

14-1479

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FRED GAINES
SHERMAN L. STACEY
LISA A. WEINBERG*
REBECCA A. THOMPSON*
NANCI SESSIONS-STACEY
KIMBERLY A. RIBLE
ALICIA B. BARTLEY

LAW OFFICES OF
GAINES & STACEY LLP
16633 VENTURA BOULEVARD, SUITE 1220
ENCINO, CA 91436-1872

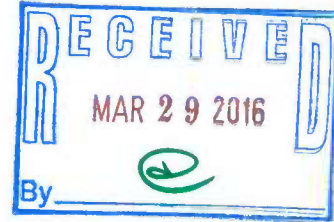
TELEPHONE (818) 933-0200
FACSIMILE (818) 933-0222
INTERNET: WWW.GAINESLAW.COM

* a professional corporation

March 28, 2016

ORIGINAL VIA US MAIL

VIA EMAIL councilmember.wesson@lacity.org



The Honorable Herb J. Wesson, Jr. - President
Los Angeles City Council
200 N. Spring Street
Los Angeles, CA 90012

Re: Council File No. 14-1479
City Council Hearing Date: March 29, 2016 - Agenda Item No. 36
Vacant Parcels off of Cahuenga Boulevard
Opposition to Motion to Rescind Prior Council Action

Dear President Wesson:

This office represents the owner of the property located at 2864 N. Cahuenga Boulevard with respect to the matter referenced above. As you may know, the Planning Department initiated Case No.: CPC-2015-2607-GPA-ZC-HD-SPR at the direction of the City Council in response to a Motion presented by former Councilmember Tom LaBonge on October 29, 2014 (the "Motion"). The Motion was unanimously recommended for adoption by both the Innovation, Technology and General Services Committee at its meeting held on January 27, 2015, and by the Planning and Land Use Management Committee at its meeting held on February 24, 2015. On March 18, 2015, the City Council passed the Motion on a vote of 12-0.

In reliance on those City Council's actions, our client has expended substantial resources in advancing the project. Our client has engaged EcoTierra Consulting to prepare a Draft Environmental Impact Report for the subject project. At this time most of the technical studies have been completed, including a traffic study prepared by Crain & Associates (and already initially reviewed by LADOT), a Biological Resources report prepared by NOREAS, and a Geotechnical/Soils report prepared by Geo Systems. Our client has also retained consultants to prepare analyses regarding potential Air Quality and Noise impacts.

Councilmember Ryu has now introduced a motion to rescind your unanimous 2015 action at the request of the Hollywood Hills West Neighborhood Council. Given that our client has now incurred over \$300,000 in out of pocket expenses to date in reliance on the City's prior action, we request that the City Council deny the motion to rescind and allow the current application to proceed to hearing and decision. The City, of course, retains full discretion to approve or deny any land use entitlements

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for the property. Allowing the application process to continue will allow for the full Environmental Impact Report to be completed, including the study of possible project alternatives. That information is necessary and valuable regardless of the City's ultimate decision regarding the property.

In the alternative, we request that the City Council act to place a hold on the Planning Department case. With the case on hold, our client can work with the Council Office to facilitate a working group to discuss options for the property prior to allowing the application process to proceed.

As any action by the City to completely stop the Planning Department case will result in immediate and significant damage to our client, we respectfully request that the Council consider alternatives, such as our recommendation above, to allow our client to work with its neighbors while completing the EIR process.


The termination of the current application process will cause our client to suffer immediate monetary damages. Our client will seek to be reimbursed by the City for all such damages.

Thank you for your time and consideration of this matter. As always, please do not hesitate to contact me at any time with any questions or comments that you may have.

Sincerely,

GAINES & STACEY LLP

By


FRED GAINES

cc: All City Council Members (Via Email)
Sharon Gin, Legislative Assistant (Via Email)