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Sent time: 08/26/2020 09:57:45 AM
To: mindy.nguyen@lacity.org
Cc: Dan Wright <Dan@robertsilversteinlaw.com>; Esther Kornfeld <Esther@robertsilversteinlaw.com>; Robert Silverstein <Robert@robertsilversteinlaw.com>
Subject: The Silverstein Law Firm | August 26, 2020 Hearing Public Rights Violations; Hollywood Center Project; Case No. ENV-2018-2116-EIR; SCH 2018051002
Attachments: 8-26-20 [SCAN] Notice of Deputy Advisory Agency and Hearing Officer Hearing.pdf

Dear Ms. Nguyen:

We object to today's August 26, 2020 hearing going forward in light of the City's grotesque violation of the public's rights of access and participation.

How many people have already given up and ended attempts to log onto the meeting via Zoom because of the City's incompetence in not providing a password or even requiring one? (See attached City Planning's notice of public hearing.)

This hearing was illegal to begin with and should never have gone forward. Now, even more, it must be canceled because of, at best, the City's gross ineptitude, and at worst, deliberate attempts to frustrate the public's rights and participation.

At minimum, a Brown Act violation has already occurred by not correctly and properly providing the public with the correct manner to participate and speak.

Please include this letter and the attached and your responses in the Hollywood Center running administrative record.

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

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

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

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

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

NOTICE OF AVAILABILITY: The Notice of Availability (NOA) for the Final EIR for the Project will be released separately in accordance with Public Resources Code Section 21092.5 of the California Environmental Quality Act (CEQA), and CEQA Guidelines Section 15089. The Final EIR will include responses to comments received during the public review period and may include text revisions to the Draft EIR in response to input received. Unlike the Draft EIR, comments on the Final EIR are not required to be responded to by the City. If written comments are received, they will be included in the case file for the record and will be provided to the decision-maker for consideration.

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

Case Nos.	VTT-82152; CPC-2018-2114-DB-CU-MCUP-SPR; and CPC-2018-2115-DA	Council District:	13 – O’Farrell
CEQA No.	ENV-2018-2116-EIR	Related Case(s):	None
Held By:	Deputy Advisory Agency and Hearing Officer for the City Planning Commission	Plan Area:	Hollywood
Date:	August 26, 2020	Zone:	C4-2D-SN
Time:	9:30 a.m.	Plan Overlay:	Hollywood Signage Supplemental Use District (HSSUD)
Place:	In conformity with the Governor’s Executive Order N-29-20 (March 17, 2020) and due to concerns over COVID-19, the Hearing Officer Hearing on behalf of the City Planning Commission will be conducted entirely telephonically by Zoom [https://zoom.us/]. ←	Land Use:	Regional Center Commercial
	Instructions: Public participants should dial by phone: +1 213 338 8477 (Los Angeles) +1 669 900 9128 (San Jose) When prompted, enter the Meeting of: 924 8586 5202, #	Applicant:	MCAF Vine LLC, 1750 North Vine LLC, 1749 North Vine Street LLC, 1770 Ivar LLC, 1733 North Argyle, LLA, and 1720 North Vine LLC
Staff Contact:	Mindy Nguyen, City Planner 221 North Figueroa Street, Suite 1350 Los Angeles, CA 90012 mindy.nguyen@lacity.org (213) 847-3674	Representative:	Mayer Brown, LLP Edgar Khalatian

PROPOSED PROJECT:

The Project involves the preservation of the Capitol Records Complex, removal of other remaining existing uses on the 4.61-acre Project Site, and the development of four new buildings (two residential buildings each on the West and East Sites) and public open space on the ground level. The maximum building height would be up to 469 feet (36 stories) on the West Site and up to 595 feet (47 stories) on the East Site. The Project would include the development up to 1,005 residential units (872 market-rate units and 133 senior affordable units), approximately 30,176 square feet of restaurant/retail space, approximately 33,922 square feet of publicly accessible open space, and a five-level subterranean parking garage with one level of enclosed at-grade parking on both the West and East Sites. The Project would have a maximum FAR of 6.973:1, which includes 1,287,150 square feet of new development and the existing, approximately 114,303-square-foot Capitol Records Complex (consisting of the 92,664-square-foot Capitol Records Building and the 21,639-square-foot Gogerty Building) for a total floor area of 1,401,453 square feet.

ALTERNATIVE 8 – OFFICE, RESIDENTIAL AND COMMERCIAL:

Alternative 8 involves the preservation of the Capitol Records Complex, removal of other remaining existing uses on the 4.61-acre Project Site, and the development of three new buildings (two mixed-use residential buildings on the West Site and one office building on the East Site) and public open space on the ground level. The maximum building height would be up to 595 feet (49 stories) on the West Site and 367 feet (18 stories) on the East Site. Alternative 8 would include the development of up to 903 residential units (770 market-rate units and 133 senior affordable units), 385,943 square feet of office uses, approximately 26,874 square feet of restaurant/retail space, 33,425 square feet of publicly accessible open space, and a five-level subterranean parking garage with one level of enclosed at-grade parking on the West Site, and a seven-level subterranean parking garage on the East Site. Alternative 8 would have a maximum FAR of 6.973:1, which includes 1,287,100 square feet of new development and the existing, approximately 114,303-square-foot Capitol Records Complex (consisting of the 92,664-square-foot Capitol Records Building and the 21,639-square-foot Gogerty Building), for a total floor area of 1,401,403 square feet.

REQUESTED ACTIONS FOR THE PROPOSED PROJECT:**The Advisory Agency shall consider:**

1. The information contained in the Environmental Impact Report prepared for the Project, which includes the Draft EIR, No. ENV-2018-2116-EIR (SCH No. 2018051002) dated April 2020, and the Final EIR, dated August 2020 (Hollywood Center Project EIR), as well as the whole of the administrative record.
2. Pursuant to LAMC Section 17.15, a Vesting Tentative Tract Map No. 82152 to allow the merger of 16 existing lots and the subsequent re-subdivision of a 4.61-acre Site into three (3) ground lots and 35 airspace lots for a total of 38 lots; the merger of a portion of an alley to add 1,313 square feet to the Project Site; the merger of portions along the sidewalk of Yucca Street, Argyle Avenue, and both sides of Vine Street to add 5,163 square feet to the Project Site, dedicating five-foot wide sidewalk easements over said sidewalk merger areas; an associated haul route for the export of 542,300 cubic yards of soil; and the removal of 16 street trees.

The Hearing Officer shall take public testimony regarding:

1. The information contained in the Environmental Impact Report prepared for the Project, which includes the Draft EIR, No. ENV-2018-2116-EIR (SCH No. 2018051002) dated April 2020, and the Final EIR, dated August 2020 (Hollywood Center Project EIR), as well as the whole of the administrative record.
2. Pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review, reserving at least 11 percent of the Project's units for Very Low Income households, seeking the following incentives and waivers:
 - a. An On-Menu Incentive to permit a 35 percent increase in the maximum allowable floor area ratio (FAR) from 2:1 to 2.7:1 (for portions of the Project Site located at the corner lot on the southeast corner of Yucca Street and Ivar Avenue and associated with APN 5546-004-032); and from 3:1 to 4.05:1 FAR (for the balance of the Project Site).
 - b. An Off-Menu Incentive to allow FAR and density averaging for a Housing Development Project located on non-contiguous lots.
 - c. A Waiver of Development Standards to permit a 7:1 FAR averaged across the Project Site.
 - d. A Waiver of Development Standards to permit the floor area of any residential balconies and terraces to be excluded for purposes of calculating the buildable floor area.

3. Pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit for the sale or dispensing of alcoholic beverages for on-site and off-site consumption within 12 establishments.
4. Pursuant to LAMC Section 16.05, Site Plan Review for a development that results in an increase of 50 or more dwelling units and/or guest rooms or generates more than 1,000 average daily trips.
5. Pursuant to California Government Code Sections 65864 through 65869.5, a Development Agreement between the Applicant and the City of Los Angeles.

REQUESTED ACTIONS FOR ALTERNATIVE 8:

The Advisory Agency shall consider:

1. The information contained in the Environmental Impact Report prepared for the Project, which includes the Draft EIR, No. ENV-2018-2116-EIR (SCH No. 2018051002) dated April 2020, and the Final EIR, dated August 2020 (Hollywood Center Project EIR), as well as the whole of the administrative record.
2. Pursuant to LAMC Section 17.15, a Vesting Tentative Tract Map No. 82152 to allow the merger of 16 existing lots and the subsequent re-subdivision of a 4.61-acre Site into three (3) ground lots and 13 airspace lots for a total of 16 lots; the merger of a portion of an alley to add 1,313 square feet to the Project Site; the merger of portions along the sidewalk of Yucca Street, Argyle Avenue, and both sides of Vine Street to add 5,163 square feet to the Project Site, dedicating five-foot wide sidewalk over said sidewalk merger areas; an associated haul route for the export of 542,300 cubic yards of soil; and the removal of 16 street trees.

The Hearing Officer shall take public testimony regarding:

1. The information contained in the Environmental Impact Report prepared for the Project, which includes the Draft EIR, No. ENV-2018-2116-EIR (SCH No. 2018051002) dated April 2020, and the Final EIR, dated August 2020 (Hollywood Center Project EIR), as well as the whole of the administrative record.
2. Pursuant to LAMC Section 12.22 A.25, a Density Bonus Compliance Review, reserving at least 11 percent of the Project's units for Very Low Income households, seeking the following incentives and waivers:
 - a. An On-Menu Incentive to permit a 35 percent increase in the maximum allowable floor area ratio (FAR) from 2:1 to 2.7:1 (for portions of the Project Site located at the corner lot on the southeast corner of Yucca Street and Ivar Avenue and associated with APN 5546-004-032); and from 3:1 to 4.05:1 FAR (for the balance of the Project Site).
 - b. An Off-Menu Incentive to allow FAR and density averaging for a Housing Development Project located on non-contiguous lots.
 - c. A Waiver of Development Standards to permit a 7:1 FAR averaged across the Project Site.
 - d. A Waiver of Development Standards to allow the floor area of any residential balconies and terraces to be excluded for purposes of calculating the buildable floor area.
3. Pursuant to LAMC Section 12.24 U.14, a Conditional Use Permit for a Major Development Project.
4. Pursuant to LAMC Section 12.24 W.1, a Master Conditional Use Permit for the sale or dispensing of alcoholic beverages for on-site and off-site consumption within 12 establishments.
5. Pursuant to LAMC Section 16.05, Site Plan Review for a development that results in an increase of 50 or more dwelling units and/or guest rooms or generates more than 1,000 average daily trips.
6. Pursuant to California Government Code Sections 65864 through 65869.5, a Development Agreement between the Applicant and the City of Los Angeles.

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

GENERAL INFORMATION

FILE REVIEW - The complete file is available for public inspection between the hours of 8:30 a.m. to 4:00 p.m., Monday through Friday. Please call or email the staff identified on the front page, at least three (3) days in advance to assure that the files will be available. **Files are not available for review the day of the hearing.**

DIVISION OF LAND (DOL) – Please note that the staff report will be available on-line five (5) days prior to the public hearing and will be accessible at planning.lacity.org, by selecting "About", "Commissions, Boards, & Hearings", and where the Project is located under "Agendas". Staff Reports are hyperlinked to the case numbers on the hearing agenda.

TESTIMONY AND CORRESPONDENCE - Your attendance is optional; oral testimony can only be given at the public hearing and may be limited due to time constraints. Written testimony or evidentiary documentation may be submitted prior to, or at the hearing. Decision-makers such as Associate Zoning Administrators function in a quasi-judicial capacity and therefore, cannot be contacted directly. Any materials submitted to the Department become City property and will not be returned. This includes any correspondence or exhibits used as part of your testimony.

REQUIREMENTS FOR SUBMISSION OF MATERIALS - Written materials may be submitted prior to the hearing via email, in person or by U.S. mail to the staff identified on the front of this page or to the decision-maker or hearing officer at the public hearing. **An original plus three (3) copies must be submitted prior to, or at the hearing. To the extent possible, please also submit all materials electronically (flash drive, CD or via email).** Materials must be presented on letter size (8 ½ " x 11") or legal size (8 ½ " x 14") paper. All oversized exhibits must be folded to fit into a legal-sized folder. Plans (i.e. site plans, floor plans, grading plans) must be presented on paper size not smaller than ledger size (11" x 17"). The case number must be written on all communications, plans and exhibits.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND JUDICIAL REVIEW - If you challenge these agenda items in court, you may be limited to raising only those issues you or someone else raised at the public hearing agenzized here, or in written correspondence on these matters delivered to this agency at or prior to the public hearing. If you seek judicial review of any decision of the City pursuant to California Code of Civil Procedure Section 1094.5, the petition for writ of mandate pursuant to that section must be filed no later than the 90th day following the date on which the City's decision became final pursuant to California Code of Civil Procedure Section 1094.6. There may be other time limits which also affect your ability to seek judicial review.

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