CITY OF LOS ANGELES
PLANNING AND LAND USE
MANAGEMENT COMMITTEE

IN RE:)
)
CENTURY CITY REALTY, LLC,) Consolidated Matters:
1950 AVENUE OF THE STARS;) CPC -
) 2013-210-SPP-SPR-MSC
CEQA: ENV-2004-6269-EIR-SUP1,) 2009-817-DA-M1
SCH No.: 2005051145.) PLUM ITEM NO: 14-1130
_____) and 14-1130-S1

REPORTER'S TRANSCRIPT OF AUDIOTAPED PROCEEDINGS
Los Angeles, California
Tuesday, January 13, 2015

Reported by:
LAURIE HELD-BIEHL
CA CSR No. 6781
TX CSR No. 8555
RPR/CRR No. 32836
JOB No. 305367

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APPEARANCES:

PLANNING AND LAND USE MANAGEMENT COMMITTEE:
COUNCILMEMBER JOSE HUIZAR, CHAIR
COUNCILMEMBER GILBERT A. CEDILLO

NICHOLAS HENDRICKS, City Planner
CHARLIE RAUSCH, JR., Zoning Administrator
SHARON GIN, Legislative Assistant

Los Angeles, California
Tuesday, January 13, 2015

COUNCILMEMBER HUIZAR: Next item.
THE CLERK: Item 12, Councilman, is the City Attorney prepare a Development Agreement ordinance for a previously approved project in this Committee; it's a 37-story office building in Century City, the Avenue of the Stars project.
COUNCILMEMBER HUIZAR: All right. So we heard this item before and approved the project. We asked for the De- -- Development Agreement to come back to us.
If we could have staff come up, please, and give a brief presentation on anything that is a material issues that need to be raised, considering that we already approved this project and we just wanted to give some time to prepare the Development Agreement.
MR. HENDRICKS: Absolutely.
Good afternoon, Honorable Councilmembers and Committee Members. My name is Nicholas Hendricks, I am the hearing officer for this case.
We've been to hearing several times on this matter. And as you mentioned earlier, this has gone

before the PLUM Commission.
The portion of the case today that is back before PLUM is a reopening of the appeals that were already heard. The reason for that is because we prepared an Errata to the Final Subsequent Environmental Impact Report and the Errata contains information and clarifications to the language that's already in the record. They're just minor technical changes and clarifications to the conclusions that have already been considered by the Planning Commission.
Therefore, the appeals that are included in the record, the Planning -- Planning staff still finds that adequate review has been implemented; there's been a vigorous, very robust analysis contained in the Environmental Impact Report. The public record contains numerous amounts of information that clarifies and deals with the appeal issues; so I'm not going to go line -- item by item on the appeal issues.
We also agree with the Applicant's response to the Appellant's arguments that were submitted just very recently as -- as last night. We do not agree with the Appellant's statements. And we find that the Errata was prepared in accordance with the CEQA

statute.
Furthermore, we would ask that the PLUM Commission maintain the -- the same position they took before and deny the appeals and sustain the original approval of the City Planning Commission.
Now, the other part of this case is the Development Agreement.
The City Planning Commission, in a hearing that took place over seven hours, and additional hours in a continuance, considered a number of items to be included in the Development Agreement. The Applicant and the City has come into agreement and that's contained in the record.
We feel that we're satisfied with the items that are in there because they contain funds for affordable housing, they contain funds for public improvements, and they also contain funds for planning and transportation studies in the future.
So in saying that -- and also includes provisions for a diverse work force as part of the construction contracts with the various unions and -- and labor groups.
So, therefore, Planning recommends that the Committee deny the appeals and sustain the recommendations of the City Planning Commission. We

further ask that the Committee recommend that the City Council adopt the Development Agreement.
Thank you.
COUNCILMEMBER HUIZAR: Thank you very much.
We'll first go to Appellant reps, Neill Brower and Ben Reznik.
MR. REZNIK: Mr. Chair, I'll just speak for Mr. Brower as well, if you don't mind; we'll just consolidate our comments.
This is Ben Reznik with Jeffer Mangels Butler and Mitchell. We represent several property owners in Century City as well as the Beverlywood Homes Association, which is 4000 residents adjoining Century City.
I don't take it lightly if -- when I'm -- I'm asking you to oppose a project. We've said our record, we've submitted documents.
But in a nutshell, here's what's missing and what I still would like to see the City ask for.
Under the Specific Plan they can build a 280,000-square-foot office building. That's the way the Plan has been interpreted for 30 years. They want to build 730,000 square feet. They get to that by doing a traffic study --
I put that in quotes.

-- that shows that the numbers of trips, et cetera, have changed over the years and therefore they don't have to use what the Specific Plan has.
That traffic study consists of four driveway counts at four buildings; two of those buildings the Applicant owns. They did it in 2011, in the heart of the recession. And here's what's still missing.
Every traffic study that's submitted to DOT and to the City has the backup which is the actual raw data: How they did the counts, when they did the counts.
Where is the actual raw data? We have been asking for that now for a year. We asked for it at the Planning Commission. We asked for it in letters.
They have yet to show us, or anyone at the City, the raw data to support their driveway counts that changed the entire size of this building to make it a -- two-and-a-half times the size of the building.
So unless they have it and I don't know about it, we've been looking for it. As of today, as I speak to you today here, it's not been disclosed, it's not in the record, it's nowhere to be found.
We are to take their word that the conclusions of their traffic study, which is a

traffic memo, of four driveway counts -- by the way, two of these driveways were counted in one day; so is that sufficient, is that enough to change an entire Specific Plan that's been in existence for almost 40 years?

So at a minimum we would like to be able to see the raw data that supports the so-called traffic study and counts that they did back in 2011. And so -- and that's our comments.

We've submitted, of course, other issues. And -- and our concern and our clients' concern basically is that -- the implications this will have on -- on the future in Century City and how -- how buildings are measured in terms of how much you can build and what you can do; so that's --

Thank you very much for the opportunity.

COUNCILMEMBER HUIZAR: Thank you.

Barbara Broide. And after Barbara is Bennett Cohen.

MS. BROIDE: Thank you, Chairman Huizar. I'm Barbara Broide, President of Westwood South of Santa Monica Boulevard Homeowners Association. We are 3800 households that lie between Century City, the 10 Freeway and the 405 Freeway. We have the distinction of having Santa Monica, Pico and Olympic

Boulevards within our area.

We are well aware of the impact that Century City has had on our communities and we understand that it's one of the city centers that was identified many years ago in City Planning documents. We, however, do believe that the Century City North Specific Plan is an important document that has governed development in this area for many years and has not been amended at this time and should not be reinterpreted to suit a particular development.

We've submitted information about our support for Section 6 as it's been written and we've also submitted a large number of articles --

City Planning Commissioners asked us about them.

-- that shows that the philosophy that's being presented by this project's developers is contrary to everything in current literature about space planning and real estate development. And that is that the old corner offices and the large offices with few employees per floor are a thing of the past with office sharing instead and many more people occupying and therefore potentially generating traffic trips.

So we would support Mr. Reznik's comments

about the need to look further into the traffic analysis and the data that has been presented in support of this new method of computing traffic.

We have an additional concern and that is that in the Development Agreement, a very worthy amount of money has been set aside for our neighbors in Beverlywood. They deserve traffic mitigations and traffic calming measures, particularly because an earlier project approved by this Council allowed a large sum of money to be used for the Cheviot Hills community, a 96-point traffic management plan for their community. That meant that their traffic went to our area and to Beverlywood.

Beverlywood now has, in this Development Agreement, a 1.75-million-dollar pot of money to address some of those problems and to do some neighborhood calming, to calm traffic through their community. We don't have anything.

And that also means that not only will we have the traffic from this project, but we will also have the offset traffic from Beverlywood as less cars seek to cut through their neighborhood.

We support them, we think they should have it, but we don't think we should be left out; so that's an unaddressed issue for us and we think that

that's something that needs to be addressed.

There is a small comment -- or there's a small provision in the Development Agreement on page 8 that also addresses the need for shuttles, which we have supported and advocated for for a long time, having shuttles to take employees from Century City to the Expo Station and back; however, in this Development Agreement, it actually defines that that shuttle shall operate from the Westwood Station, the Westwood-Rancho Park Station.

That's a mistake. There are other stations in the area that may be more appropriate. If so, it should say "The Palms and/or Rancho Park Station."

The Westwood Boulevard Station will have to take the shuttles to UCLA and Westwood Village. To put and specifically tie in a shuttle to that station in the middle of a residential neighborhood where there is limited access and where there will be a large increase in the number of public buses serving the other areas is in error.

There should be the allowance for the shuttles to go from The Palms and/or Westwood Rancho Park Station. And let the transportation planners make those decisions based on Expo ridership, Century City-bound traffic and the bus patterns that

establish after Expo opens because, after all, Expo isn't open yet and we don't know how it will pan out.

So I would ask for that change in the Development Agreement.

I would ask for consideration for our community for traffic calming measures and a fund to address it.

We know a community benefit fund was negotiated secretly in confidence between the developer and a number of homeowner groups but it is our understanding that that had nothing to do with traffic mitigation whatsoever. And -- and we would -- we would like to see something in the open, if possible.

Thank you for your consideration.

COUNCILMEMBER HUIZAR: Thank you.

Bennett Cohen.

Now, you are the same appeal, correct?

MR. COHEN: I have --

I just have a minute, just one -- one minute is all I need.

COUNCILMEMBER HUIZAR: Yeah, that's fine. Okay.

MR. COHEN: Okay. I'm a resident and connected with Westwood South of Santa Monica Homeowners Association. And I continue my objection to the

Century City Realty's using Section 6 in connection with their project.

And with reference to the Century City Realty's contribution of $1,750,000 in paragraph 5(a) of the Amended Development Agreement, and the -- that area does deserve those funds, I do request that the Development Agreement be amended to include a provision that the Century City Realty be required to contribute funds for a study and physical improvements of the traffic impact in the areas including Century City and Sepulveda Boulevard, and between Santa Monica Boulevard and Pico Avenue, as a result of the regional transportation planning and the construction and development of the transportation improvements in the South Robertson Boulevard and Beverlywood community areas.

Thank you.

COUNCILMEMBER HUIZAR: Thank you.

Pastor Birdie (sic) Roberts.

PASTOR ROBERTS: Good afternoon. My name is Pastor Bridie Roberts and I'm here in support of the Century City Center. I am the program director of Clergy and Laity United for Economic Justice, CLUE LA.

It is a rare day when we come before the

Planning Commission in support of a project but we feel that the Century City Center is the best of what development can offer to a city that chooses to take leadership steps around development.

It will provide good union jobs in its construction and after its development. It will be an economic generator for our city where we know that sustainable employment is key to lifting all people out of poverty.

It's going to a provide funds for affordable housing. It's going to have state-of-the-art brand-new environmental design, which is good environmental stewardship for the Earth that God has given us.

It is a building that gives us the opportunity to lead in a city that should be leading the way for all of the United States when it comes to creative planning that sets a tone that says that people come first; good jobs, good development, and a good economy for a city that will thrive into the future.

And we encourage you to continue to support this project.

COUNCILMEMBER HUIZAR: Thank you.

Now the Applicant reps, George Mihlsten and

D.J. Moore.

MR. MOORE: Good afternoon, Honorable Councilmembers. D.J. Moore of Latham & Watkins representing Century City Realty.

We're pleased to be here before you again and appreciate your vote at the September hearing to approve the project and deny the appeals.

I'll be brief.

First, the Applicant fully supports the Development Agreement ordinance and the City Attorney's report and asks that you recommend it to the Council for adoption.

Second, as staff mentioned, in December the Planning Department issued an Errata to the project's EIR. The Errata was prepared to make technical corrections and also address the volumes of additional comments supplied by Mr. Reznik in September.

Mr. Reznik has also submitted additional materials within the last day and we have further responses to those claims that have been submitted to you.

The last-minute submissions by the opponents do not change the thorough analysis that's in the EIR and in the Errata prepared by staff and the City's

EIR consultants.
The raw data that Mr. Reznik mentioned is in the record; the Department of Transportation has it. And both the Department of Transportation and the Planning Department approved the project's traffic study and confirmed its accuracy.
At your September meeting more than 25 project supporters from labor, environmental groups and community groups asked you to approve Century City Center and to bring this LEED-platinum office tower to the site of the proposed Purple Line Station in Century City. This is in addition to the hundreds of supporters who have attended many hearings and the several thousand supporters who have signed support cards and petitions, all in support of the project.
The project and the Development Agreement were also fully endorsed by Councilman Koretz, who spoke to you in September.
We ask again that you reject the appeals, approve the project, including the Errata to the Subsequent EIR, and recommend that the City Council adopt the Development Agreement ordinance.
Thank you.
COUNCILMEMBER HUIZAR: Thank you.

Is Mr. Mihlsten speaking? No. Okay.
We have a number of support cards. We have -- like I mentioned earlier, had previously approved this project. There's really not much difference from our position from before, as I understand it; so if you're supporting the project, we're inclined to move in that direction. If you want to just come up and say you support it or try not to be redundant in terms of what other people have brought up, in -- for the interest of time, if you so wish, but it's your minute.
So Mike Eveloff and then Ernesto Pantoja.
MR. EVELOFF: Hi there.
Good afternoon, my name is Mike Eveloff. I live in the neighborhood directly adjacent to Century City. I'm on the board of Friends of West Los Angeles and for many years I served as the president of the Tract 7260 Homeowners Association.
I have been and continue to be involved in community projects and issues because the quality of life in our neighborhoods depends on the participation of people who actually live there.
I have looked at the independent trip generation rates from other projects. I have carefully reviewed JMB's assumptions, data,

methodology and calculations, including independent data from the Twin Towers, which included occupancy data.
Simply put, JMB's analysis is accurate.
Trips for Class A office space in Century City buildings truly are generating less than they did before. That's what the Century City analysis shows.
I ask you to approve the proposed project. And perhaps most importantly approve the way that JMB and the community worked together for the greater benefit of the City.
Thank you.
COUNCILMEMBER HUIZAR: Thank you.
Ernesto Pantoja and --
Okay. Thank you.
Lee Wallach. After Lee Wallach --
Is Lee Wallach here? Okay.
Peter Beal. Peter Beal.
Francesca Beal. Francesca Beal.
Lori Pekrul.
Rabbi Jonathan Klein.
After Rabbi Jonathan Klein is Ron Miller.
RABBI KLEIN: I'll be quick. Thank you Mr. Cedillo, Mr. Huizar.

Rabbi Jonathan Klein, Clergy and Laity United for Economic Justice, CLUE LA.
We support this project, as do our friends at the Sierra Club. We know this is a good project.
I personally will add as a resident in CD5 that I drive by that site every day when I take my daughter to school and I can tell you right now that the -- I really do not see this as anything close to what is being described as a traffic burden. It's not Dodger Stadium, we're not talking about game day, we're just talking about a new building. And I think all the hysteria around traffic is out of control.
But I also think that this is a great opportunity for jobs in this city. And we at CLUE, as well as our friends at Sierra Club, wholeheartedly support this environmentally sustainable building.
Thank you.
COUNCILMEMBER HUIZAR: Thank you.
Ron Miller, Delfino de la Cruz.
MR. MILLER: Good afternoon, Councilmen. I'm Ron Miller, executive secretary of the LA/Orange County Building Trades.
And the good pastor said it all. I can't relate to any more.
This is a good project, a good developer.

And if all the developers in the city were like JMB we would have -- you wouldn't have a job, probably; so let's take this out of the hands of the guys who get paid by the word and let's put it in the hands of the guys who get paid by the hour and break ground and get this thing going.

Thank you.

COUNCILMEMBER HUIZAR: Thank you.

Delfino de la Cruz and then Noah Muhlstein from the CD5.

MR. DE LA CRUZ: Good afternoon, Chairman and Committee Members. My name is Delfino de la Cruz; I'm here on behalf of Sergio Rascon, business manager of Laborers Local 300.

And we are here -- also over -- our over 8000 members which reside in Los Angeles and in the following communities.

We are asking that the Council deny the appeal and approve the project.

Thank you.

COUNCILMEMBER HUIZAR: Thank you.

Noah Muhlstein.

MR. MUHLSTEIN: Honorable Committee Members, my name is Noah Muhlstein. I'm the Planning Deputy for Councilmember Paul Koretz. I know it's been a long

day so I'll keep my remarks short and brief.

Our office has been working with the project Applicant for -- the project Applicant and the many communities that surround the proposed site for quite a long time.

Aside from being Los Angeles's first new LEED-platinum office tower, which will create thousands of good-paying jobs, it is also -- it is also the location of the future Metro Purple Line. The project also enjoys the tremendous amount of support from many of the surrounding communities and will provide many benefits to the Century City and surrounding communities and the city as a whole.

It is for those reasons, and for many more reasons, our office continues to support the proposal. We ask that you deny the appeal and approve the Development Agreement and recommend approval of this project.

Thank you.

COUNCILMEMBER HUIZAR: Can we have staff come up briefly, please.

An issue was brought up about providing simple raw data to the public, whether it is someone who is representing the Appellant or not. I would imagine that that type of information -- or should

that type of information be readily available to any interested party?

MR. RAUSCH: I'm sorry, can you repeat that again?

COUNCILMEMBER HUIZAR: One of the public commenters, the representative for the -- for one of the Appellants, mentioned they couldn't get information with respect to the raw data on the traffic impacts. And my view is shouldn't that information be available to the public if they so ask for it; whether they are an Appellant or not, that's public information that should be available, correct?

MR. RAUSCH: That's absolutely correct. And --

COUNCILMEMBER HUIZAR: So is that raw data available or not, can we provide it to them?

MR. RAUSCH: The data that supports the traffic study and the trip generation study have -- has always been in the record. It's not -- it is not a true statement that the numbers are not available.

The appendices of the Draft EIR and all the other subsequent documents that have come out all contain the information that is -- is necessary to understand how the data was manipulated and -- and concluded within the traffic study.

COUNCILMEMBER HUIZAR: And how about the raw

data?

MR. RAUSCH: The raw data?

We have somebody here with the Trans- -- Department of Transportation. Perhaps I can have --

COUNCILMEMBER HUIZAR: Sure. Thank you.

MR. HAERI: Good afternoon. Sean Haeri, Department of Transportation.

After the last PLUM meeting I actually asked my staff -- I expected that somebody will be asking for that raw data. I did ask my staff to have it ready in case there was a request. There was none. I never received a request for that raw data.

As one of the opponents mentioned, the four buildings that were studied, two of them belong to the -- to the Applicant. And when they came to us originally they -- they came with the data from the two buildings and we asked them to come up with two other buildings of a similar nature, but not owned by them, to just make sure the numbers are consistent. And that was verified.

But getting back to the information being available: They have always been available. I've never received -- and my office is the custodian of the records and I have never received one request from anyone. And if somebody wants it, I can provide

it.
COUNCILMEMBER HUIZAR: Great. Thank you very much.
Okay. So any questions or comments?
Seeing none, we'll move that the Planning and Land Use Management Committee recommends that the City Council deny all five appeals of the City Planning Commission's determination and that we certify the Supplemental Environmental Impact Report and that -- including the submitted Errata, the corrections, technical corrections that were submitted, and that we adopt the Findings as proposed.
And that we adopt the Findings of the Planning and Land Use Management Committee and the environmental Findings and the Findings of the -- and the environmental Findings as well.
And we're approving the alternative calculation of Trip generation factor for the project.
We're approving the Modified Project Permit associated with Alternative 9.
And we're adopting the Conditions of Approval as approved by the Los Angeles City Planning Commission on August 4th and as modified by the

Planning and Land Use Management Committee.
And we're approving the modifications requested by the Office of Council District 5 to the Draft First Amendment to Development Agreement by and between the City of Los Angeles and Century City Realty LLC.
And we further move that the Planning and Land Use Management Committee approve the August 4, 2014 recommendations of the Commission related to the First Amendment to Development Agreement and request that the City Attorney prepare and deliver to the City Clerk the Development Agreement ordinance for the City Council's consideration.
Was that made clear, sir? I summarized --
MR. RAUSCH: And the MMRP and the Statement of Overriding Considerations.
COUNCILMEMBER HUIZAR: Okay. Thank you.
MS. GIN: Mr. Chair, the -- there is also an ordinance for the Development Agreement, sir; so that is before the Committee.
COUNCILMEMBER HUIZAR: Yes. We are approving that as well.
MS. GIN: Are you approving the ordinance?
Yes?
COUNCILMEMBER HUIZAR: Yes.

Okay. That would be the order. There's no objections. Thank you so much.
Next item.
And I'm sorry, when is this in committee, Counsel, the item we just approved; is there a scheduled date for that?
MS. GIN: January 27th; Tuesday, sir.
COUNCILMEMBER HUIZAR: Thank you very much.
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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:
That the foregoing audiotaped proceedings were transcribed before me at the time and place herein set forth; that a verbatim record of the audiotaped proceedings was made by me using machine shorthand, to the best of my ability, based on the quality of the audiotape, and same was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription of said audiotaped proceedings, again, to the best of my ability, and not having personally been in attendance at said audiotaped proceedings.
I further certify that I am neither financially interested in the action nor a relative or employee of any attorney of any of the parties.
IN WITNESS WHEREOF, I have this date subscribed my name.

Dated: _____

_____
LAURIE HELD-BIEHL, CSR, RPR, CRR
CSR No. 6781

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