY OF LOS ANGELES, et al., Respondents.	Case No. BS138370 **PEREMPTORY WRIT OF MANDATE** Writ Hearing: September 16-17, 2013 Hon. Allan J. Goodman, Dept. West-P
HOLLYWOOD CHAMBER OF COMMERCE, Intervenor.	

THE PEOPLE OF THE STATE OF CALIFORNIA:

TO RESPONDENT CITY OF LOS ANGELES AND TO ALL PERSONS ACTING ON ITS BEHALF:

Judgment having been entered in the above-captioned case, ordering that a peremptory writ of mandate issue from this Court,

IT IS ORDERED THAT:

RESPONDENT CITY OF LOS ANGELES, together with its officers, employees, agents, boards, commissions, other subdivisions, representatives, and successors, shall, immediately upon receipt of this Writ, rescind, vacate, and set aside all actions approving the Hollywood Community Plan Update ("HCPU") and all actions certifying the EIR adopted in connection therewith, as well as all related approvals issued in furtherance of the HCPU, including but not limited to the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, the adoption of rezoning actions taken to reflect zoning changes contained in the HCPU, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Considerations, the adoptions of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing; provided that the phrase "all related approvals" refers only to those quasi-legislative actions necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents, and that the provisions hereof are not intended to order that respondents rescind those adjudicatory approvals not challenged which the City may have made under the HCPU after its adoption by the City.

In the event that the RESPONDENT CITY OF LOS ANGELES exercises its discretion to amend the Hollywood Community Plan, its shall do so in a manner that conforms to the policies and objectives of the General Plan of the City of Los Angeles and the requirements of CEQA.

RESPONDENT CITY OF LOS ANGELES, its officers , employees, agents, boards, commissions and other subdivisions, shall be and are enjoined from granting any

authority, permits or entitlements which derive from the HCPU or its EIR until an adequate and valid EIR is prepared, circulated, and certified as complete, and such EIR is consistent with CEQA, applicable CEQA Guidelines, and all other applicable laws, and until legally adequate findings of consistency are made as required pursuant to the Charter of the City of Los Angeles and other applicable laws.

RESPONDENT IS FURTHER COMMANDED to make an initial return to this Peremptory Writ of Mandate under oath specifying what Respondent has done or is doing to comply with the writ, and to file that return with the Court, and serve that return by hand or facsimile upon Petitioners' counsel of record in this proceeding, no later than 90 days after issuance of this Writ and its service on Respondent. Any objections to said Return shall be filed no later than 40 days after the date of service of the Return.

Respondent shall file a supplemental return after taking all actions to comply with this Writ.

The Court reserves jurisdiction in this action until there has been full compliance with this Writ as provided in Code of Civil Procedure Section 1097.

SHERRRI R. CARTER,
CLERK OF THE SUPERIOR COURT

DATED: February 11, 2014

By: _____

Deputy Clerk

THE SILVERSTEIN LAW FIRM, APC
215 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

EXHIBIT 3

ORDINANCE NO. 182960

An ordinance to repeal Ordinance No. 182,173, adopted on June 19, 2012, for zone and height district changes in furtherance of the Hollywood Community Plan Update (HCPU).

WHEREAS, the City Council unanimously adopted the HCPU on June 19, 2012, amending the General Plan of the City of Los Angeles through amendments to the Hollywood Community Plan, Transportation Element, and Framework Element, and the Council also adopted Ordinance No. 182,173, effecting changes of zone and height districts which became effective on August 6, 2012; and

WHEREAS, on February 11, 2014, a trial court judgment was issued instructing the City to "rescind, vacate and set aside all actions approving the [HCPU] and all actions certifying [the EIR] adopted in connection therewith, as well as all related approvals issued in furtherance of the HCPU," as described in the trial court's judgment; and

NOW, THEREFORE,

THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS FOLLOWS:

Section 1.Ordinance No. 182,173, which constitutes the rezoning action the City took to reflect zoning changes contained in the HCPU, is hereby rescinded, vacated, and set aside.

Sec. 2. It is the City Council's intent that rescinding, vacating, and setting aside Ordinance No. 182,173 will, by operation of law, revert to the zone and height district designations and other zoning regulations that existed for the geographic areas covered by Ordinance No. 182,173 immediately prior to the City Council's adoption of Ordinance No. 182,173.

Sec. 3. **URGENCY CLAUSE.** The City finds and declares that this ordinance is required for the immediate protection of the public peace, health, and safety for the following reasons: The urgency clause is required in response to the *Fix the City et al.*, Judgment. The actions in the ordinance will return certainty to the development process in Hollywood and help to sustain economic development by reinstating clear land use policies and regulations. The Court's decision could significantly impact future development projects in Hollywood without immediate action. Economic development, the creation of new housing stock and increasing employment opportunities are put at significant risk if clarity is not brought to the City's planning and land use policies. Delaying the implementation of this ordinance is likely to result in arrested development as investment decisions are impacted by unclear planning and land use policies. For all of these reasons, this ordinance shall become effective upon publication pursuant to

Section 253 of the Los Angeles City Charter, thereby, by operation of law revert to the General Plan elements and zoning regulations that were in place immediately before the City's adoption of the HCPU.

Sec 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with City Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of APR 2 2014.

HOLLY L. WOLCOTT, Interim City Clerk

Approved 4/4/14

By _____
Deputy

_____
Mayor

Pursuant to Charter Section 559, I approve this ordinance on behalf of the City Planning Commission . . . .

March 18, 2014

See attached report.

Michael LoGrande
Director of Planning

File No. 12-0303-S4

RESOLUTION

WHEREAS, the City Council unanimously adopted the Hollywood Community Plan Update (HCPU) on June 19, 2012, amending the General Plan of the City of Los Angeles through amendments to the Hollywood Community Plan, Transportation Element, and Framework Element; and

WHEREAS, in amending the Hollywood Community Plan in 2012, the City did not repeal the 1988 Hollywood Community Plan; and

WHEREAS, on February 11, 2014, the Los Angeles Superior Court issued a Judgment ordering the City to "rescind, vacate and set aside all actions approving the [HCPU] and all actions certifying [the EIR] adopted in connection therewith, as well as all related approvals issued in furtherance of the HCPU," as described in the trial court's Judgment;

NOW, THEREFORE, BE IT RESOLVED, that all actions approving the HCPU, all actions certifying the EIR adopted in connection therewith, and all related approvals issued in furtherance of the HCPU, including but not limited to the text and maps associated with the HCPU, the Resolution amending the Hollywood Community Plan, all amendments to the General Plan Transportation and Framework Elements made to reflect changes in the HCPU, the adoption of the Statement of Overriding Considerations, the adoption of the Mitigation and Monitoring Program, and the adoption of Findings in support of the foregoing are hereby rescinded, vacated, and set aside. The phrase "all related approvals," however, refers only to those quasi-legislative actions that were necessary to carry out the HCPU and the related California Environmental Quality Act ("CEQA") documents and that the provisions hereof do not rescind those adjudicatory approvals the City made after the HCPU was adopted.

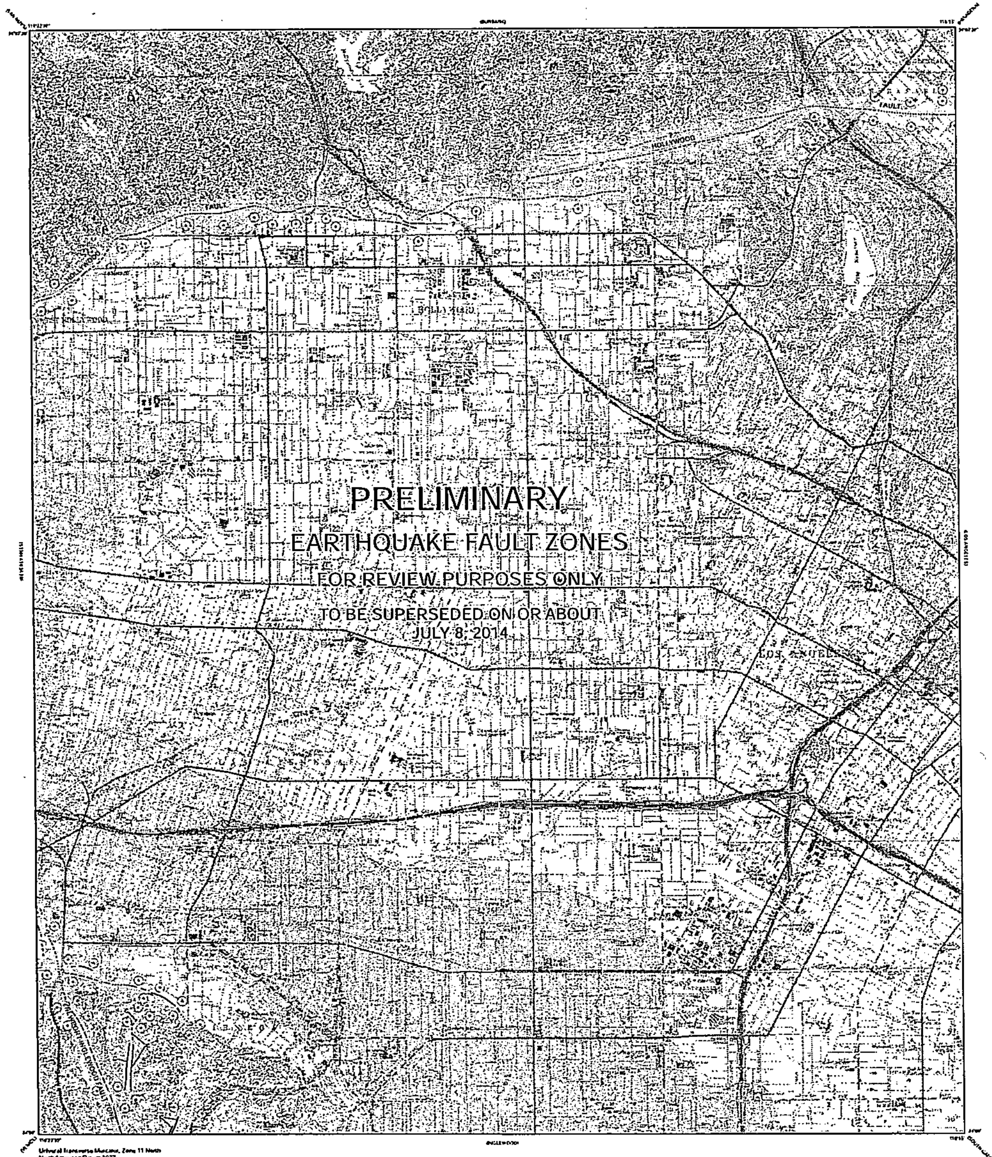
BE IT FURTHER RESOLVED that it is the City's intent that by rescinding, vacating, and setting aside all actions approving the HCPU, the City will, by operation of law, revert to the Hollywood Community Plan, and other General Plan elements that were in place immediately prior to the City's adoption of the HCPU.

I CERTIFY THAT THE FOREGOING RESOLUTION WAS ADOPTED BY THE COUNCIL OF THE CITY OF LOS ANGELES AT ITS MEETING OF APR 2 2014 BY A MAJORITY OF ALL ITS MEMBERS.

HOLLY L. WOLCOTT
INTERIM CITY CLERK

BY _____
DEPUTY

EXHIBIT 4

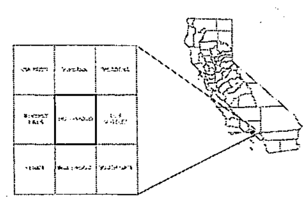


Universal Transverse Mercator, Zone 11 North
North American Datum 1927

Scale 1: 24000

Contour Interval 20 Feet

California Geological Survey
Geologic Information and Publications
801 K Street, MS 14-34
Sacramento, CA 95814-3532



STATE OF CALIFORNIA
California Geological Survey
Earthquake Zones of Required Investigation
Hollywood Quadrangle
2014

THIS MAP SHOWS BOTH ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES AND SEISMIC HAZARD ZONES ISSUED FOR THE HOLLYWOOD QUADRANGLE

This map shows the location of Alquist-Priolo (AP) Earthquake Fault Zones and Seismic Hazard Zones, collectively referred to here as Earthquake Zones of Required Investigation. The Geographic Information System (GIS) digital files of these regulatory zones released by the California Geological Survey (CGS) are the "Official Maps". GIS files are available at the CGS website. These zones will assist cities and counties in fulfilling their responsibilities for protecting the public from the effects of surface fault rupture and earthquake-triggered ground failure as required by the AP Earthquake Fault Zoning Act (Public Resources Code Sections 2621-2630) and the Seismic Hazards Mapping Act (Public Resources Code Sections 2690-2699.6). For information regarding the general approach and recommended methods for preparing these zones, see California Geological Survey (CGS) Special Publication 42, *Fault-Rupture Hazard Zones in California*, and Special Publication 118, *Recommended Criteria for Delineating Seismic Hazard Zones in California*. For information regarding the scope and recommended methods to be used in conducting the required site investigations refer to CGS Special Publication 42, Appendix C *Guidelines for Evaluating the Hazard of Surface Rupture*, and CGS Special Publication 117A, *Guidelines for Evaluating and Mitigating Seismic Hazards in California*. For a general description of the AP and Seismic Hazards Mapping acts, the zonation programs, and related information, please refer to the website at

MAP EXPLANATION

Active Fault Traces
Faults considered to have been active during Holocene time and to have potential for surface rupture: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by fault creep.

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES

Earthquake Fault Zones
(Preliminary Zones for Review)
Zone boundaries are delineated by straight-line segments that connect encircled turning points; the boundaries define the zone encompassing active faults that constitute a potential hazard to structures from surface faulting or fault creep such that avoidance as described in Public Resources Code Section 2621.5(a) would be required.

Earthquake Fault Zones
(Not considered for this Preliminary Review)
Zone boundaries are delineated as straight-line segments that connect encircled turning points; the boundaries define the zone encompassing active faults that constitute a potential hazard to structures from surface faulting or fault creep such that avoidance as described in Public Resources Code Section 2621.5(a) would be required.

SEISMIC HAZARD ZONES
(Not considered for this Preliminary Review)

Liquefaction
Areas where historical occurrence of liquefaction, or local geological, geotechnical and ground water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

Earthquake-Induced Landslides
Areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical and subsurface water conditions indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required.

OVERLAPPING ZONES

Overlap of Earthquake Fault Zone and Liquefaction Zone
Areas that are covered by both Earthquake Fault Zone and Liquefaction Zone. Note: Mitigation methods differ for each zone – AP Act only allows avoidance; Seismic Hazard Mapping Act allows mitigation by engineering/geotechnical design as well as avoidance. (Fault Zone gray where not considered for this Preliminary Review.)

Overlap of Earthquake Fault Zone and Earthquake-Induced Landslide Zone
Areas that are covered by both Earthquake Fault Zone and Earthquake-Induced Landslide Zone. Note: Mitigation methods differ for each zone – AP Act only allows avoidance; Seismic Hazard Mapping Act allows mitigation by engineering/geotechnical design as well as avoidance. (Fault Zone gray where not considered for this Preliminary Review.)

IMPORTANT
PLEASE NOTE THE FOLLOWING FOR ZONES SHOWN ON THIS MAP

1) This map may not show all faults that have the potential for surface fault rupture, either within the Earthquake Fault Zones or outside their boundaries. Additionally, this map may not show all areas that have the potential for liquefaction, landsliding, strong earthquake ground shaking or other earthquake and geologic hazards. Also, a single earthquake capable of causing liquefaction or triggering landslide failure will not uniformly affect the entire area zoned.

2) Faults shown are the basis for establishing the boundaries of the Earthquake Fault Zones.

3) The identification and location of these faults are based on the best available data. However, the quality of data used is varied. Traces have been depicted as accurately as possible at this map scale.

4) Liquefaction zones may also contain areas susceptible to the effects of earthquake-induced landslides. This situation typically exists at or near the toes of existing landslides, downslope from rockfall or debris flow source areas, or adjacent to steep stream banks.

5) Landslide zones on this map were determined, in part, by adapting methods first developed by the U.S. Geological Survey (USGS). Landslide hazard maps prepared by the USGS typically use experimental approaches to assess earthquake-induced and other types of landslide hazards. Although aspects of these new methodologies may be incorporated in future CGS seismic hazard zone maps, USGS maps should not be used as substitutes for these Official SEISMIC HAZARD ZONES maps.

6) USGS base map standards provide that 90 percent of cultural features be located within 40 feet (horizontal accuracy) at the scale of this map. The identification and location of liquefaction and earthquake-induced landslide zones are based on available data. However, the quality of data used is varied. The zone boundaries depicted have been drawn as accurately as possible at this scale.

7) Information on this map is not sufficient to serve as a substitute for the geologic and geotechnical site investigations required under Chapters 7.5 and 7.8 of Division 2 of the California Public Resources Code.

8) Seismic Hazard Zones identified on this map may include developed land where delineated hazards have already been mitigated to city or county standards. Check with your local building/planning department for information regarding the location of such mitigated areas.

9) DISCLAIMER: The State of California and the Department of Conservation make no representations or warranties regarding the accuracy of the data from which these maps were derived. Neither the State nor the Department shall be liable under any circumstances for any direct, indirect, special, incidental or consequential damages with respect to any claim by any user or any third party on account of or arising from the use of this map.

REFERENCES USED TO COMPILE FAULT DATA
HOLLYWOOD QUADRANGLE

* References indicated with asterisk are consultant reports on file with public agencies.

*AMEC, 2013, Geotechnical/Environmental Data Report – Northeast Interceptor Sewer Phase 2A (NEIS 2A) in the Area of the Hollywood Fault along Riverside Drive, Task Order Solicitation (TOS) 06-097G, for the City of Los Angeles Department of Public Works, Bureau of Engineering, dated July 2, 2013.

Dolan, J.F., Sieh, K., Rockwell, T.K., Guptill, P., and Miller, G., 1997, Active tectonics, paleoseismology, and seismic hazards of the Hollywood fault, northern Los Angeles basin, California: GSA Bulletin, v. 109, no. 12, p. 1595 – 1616.

Dolan, J.F., Stevens, D., and Rockwell, T.K., 2000, Paleoseismologic Evidence for an Early to Mid-Holocene Age of the Most Recent Surface Rupture on the Hollywood Fault, Los Angeles, California: Bulletin of the Seismological Society of America, Vol. 90, No. 2, pp. 334 – 344.

*Harza Engineering Company, 1998, Fault Rupture Hazard Investigation, Proposed After Sunset Project, Southeast Corner of Sunset and La Cienega Boulevards, West Hollywood, CA, dated January 28, 1998.

Hernandez, J.L., 2014, The Hollywood Fault Zone in the Hollywood 7.5' quadrangle, Los Angeles County, California: California Geological Survey, Fault Evaluation Report FER 253, in preparation.

Hill, R.L., Sprotte, E.C., Chapman, R.H., Chase, G.W., Bennett, J.H., Real, C.R., Slade, R.C., Borchardt, G., Weber, F.H., 1979, Earthquake Hazards Associated with faults in the Greater Los Angeles Metropolitan area, Los Angeles County, California, including faults in the Santa Monica-Raymond, Verdugo-Eagle Rock, and Benedict Canyon Fault Zones, California Division of Mines and Geology, Open File Report 79-16 LA.

*Law/Crandall, 2000, Report of Fault Rupture Hazard Investigation, 1640 North Highland Avenue, Hollywood District, Los Angeles, California, Project No. 70131-9-0337, dated February 11, 2000.

*Law/Crandall, 2001, Report of Fault Rupture Hazard Investigation, Proposed Sunset/Olive Mixed-Use Development, West Hollywood, CA, Project No. 70131-0-0118.0002, dated June 26, 2001.

*William Lettis & Associates, Inc., 2004, Summary of Fault Rupture Hazard Investigations of Fault 1, East Parcel of the Sunset Millennium Project, City of West Hollywood, CA, Project No. 1403C, dated April 16, 2004.

For additional information on faults in this map area, the rationale used for zoning, and additional references consulted, refer to unpublished Fault Evaluation Reports on file at regional offices of CGS.

References from previous Hollywood 7.5' Alquist-Priolo map

Bryant, W.A., 1985, Northern Newport-Inglewood fault zone, Los Angeles County: California Division of Mines and Geology Fault Evaluation Report FER-173

Castle, R.O., and Yerkes, R.F., 1976, Recent surface movements in the Baldwin Hills, Los Angeles County, California: U.S. Geological Survey Professional Paper 882, 125 p., 4 plates, scale 1:12,000.

DATA AND METHODOLOGY USED TO DEVELOP SEISMIC HAZARDS ZONES ARE PRESENTED IN THE FOLLOWING:

Seismic Hazard Zone Report of the Hollywood 7.5-minute Quadrangle, Los Angeles County California: California Geological Survey, Seismic Hazard Zone Report 026.

For additional information on seismic hazards in this map area, the rationale used for zoning, and additional references consulted, refer to:

EARTHQUAKE FAULT ZONES

Delineated in compliance with
Chapter 7.5 Division 2 of the California Public Resources Code
(Alquist-Priolo Earthquake Fault Zoning Act)

HOLLYWOOD QUADRANGLE

PRELIMINARY REVIEW MAP

Released: January 8, 2014
To Be Superseded On Or About July 8, 2014

SEISMIC HAZARD ZONES

Delineated in compliance with Chapter 7.8
Division 2 of the California Public Resources Code
(*Seismic Hazards Mapping Act*)

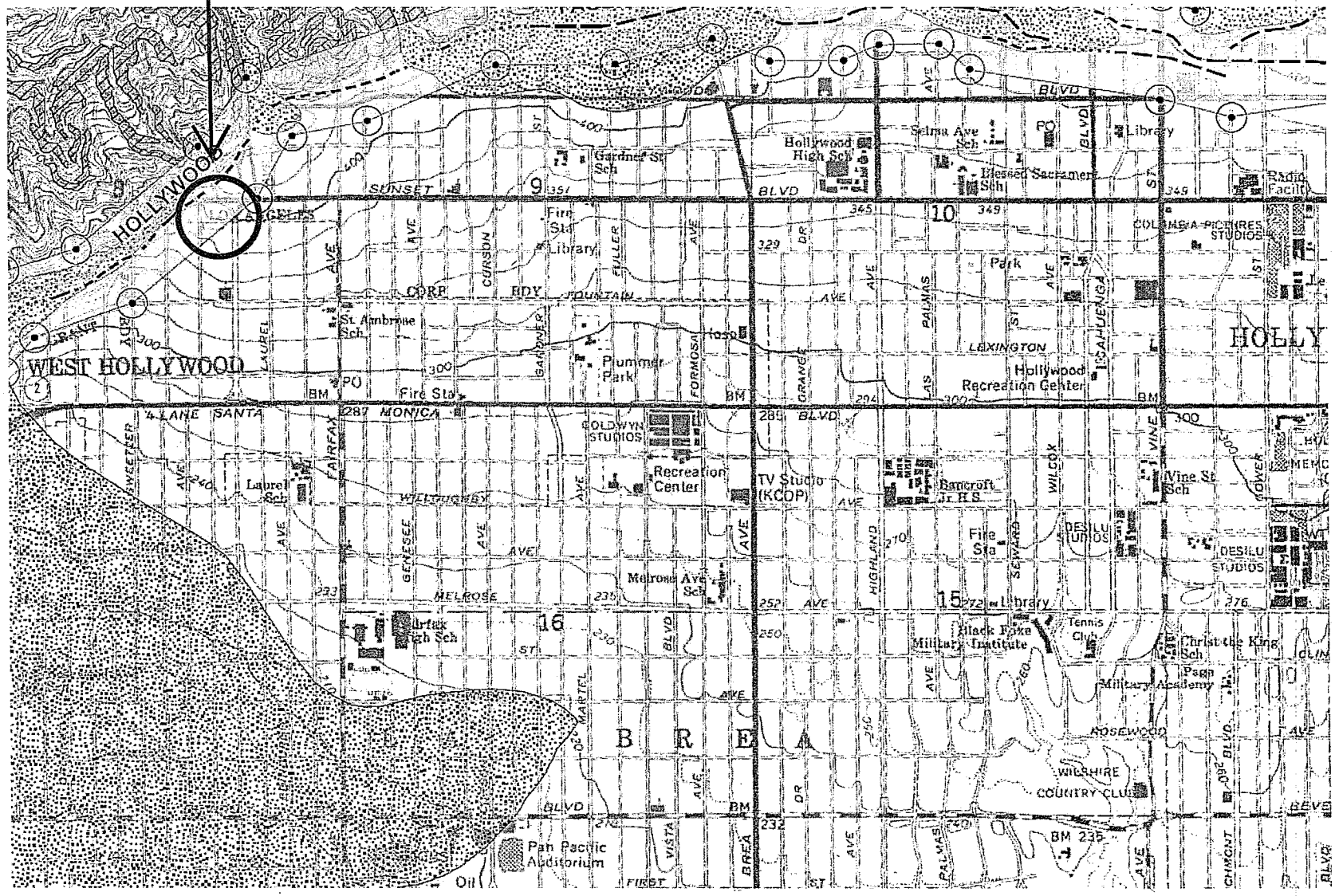
HOLLYWOOD QUADRANGLE

OFFICIAL MAP

Released: March 25, 1999

STATE GEOLOGIST

Approximate location of
8150 Sunset Blvd. Project Site



Collins, Peggy

From: Jillian Reyes <Jillian@robertsilversteinlaw.com>
Sent: Tuesday, April 29, 2014 4:46 PM
To: Molina, Anthony; Assemblymember Chavez; Assemblymember Chesbro; Assemblymember Gatto; Assemblymember Gorell; Assemblymember Harkey; Assemblymember Jones; Assemblymember Skinner; john.parrish@conservation.ca.gov; Ken.Alex@gov.ca.gov; governor@governor.ca.gov; Van Engelen, Brady; Collins, Peggy; senator.deleon@sen.ca.gov; Senator Fuller; Senator Leno; senator.nielsen@sen.ca.gov; Senator Padilla; senator.roth@sen.ca.gov; Senator Walters; Senator Wolk; Senator Lieu; aland@weho.org; jdamico@weho.org; jduran@weho.org; jheilman@weho.org; jkeho@weho.org; jprang@weho.org; parevalo@weho.org; sdewolf@weho.org
Cc: Robert Silverstein
Subject: Objection to Environmental Leadership Development Project Designation; 8150 Sunset Boulevard, Los Angeles, CA, Tracking No. SCH 2014011087
Attachments: 4-29-14 Objection to Environmental Leadership Development Project Designation - 8150 Sunset Blvd. Project.pdf

Dear Senator Leno and Assembly Member Skinner:

Good afternoon. Attached please find Save Sunset Boulevard, Inc.'s objection to Environmental Leadership Development Project Designation regarding 8150 Sunset Boulevard, Los Angeles, CA, Tracking No. SCH 2014011087. A hard copy will follow via Overnite Express. Thank you.

Collins, Peggy

From: Siobhan Carmean <smcarmean@att.net>
Sent: Monday, May 05, 2014 2:20 PM
To: Collins, Peggy
Cc: rady.vanengelen@sen.ca.gov; Molina, Anthony; Senator Lieu
Subject: 8150 Sunset Blvd - Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly

unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Collins, Peggy

From: Skip <animalco@pacbell.net>
Sent: Sunday, May 04, 2014 4:11 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the

bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Skip Haynes
8305 Yucca Trail
LA,CA 90046

Collins, Peggy

From: Susan Cuscuna <scuscuna@mac.com>
Sent: Monday, May 05, 2014 10:25 AM
To: Collins, Peggy
Subject: 8150 Sunset Blvd #2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

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Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Sincerely,

Susan H. Cuscuna
8938 Holly Place
Los Angeles, CA 90046

(34 year resident)

Collins, Peggy

From: Tom Moore <mooretommoore@gmail.com>
Sent: Thursday, May 01, 2014 5:41 PM
To: Collins, Peggy
Subject: Project 8150 Sunset Blvd., Los Angeles, CA Tracking # 2014011087

Dear Senator Collins,

You may have been hearing from a lot of us on the 8150 Sunset Blvd. project, as we are extremely distressed at the possibility of having this gigantic building project built in our very loved and valued neighborhood.

Although it is a prime piece of real estate and someone was going to build something eventually, this is entirely too large and will be disastrous to our infrastructure.

Something of an appropriate size for our area should be considered. Nothing is taller thnt 5 or 6 story buildings adjoining it.

Traffic is absolutely impossible in this area as it is, and to survive, people are always taking short cuts through our streets. There are no major transportation hubs nearby and it is a major route both across the city and also an always clogged route to the valley.

The master plan for this building makes some ridiculous plans. Like spots for bicycles. This is not yet a bicycling city, and very few would have the courage to drive Sunset Blvd. on a bicycle.

It also talks about all the compact cars it can handle. As you know, Hollywood is infamous for its SUV population, and compact cars are the minority.

The fact that it is very near the Alquist-Priolo earthquake zone seems to be totally ignored.

It is very distressing that Governor Brown has approved an expedited judicial review of this project.

I've lived in my house for 40 years. I love it, my neighborhood, and my city. I do not take well to it being destroyed for commercial interests that have no connection or appreciation of the neighborhood.

Please help us by joining the forces to stop this mega structure from destroying a wonderful area, and give us all hope that our elected officials have our interests at heart.

With appreciation,

Tom Moore
8283 Hollywood Blvd.
Los Angeles, CA 90069

Collins, Peggy

From: Tosh Berman <tosh.berman@gmail.com>
Sent: Monday, April 28, 2014 2:12 PM
To: Collins, Peggy
Cc: Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
I must emphasize in the strongest terms that this project should NOT be eligible for streamlined judicial review for the following reasons:

There are numerous CEQA issues that need further investigation, clarification, and transparency, such as:

1.) The 500 plus residents, 311 employees and countless delivery trucks will generate over 5000 new vehicle movements a day, worsen the air quality and adding a massive amount of congestion to one of the busiest and most dangerous intersections in Hollywood.

2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasure troves.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating their map, due out in July of 2014, it is imperative that that information

be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height, and density in relation to any other structure within a two mile radius.

5.) The developer, (Townscape LLC) have shown themselves to be abusive in their harassment of the existing tenants in the complex as Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area – these were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services that service the area. The intersection is already categorized by the as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few busses there are, are slower than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops that are nearby are local and serviced by 2 – 3 lines only. Therefore, their claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst are a suicidal prospect, at best; and the bus transportation is woefully inadequate.

9) Furthermore, there is no mention or inclusion in the developers' plans for parking for the hundreds of employees required to manage, maintain, and service such a huge structure, replete with attendant business establishments. Parking is already untenably overcrowded in surrounding streets.

Please make a note of these objections, and the other letters I have included that support our position that this building is wholly unsuitable, out of scale, and should not be allowed to skirt and of the normal workings of the city and the law to limits is size and impact.

Please confirm your receipt of this, and that it has been duly entered into the record

Best,

Tosh Berman

2601 Waverly Drive

Los Angeles, CA 90039

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Tosh Berman
TamTam Books
www.tamtambooks.com
http://tamtambooks-tosh.blogspot.com/
http://www.artbook.com/tamtam.html

Collins, Peggy

From: Vicki Radovsky <vjrad@mac.com>
Sent: Monday, May 05, 2014 4:57 PM
To: Collins, Peggy
Subject: Project: 8150 SUNSET BLVD., Tracking Number: 2014011087

Dear Officials:

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.

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2.) This building will destroy one historic building, and tower over a dozen more, including the iconic Chateau Marmont Hotel. It will completely destroy the heart of Hollywood's historic residential area, one of LA's great architectural treasures.

3.) The site is dangerously close to the earthquake fault line known as the Alquist-Priolo Zone, which runs under Sunset/La Cienega Boulevards. Since the California Geological Survey is updating its map, due out in July of 2014, it is imperative that that information be included in any determination regarding constructing such a large structure so close to a fault line.

4.) The entire structure, which was classified as 16 stories, but is actually 22 when one includes the parking levels, is massively out of scale, height and density in relation to any other structure within a two mile radius.

5.) The developer, Townscape LLC, has been abusive in its harassment of the existing tenants in the complex. Townscape placed undue pressure on these merchants by unilaterally imposing non-contractual parking arms, costing patrons exorbitant sums to enter the shopping area. These were proven illegal in court, and Townscape was required to remove them, but the damage to the merchants' clienteles was already done.

6.) The daily flow of traffic at Sunset Boulevard and Crescent Heights is currently at an untenable density, worrying the Los Angeles Fire Department and other emergency services in the area. The intersection is already categorized by them as one of the most dangerous in the city.

7.) There is no way that the 900 bicycles they suggest parking for can work in an area with hills as steep as those in San Francisco and more traffic than New York.

8.) It is over two miles from the site to the nearest metro stop, and the traffic is so bad that what few buses there are move more slowly than walking. Furthermore, the claim the developers make that there are transportation hubs within a half-mile radius is false. The bus stops nearby are local and serviced by 2 – 3 lines only. Therefore, Townscape's claim that there will be 10% greater efficiency in the number of vehicle trips per resident cannot be true – riding bicycles on Sunset Boulevard and the steep hills of Crescent Heights and Havenhurst is beyond dangerous at best, and bus transportation is woefully inadequate.

9) Furthermore, there is no mention in the developers' plans of parking for the hundreds of employees who will be required to manage, maintain and service such a huge structure with multiple business establishments. Parking is already seriously overcrowded on surrounding streets.

Please make a note of these objections supporting the position that this building is wholly unsuitable for the area and out of scale. The builders should not be allowed to skirt any of the normal workings of the city or the laws limiting the structure's size and impact.

Please confirm receipt of this letter and that it has been duly entered into the record.

Thank you.

Sincerely,

Vicki Radovsky

Collins, Peggy

From: Wallace/Chait <wallchait@roadrunner.com>
Sent: Monday, May 05, 2014 10:06 PM
To: Collins, Peggy
Subject: Letter of Protest for 8150 Sunset

LETTER OF PROTEST

I am writing to you to protest the CEQA fast tracking that your office has granted to the wholly undeserving building project under the Jobs and Economic Improvement Act (AB 900), Public Resources Code section 21184, SCH Tracking Number 2014011087, and that determination has been forwarded to you for further inquiry.
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Save Sunset Blvd shared Christopher Rice's status.
April 27

New York Times bestselling author and SAVE SUNSET BLVD member Christopher Rice is speaking out and encouraging his 100K+ Facebook followers to do the same. In the next few days, we'll be posting more information about the ridiculous "fast tracking" Governor Brown's office has granted Townscape LLC for their massive development proposal for the 8150 Sunset site. Fast tracking an environmental review? For a massive development that's expected to bring incredible traffic congestion to Laurel Canyon, one of the most congested arteries in Los Angeles? We don't think so! Speak out and make your voice heard.

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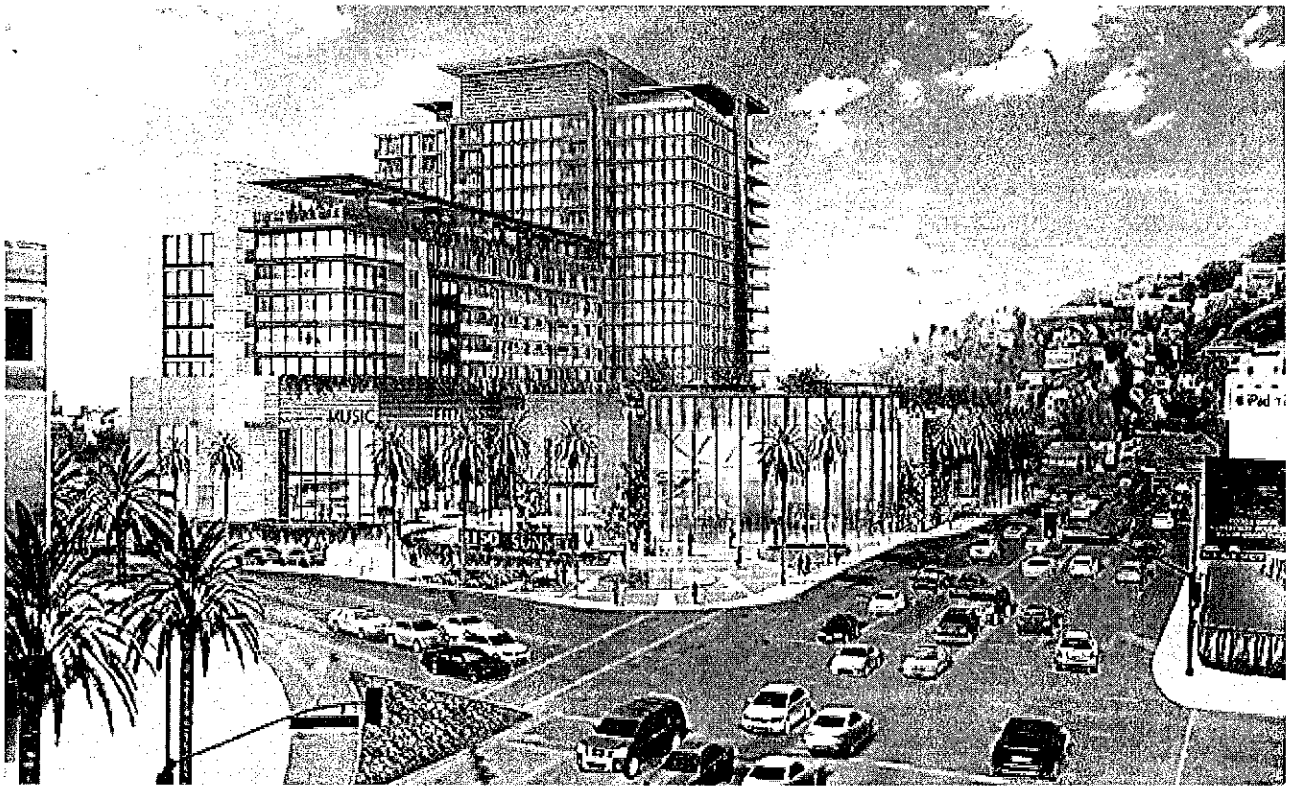

Sincerely,

Angela Wallace and Matt Chait

Collins, Peggy

From: Wendel Meldrum <wendel@wendelmeldrum.com>
Sent: Monday, May 05, 2014 12:08 PM
To: Collins, Peggy; Van Engelen, Brady; Senator Lieu; Molina, Anthony
Subject: Project: 8150 SUNSET BLVD. Tracking Number: 2014011087

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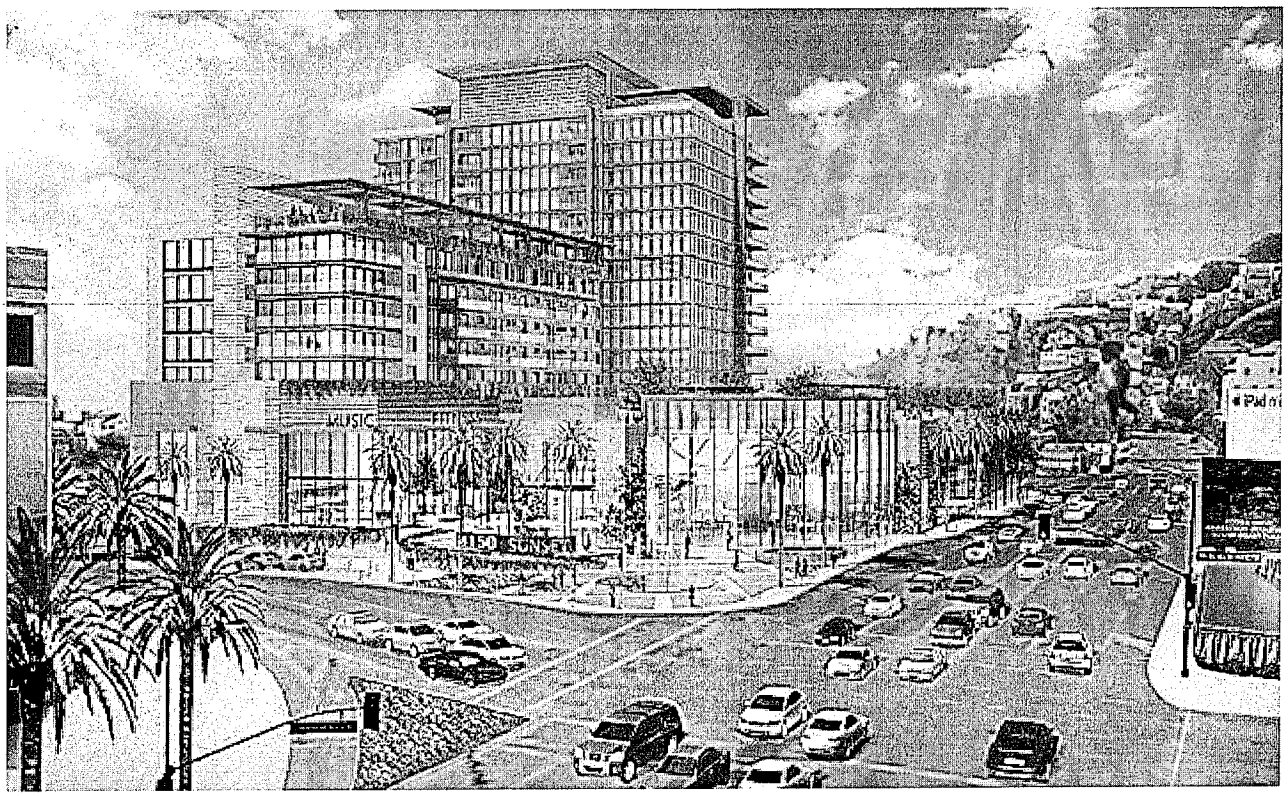
Thank you,
Wendel Meldrum
Patric Caird
2019 Cyprean Dr. 90046