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January 27, 2015

Los Angeles City Council
City Hall
200 North Spring Street, Room 360
Los Angeles, CA 90071
Attn: Holly L. Wolcott, City Clerk

Re: Century City Center Project, January 27 City Council Meeting Agenda Item Nos. 2, 8 (Council File Nos. 14-1130, 14-1130-S1); Case Nos. 2013-210-SPP-SPR-MS-C, CPC-2009-817-DA-M1; ENV-2004-6269-SUP1

Dear President Wesson and Honorable Councilmembers:

On behalf of the Applicant, we write to respond to yet another last-minute submittal by the opponents of the Century City Center Project ("Project"). Like the two other last minute submittals you received from the opponents' paid consultants, the January 26, 2015 letter from Jeffer Mangels Butler & Mitchell on behalf of several opponents (the "JMBM Opponents") raises misleading and inaccurate claims that have already been fully addressed numerous times by the City and the Applicant, including in the Project's Final Subsequent EIR. **Accordingly, substantial evidence in the record supports the City's position on these issues, and the opponents' claims to the contrary should be given no weight.**

The Project's Trip Generation Study is Valid and Fully Supported. The JMBM Opponents again raise the same issues regarding the empirical trip generation study conducted by Gibson Transportation Consulting, Inc., which was used by the City to determine the trip generation characteristics of Century City high rise office buildings and the proposed Project. The validity of this study is thoroughly explained in numerous places in the record, particularly Topical Response 5 of the Responses to Comments in the Final Subsequent EIR, and was affirmed by the Los Angeles Department of Transportation ("LADOT") in letters dated December 18, 2012, October 28, 2013, and August 8, 2014. As LADOT confirmed, the empirical trip generation study is accurate and fully supported.

The JMBM opponents again falsely claim that the empirical study "cherry-picked" office buildings for inclusion in the survey of parking and trip generation characteristics at peer office buildings in Century City, and imply that the buildings chosen were favorable to the study's results. As explained in Final Subsequent EIR Topical Response 5 and Response to Comment O-16-4, the Applicant did not "cherry-pick" data for inclusion in the study. Rather, the

Applicant initially presented data to LADOT from two peer buildings in Century City, and LADOT requested that the Applicant provide data from two additional buildings. Therefore, the Applicant provided real-world data from four separate peer buildings in Century City per LADOT's requirement. Further, as explained in Topical Response 5, Section 6, the data collected at the four buildings is consistent with the data in a traffic monitoring report collected in 2011 for LADOT on behalf of the 2000 Avenue of the Stars/Century Plaza Towers complex, located across Constellation Boulevard from the Project site and owned by one of the JMBM Opponents. As discussed in our prior submittals, the fact that this complex showed similar trip generation characteristics independently verifies the results of the Gibson empirical study.

Historic Data Supports the Trip Generation Study. The JMBM Opponents also erroneously claim that the "raw" driveway count data provided to LADOT do not cover ten years of historic counts, and argue that ten years of data was promised by the Applicant. This is false. As explained in the Subsequent EIR, including the Transportation Study and Topical Response 5, the trip generation study **only used data collected in 2011 to formulate the Empirical and Economy Adjustment Rates used in the Subsequent EIR.** Where available, data from prior years at the Applicant's buildings was provided to LADOT to corroborate the data collected in 2011. The Applicant never represented that a full 10 years of data was available. The available data from that period has been provided to LADOT. Indeed, providing that data to LADOT is consistent with requests made on numerous occasions by several JMBM Opponents, who asked to see historical parking and driveway data to corroborate the 2011 data. The JMBM Opponents' arguments during this process are wholly contradictory and absurd – they request historic data and then criticize the Applicant for providing it.

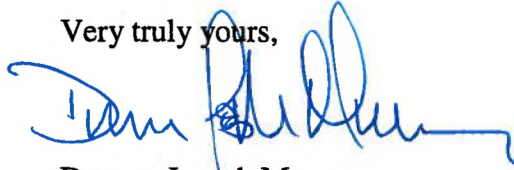
The Subsequent EIR Uses a Proper Baseline. The JMBM Opponents also wrongly claim that examining historical parking and driveway data to corroborate the results of the Gibson trip generation study violates CEQA because that information was collected prior to the date of the Notice of Preparation. As noted above, the historical data was not used in calculating the Empirical or Economy Adjustment Rates; rather, it was provided to LADOT to corroborate the data collected in 2011. The JMBM Opponents' tortured reading of CEQA baseline case law does not apply to these facts.

The Transportation Study Fully Accounted for Occupancy Conditions. Finally, the JMBM Opponents once again make incorrect claims regarding the leased rates and occupancy of the peer buildings surveyed in the empirical trip generation study to argue that the study understates the actual trip generation of those buildings. As explained in Final Subsequent EIR Topical Response 5, Section 3, and our prior letters of December 6, 2013, April 24, 2014, and September 11, 2014, the study fully accounted for the economic conditions of 2011 in the Economy Adjustment Rate, which adjusted traffic counts upward to account for the actual occupancy rates in Century City buildings at the time the traffic counts were conducted. As to the erroneous claim that MGM had vacated a surveyed building at the time of the study, Response to Comment O-27-54 explained that the trip generation counts were conducted in January 2011, eight months prior to MGM vacating its lease. Therefore, as has been detailed in numerous places in the Subsequent EIR and contrary to the JMBM Opponents' contentions, the empirical study and the Project's Transportation Study fully accounted for external factors in making their assumptions regarding Century City traffic counts.

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The Project's empirical trip generation study is valid and was performed using real-world data to LADOT's exacting specifications. LADOT confirmed its validity in numerous letters, and has testified before the Hearing Officer, Planning Commission and PLUM Committee that it believes in the accuracy of the analysis contained in the study. Therefore, the Planning Commission and PLUM Committee had ample substantial evidence upon which to vote in favor of approving the Project, including the Applicant's request for an alternative Trip generation factor pursuant to Section 6 of the Century City North Specific Plan. We respectfully request that you do the same.

Very truly yours,



Duncan Joseph Moore
of LATHAM & WATKINS LLP

cc: Patrick Meara and Sarah Shaw, Century City Realty
George Muhlsten, Latham & Watkins