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73690-0001

September 12, 2014

VIA E-MAIL (sharon.gin@lacity.org)

Hon. Jose Huizar, Chair
Hon. Gilbert Cedillo
Hon. Mitchell Englander
City of Los Angeles, Planning and Land Use Management Committee
200 N. Spring Street, Rm. 395
Los Angeles, CA 90012
Attn: Sharon Gin, Legislative Assistant

Re: Council File 14-1130
CPC-2013-210-SPP-SPR-MSC-A1
ENV-2004-6269-EIR-SUP1
1950 Avenue of the Stars
Failure of CPC to Hear Entertainment Center, LLC Application for
An Alternative CATGP rate under Section 6 of the Specific Plan

Dear Chair Huizar and Honorable Members of the Planning and Land Use Management Committee:

This letter is sent on behalf of the Entertainment Center, LLC, the owner of the building located at 2000 Avenue of the Stars and One Hundred Towers, LLC, the owner of the Century Plaza Towers property located at 2029/2049 Century Park East (collectively, "One Hundred Towers"), who are directly across Constellation Boulevard from the proposed Century City Center project (the "Project"). Among other actions, One Hundred Towers submitted, on January 7, 2014, a request for an alternative Cumulative Alternative Trip Generation Potential ("CATGP") rate for the above-referenced Project, and the City Planning Commission ("CPC"), despite assurances by Planning Department staff in its letter of February 6, 2014, never heard that application in conjunction with its consideration of the Project. Further, no other decisionmaking body considered the application, in violation of the Century City North Specific Plan (the "Specific Plan"). We attach all of the referenced correspondence.

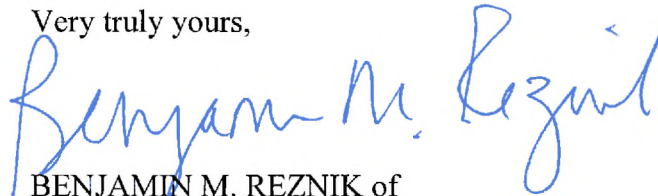
We reiterate the objections in our February 18, 2014 letter to the Planning Department. These objections include the observation, confirmed by the plain language of the City's Multiple Approvals Ordinance, that the West Los Angeles Area Planning Commission ("APC") was the proper decisionmaking body for any application under Section 6 of the Specific Plan. However, process aside, Section 6 of the Specific Plan allows an application thereunder by (1) the developer of a Project; (2) the Director of Planning; or (3) "any other interested person".

Planning and Land Use Management Committee
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Section 6 therefore contemplates the possibility of multiple applications related to a single project as is the case here. In addition, while it may or may not be appropriate for the Applicant's Section 6 Application to be bound up with other approvals for consideration by the CPC, the Multiple Approvals Ordinance provides no basis for the Planning Department, including CPC, to sidestep the requirements of Section 6 and deprive One Hundred Towers of any hearing and consideration of its Application as mandated by the Specific Plan.

Accordingly, we reiterate our demand that the Planning Department immediately agendaize One Hundred Towers' Section 6 Application for hearing, consistent with Sections 11.5.7 F and J of the Municipal Code. Its failure to do so renders fatally flawed the procedure by which the City approved the Project.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:neb

JANUARY 7, 2014 LETTER

Matthew D. Hinks
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MHinks@jmbm.com

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January 7, 2014

VIA ELECTRONIC MAIL

Michael LoGrande
Director of Planning
City of Los Angeles, Department of City Planning
200 N. Spring Street
City Hall, Room 525
Los Angeles, CA 90012
E-mail: michael.logrande@lacity.org

Re: Century City Center (1950 Avenue of the Stars) Application for Review of Alternative Calculation of Trip Generation Factor Pursuant to Section 6 of the Century City North Specific Plan (Case No. CPC-2013-210-SPP-SPR-MS)

Dear Mr. LoGrande:

As you know, on November 13, 2013, this office submitted on behalf of Entertainment Center, LLC and One Hundred Towers, LLC (collectively, "One Hundred Towers") an application (the "Application") under Section 6 of the Century City North Specific Plan ("Specific Plan") for a proposed alternative Trip generation factor for the Project located at 1950 Avenue of the Stars proposed by Century City Realty, LLC ("Applicant").

On December 3, 2013, we received the attached response from the Department of Transportation ("DOT"), which referenced DOT's response to a previous Section 6 Application by Applicant issued to the City Planning Commission on October 28, 2013, and stated that DOT "recommended approval of the [Applicant's] proposed alternative generation factor for the project based on technical findings related to supporting trip generation data." DOT continued: "[I]and use policy issues and procedural matters that have been raised in your letter will be heard and discussed by the appropriate decision making body through a public hearing process to be determined and scheduled by the Department of City Planning."

Section 6 of the Specific Plan provides that DOT shall consider an application made thereunder in the first instance and report its findings to the Area Planning Commission ("APC") within 30 days. It further provides that the APC, upon receipt of the DOT findings, shall schedule a public hearing thereon, give notice thereof as prescribed in Sections 11.5.7 F and J of the Municipal Code, and within 45 days after such hearing approve, disapprove or conditionally approve the proposed alternative Trip generation factor as the Trip generation

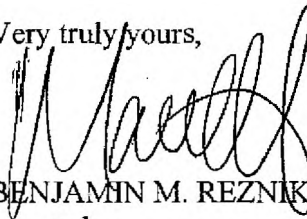
Michael LoGrande
Director of Planning
City of Los Angeles, Department of City Planning
January 7, 2014
Page 2

factor for the Project. Being that we have received no other response to the One Hundred Towers Section 6 Application, we assume that DOT intended its December 3, 2013 letter to constitute its findings in respect to the Application. Nevertheless, to date, we have received no communication from the Planning Department, including the APC, regarding the Application.

Accordingly, pursuant to the plain terms of Section 6 of the Specific Plan, we hereby demand that the APC immediately agendize One Hundred Towers' Section 6 Application for hearing before the APC consistent with Sections 11.5.7 F and J of the Municipal Code.

We look forward to your prompt response.

Very truly yours,



BENJAMIN M. REZNIK

and

MATTHEW D. HINKS of
Jeffer Mangels Butler & Mitchell LLP

MH:mh

Enclosure

cc: The Hon. Paul Koretz, Councilman for CD5
The Hon. Michael Feuer, City Attorney
Members of the West Los Angeles Area Planning Commission
Jay Kim, Sean Haeri, Rudy Guevara (Western District), DOT
Dan Scott, Lisa Webber, Jon Foreman, David Weintraub, Erin Strellich, DCP
Mike Patonai, BOE

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI
MAYOR

Jon Kirk Mukri
INTERIM GENERAL MANAGER

DEPARTMENT OF
TRANSPORTATION
100 S. Main St., 10th Floor
Los Angeles, CA 90012
(213) 972-8470
FAX (213) 972-8410

December 3, 2013

1950 Avenue of the Stars
DOT Case No. WLA11-028

Benjamin M. Reznik
Matthew D. Hinks
Jeffer Mangels Butler & Mitchell, LLP
1900 Avenue of the Stars, 7th Floor
Los Angeles, CA 90067-4308

Subject: APPLICATION BY ENTERTAINMENT CENTER, LLC AND ONE HUNDRED TOWERS, LLC FOR ALTERNATIVE CALCULATION OF TRIP GENERATION FACTOR PURSUANT TO SECTION 6 OF THE CENTURY CITY NORTH SPECIFIC PLAN

This is in response to your dispute letter of November 13, 2013, on behalf of Entertainment Center, LLC and One Hundred Towers, LLC regarding the proposed project on 1950 Avenue of the Stars.

Pursuant to Section 6 of the Century City North Specific Plan, the Department of Transportation (LADOT) has reviewed the proposed alternative trip generation factor for the above project and has issued a letter to the City Planning Commission on 10/28/13. We recommended approval of the proposed alternative trip generation factor for the project based on technical findings related to supporting trip generation data.

Land use policy issues and procedural matters that have been raised in your letter will be heard and discussed by the appropriate decision making body through a public hearing process to be determined and scheduled by the Department of City Planning. At that time, a decision will be rendered to approve, disapprove or conditionally approve the proposed alternative trip generation factor for the project.

If you have any questions, please contact Jay Kim at (213) 972-8438 or Sean Haeri at (213) 485-1062.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Kirk Mukri".

Jon Kirk Mukri
Interim General Manager

c: Renee Dake Wilson, City Planning Commission
Jay Greenstein, Shawn Bayliss, Katherine Hennigan, Fifth Council District
Terry Kaufmann Macias, City Attorney
Lisa Webber, Dan Scott, Jon Foreman, Karen Hoo, Erin Strellich, Nick Hendricks, DCP
Jay Kim, Sean Haeri, Mo Blorfroshan, LADOT

WLA11-028 Alternative Trip Generation Factor Response to JMBM 2

AN EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION EMPLOYER

FEBRUARY 6, 2014 LETTER

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

RENEE DAKE WILSON
PRESIDENT
DANA M. PERLMAN
VICE-PRESIDENT

ROBERT L. AHN
DAVID H. J. AMBROZ
MARIA CABILDO
CAROLINE CHOE
RICHARD KATZ
JOHN W. MACK
MARTA SEGURA

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
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DEPUTY DIRECTOR
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EVA YUAN-MCDANIEL
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

February 6, 2014

Dear Mr. Reznik and Mr. Hinks,

The Department of City Planning is in receipt of your letter dated January 7, 2014, which includes a demand that a public hearing be scheduled before the West Los Angeles Area Planning Commission based on an application you submitted to the Department of Transportation involving a proposed alternative Trip generation factor for the Project located at 1950 Avenue of the Stars (also known as the "Century City Center" project). The Department of City Planning cannot accommodate your request for a public hearing for the reasons described below.

The application letter you have submitted to the Department of Transportation is deficient because you did not submit the required traffic generation study. Section 6 of the CCNSP requires that you submit a traffic generation study prepared by a registered traffic engineer. The traffic generation study you have submitted is a copy of the traffic generation study previously submitted by Century City Realty, LLC, the applicant for the Century City Center Project located at 1950 Avenue of the Stars. In this regard, what you have submitted to the Department of Transportation is merely a rebuttal to the traffic generation study submitted by Century City Realty, LLC.


As you are aware, the Century City Center Project's traffic generation study has already been reviewed by the Department of Transportation. The recommendation of the Department of Transportation will be considered by the City Planning Commission pursuant to the procedures set forth in Multiple Approvals Ordinance of the Los Angeles Municipal Code (Code Section 12.36). The Department of Transportation has adequately responded to your request indicating the appropriate processes for the Century City Center Project.

As noted above, Section 12.36 of the Los Angeles Municipal Code is applicable to this project due to the fact that the Century City Center Project involves multiple entitlements with multiple initial decision-making bodies, which also includes a determination of the adequacy of the Subsequent Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA). All discretionary actions for the Century City Center Project will be heard and considered by the City Planning Commission. Pursuant to

CEQA, the project must be considered as a whole. The alternative Trip generation factor cannot exist on its own without thorough considerations of the entire project.

The proposed alternative Trip generation factor is appealable to City Council. None of the procedures applied to this project limit your administrative remedies or your ability to participate and engage the process on this matter. The City Planning Commission will consider all materials and comments you have presented for the public record, including your letters contesting the Trip generation factor submitted to the Department of Transportation and to the Department of City Planning.

Michael J. LoGrande
Director of Planning

For 
Charles J. Rausch, Jr.
Associate Zoning Administrator

NH:nh:mc

cc: Councilman Paul Koretz, Fifth District
Jay Kim, Department of Transportation
City Planning (Lisa Webber, Charlie Rausch, Dan Scott)

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September 12, 2014

VIA E-MAIL (sharon.gin@lacity.org)

Hon. Jose Huizar, Chair
Hon. Gilbert Cedillo
Hon. Mitchell Englander
City of Los Angeles, Planning and Land Use Management Committee
200 N. Spring Street, Rm. 395
Los Angeles, CA 90012
Attn: Sharon Gin, Legislative Assistant

Re: Council File 14-1130
CPC-2013-210-SPP-SPR-MS-C-A1
ENV-2004-6269-EIR-SUP1
1950 Avenue of the Stars
Additional Information in Support of Appeal

Dear Chair Huizar and Honorable Members of the Planning and Land Use Management Committee:

This letter is sent on behalf of 1875/1925 Century Park East Company and WP Twin Towers, Inc. ("Watt Plaza") owners of Watt Plaza, which is located at 1875 and 1925 Century Park East in Century City and is developed with twin 23-story office towers encompassing 900,000 square feet of commercial office uses. Watt Plaza is located within the Century City North Specific Plan ("Specific Plan") area and is therefore subject to the density, traffic and other land use limitations of the Specific Plan and will be impacted by the subject commercial office project (the "Project"), located at 1950 Avenue of the Stars (the "Project Site") proposed by Century City Realty, LLC (the "Applicant"). As stated in our appeal, our testimony before the Hearing Officer and City Planning Commission, and our prior comment letters to the City, which are incorporated by reference herein, the City failed to process the Project in the manner required by City code and State law, and failed to evaluate the environmental impacts as required by the California Environmental Quality Act ("CEQA"). Therefore, the City's findings and conditions are not supported by substantial evidence.

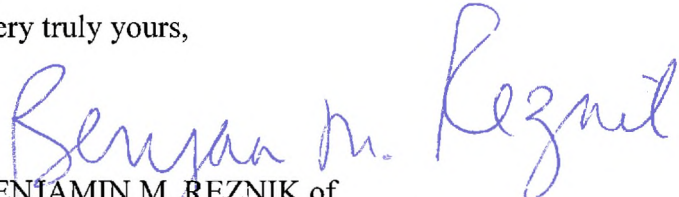
The City erred and abused its discretion in approving the entitlements for reasons that include, but are not limited to, the following:

- Failure to fully evaluate and mitigate the traffic and circulation impacts caused by removal of the alley adjacent to Watt Towers and utilized by multiple buildings on the block.
- Failure to follow the procedures set forth in the Century City North Specific Plan (the "Specific Plan") and Los Angeles Municipal Code ("LAMC") for an application for an alternative rate of Cumulative Alternative Trip Generation Potential ("CATGP") under Section 6 of the Specific Plan;
- Improper use of Section 6 of the Specific Plan for a use for which Section 2 of the Specific Plan already establishes a CATGP rate;
- Failure to make the required findings for a Modified Project Permit;
- Failure to make the required findings for a Site Plan Approval;
- Improper modification of an existing development agreement for a wholly new project;
- Failure to support the findings regarding the trip generation characteristics for Century City office uses;
- Conflation of the CATGP analysis (a land use issue) with the traffic analysis (a technical issue) in the Final Environmental Impact Report ("EIR");
- Misleading the public regarding the nature and scope of the new office project in relation to the prior residential project in the EIR and Determination, which also thwarted effective CEQA review;
- Failure to correct errors in the construction noise analysis that inappropriately reduced the noise-generating characteristics of Project-related construction equipment;
- Failure to correct numerous flaws in the Final EIR's "Trip Generation" study, resulting in the under-counting of vehicle trips;
- Failure to provide substantial evidence to support the trip generation assumptions in the traffic analysis and in the CATGP calculations—including the raw trip counts the Applicant's consultant claims to have used, and the occupancy of the buildings measured for the purpose of generating assumptions for the calculations;
- Failure to adequately address neighborhood intrusion effects of Project-related traffic;
- Failure to acknowledge or evaluate the growth-inducing impacts of the Project's precedent-setting use of Section 6 of the Specific Plan, which removes a substantial limit to growth in the Specific Plan area;
- Failure to substantiate assumptions, correct errors, or explain discrepancies in the greenhouse gas analysis in the Final EIR.

Planning and Land Use Management Committee
September 12, 2014
Page 3

As detailed in the information provided in Watt Plaza's appeal, each of these errors, by itself, renders a significant portion of the Determination unsupported by substantial evidence and therefore erroneous and an abuse of discretion. Therefore, for each of these reasons, the PLUM Committee should uphold Watt Plaza's appeal and deny the Project in its entirety.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:neb

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ENV-2004-6269-EIR-SUP1
1950 Avenue of the Stars
Additional Information in Support of Appeal

Dear Chair Huizar and Honorable Members of the Planning and Land Use
Management Committee:

On behalf of our client, Beverlywood Homes Association (the "Association"), a community of 1350 homes and approximately 4000 residents, we submit the attached letter for your consideration to supplement its appeal of the above-referenced Project. As described in detail in the Association's appeal and in our correspondence and testimony—all of which are incorporated by reference as if fully set forth here—to the Hearing Officer and the City Planning Commission ("CPC"), the Staff Report and CPC Determination (the "Determination") were grossly insufficient and misleading. To the extent that the findings and conditions of approval for the New Office Project incorporate and rely upon that analysis, the findings and conditions are not supported by substantial evidence and cannot support the findings in the Determination.

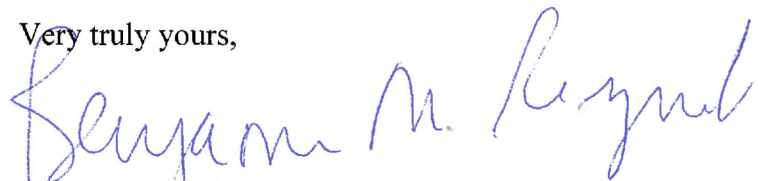
Therefore, the CPC erred and abused its discretion in approving the Project for reasons including, but not limited to, the examples set forth below:

- Failure to follow the procedures set forth in the Century City North Specific Plan (the "Specific Plan") and Los Angeles Municipal Code ("LAMC") for an application for an alternative rate of Cumulative Alternative Trip Generation Potential ("CATGP") under Section 6 of the Specific Plan;
- Improper use of Section 6 of the Specific Plan for a use for which Section 2 of the Specific Plan already establishes a CATGP rate;

- Failure to make the required findings for a Modified Project Permit;
- Failure to make the required findings for a Site Plan Approval;
- Improper modification of an existing development agreement for a wholly new project;
- Failure to support the findings regarding the trip generation characteristics claimed to inhere in Century City office uses;
- Conflation of the CATGP analysis (a land use issue) with the traffic analysis (a technical issue) in the Final Environmental Impact Report ("EIR");
- The Staff Report and Determination misled the public regarding the nature and scope of the new office project in relation to the prior residential project, which also thwarted effective CEQA review;
- Failure to correct errors in the construction noise analysis, which inappropriately reduced the noise-generating characteristics of Project-related construction equipment;
- Failure to correct numerous flaws in the Final EIR's "Trip Generation" study, resulting in the under-counting of vehicle trips;
- Failure to provide substantial evidence to support the trip generation assumptions in the traffic analysis and in the CATGP calculations, including a failure to provide the raw trip counts the Applicant's consultant claims to have used, and the occupancy of the buildings measured for the purpose of generating assumptions for the calculations;
- Failure to adequately address neighborhood intrusion effects of Project-related traffic;
- Failure to acknowledge or evaluate the growth-inducing impacts of the Project's precedent-setting use of Section 6 of the Specific Plan, which removes a substantial obstacle to growth in the Specific Plan area;
- Failure to substantiate assumptions, correct errors, or explain discrepancies in the greenhouse gas analysis in the Final EIR.

As detailed in the information provided in the Association's appeal, each of these errors, by itself, renders a significant portion of the Determination unsupported by substantial evidence and therefore erroneous and an abuse of discretion. For each of these reasons, the PLUM Committee should uphold the Association's appeal and deny the Project in its entirety.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:neb

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Re: Council File 14-1130
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ENV-2004-6269-EIR-SUP1
1950 Avenue of the Stars
Additional Information in Support of Appeal

Dear Chair Huizar and Honorable Members of the Planning and Land Use Management Committee:

This letter is sent on behalf of the Entertainment Center, LLC, the owner of the building located at 2000 Avenue of the Stars and One Hundred Towers, LLC, the owner of the Century Plaza Towers property located at 2029/2049 Century Park East (collectively, "One Hundred Towers"), who are directly across Constellation Boulevard from the proposed Century City Center project (the "Project"). As stated in our appeal, our testimony before the Hearing Officer and City Planning Commission, and our prior comment letters to the City, which are incorporated by reference herein, the City failed to process the Project in the manner required by City code and State law, and failed to evaluate the environmental impacts as required by the California Environmental Quality Act ("CEQA"). Therefore, the City's findings and conditions are not supported by substantial evidence.

The City erred and abused its discretion in approving the entitlements for reasons that include, but are not limited to, the following:

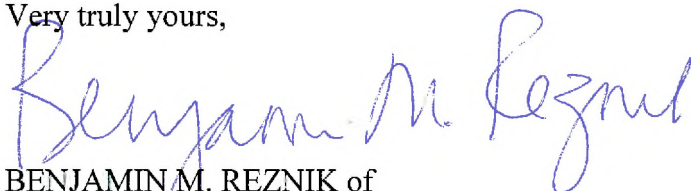
- Failure to fully evaluate and mitigate the traffic impacts to the ingress and egress from the garage entrance to Century Park Towers and 2000 Avenue of the Stars on Constellation Boulevard.
- Failure to follow the procedures set forth in the Century City North Specific Plan (the "Specific Plan") and Los Angeles Municipal Code ("LAMC") for an application for an

alternative rate of Cumulative Alternative Trip Generation Potential ("CATGP") under Section 6 of the Specific Plan;

- Improper use of Section 6 of the Specific Plan for a use for which Section 2 of the Specific Plan already establishes a CATGP rate;
- Failure to make the required findings for a Modified Project Permit;
- Failure to make the required findings for a Site Plan Approval;
- Improper modification of an existing development agreement for a wholly new project;
- Failure to support the findings regarding the trip generation characteristics for Century City office uses;
- Conflation of the CATGP analysis (a land use issue) with the traffic analysis (a technical issue) in the Final Environmental Impact Report ("EIR");
- Misleading the public regarding the nature and scope of the new office project in relation to the prior residential project in the EIR and Determination, which also thwarted effective CEQA review;
- Failure to correct errors in the construction noise analysis that inappropriately reduced the noise-generating characteristics of Project-related construction equipment;
- Failure to correct numerous flaws in the Final EIR's "Trip Generation" study, resulting in the under-counting of vehicle trips;
- Failure to provide substantial evidence to support the trip generation assumptions in the traffic analysis and in the CATGP calculations—including the raw trip counts the Applicant's consultant claims to have used, and the occupancy of the buildings measured for the purpose of generating assumptions for the calculations;
- Failure to adequately address neighborhood intrusion effects of Project-related traffic;
- Failure to acknowledge or evaluate the growth-inducing impacts of the Project's precedent-setting use of Section 6 of the Specific Plan, which removes a substantial limit to growth in the Specific Plan area;
- Failure to substantiate assumptions, correct errors, or explain discrepancies in the greenhouse gas analysis in the Final EIR.

As detailed in the information provided in One Hundred Towers' appeal, each of these errors, by itself, renders a significant portion of the Determination unsupported by substantial evidence and therefore erroneous and an abuse of discretion. Therefore, for each of these reasons, the PLUM Committee should uphold One Hundred Towers' appeal and deny the Project in its entirety.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

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September 12, 2014

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Re: Council File 14-1130
CPC-2013-210-SPP-SPR-MSA1
ENV-2004-6269-EIR-SUP1
1950 Avenue of the Stars
Additional Information in Support of Appeal

Dear Chair Huizar and Honorable Members of the Planning and Land Use
Management Committee:

This submission is sent on behalf of the Coalition to Save the Westside (the "Coalition"), a group of major commercial property owners in Century City that includes the owners of the Watt Towers, Century Plaza Towers, and the CAA Building, to supplement its appeal of the above-referenced Project. As described in detail in our appeal and in our correspondence with and testimony—all of which are incorporated by reference as if fully set forth here—before the Hearing Officer and the City Planning Commission ("CPC"), the Staff Report and CPC Determination (the "Determination") were grossly insufficient and misleading. To the extent that the findings and conditions of approval for the New Office Project incorporate and rely upon that analysis, the findings and conditions are not supported by substantial evidence and cannot support the findings in the Determination.

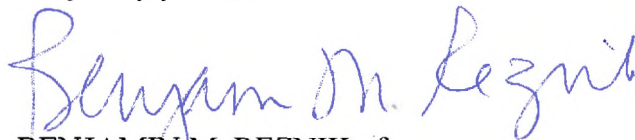
Therefore, the CPC erred and abused its discretion in approving the Project for reasons including, but not limited to, the examples set forth below:

- Failure to follow the procedures set forth in the Century City North Specific Plan (the "Specific Plan") and Los Angeles Municipal Code ("LAMC") for an application for an alternative rate of Cumulative Alternative Trip Generation Potential ("CATGP") under Section 6 of the Specific Plan;

- Improper use of Section 6 of the Specific Plan for a use for which Section 2 of the Specific Plan already establishes a CATGP rate;
- Failure to make the required findings for a Modified Project Permit;
- Failure to make the required findings for a Site Plan Approval;
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- Conflation of the CATGP analysis (a land use issue) with the traffic analysis (a technical issue) in the Final Environmental Impact Report ("EIR");
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- Failure to correct errors in the construction noise analysis, which inappropriately reduced the noise-generating characteristics of Project-related construction equipment;
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- Failure to provide substantial evidence to support the trip generation assumptions in the traffic analysis and in the CATGP calculations, including a failure to provide the raw trip counts the Applicant's consultant claims to have used, and the occupancy of the buildings measured for the purpose of generating assumptions for the calculations;
- Failure to adequately address neighborhood intrusion effects of Project-related traffic;
- Failure to acknowledge or evaluate the growth-inducing impacts of the Project's precedent-setting use of Section 6 of the Specific Plan, which removes a substantial obstacle to growth in the Specific Plan area;
- Failure to substantiate assumptions, correct errors, or explain discrepancies in the greenhouse gas analysis in the Final EIR.

As detailed in the information provided in the Coalition's appeal, each of these errors, by itself, renders a significant portion of the Determination unsupported by substantial evidence and therefore erroneous and an abuse of discretion. For each of these reasons, the PLUM Committee should uphold the Coalition's appeal and deny the Project in its entirety.

Very truly yours,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:neb