

Memorandum

TO: Luci Ibarra, Department of City Planning, Environmental Analysis Section **DATE:** April 10, 2015
CC:
FROM: Jay Ziff, PCR Services Corporation
RE: **ACADEMY MUSEUM OF MOTION PICTURES PROJECT – RESPONSES TO COMMENTS FROM MARCH 16, 2015 HEARING OFFICER HEARING FOR CASE CPC 2014-3119**

Attached to this Memorandum are responses to written and oral comments submitted to the City at the public hearing for Case CPC 2014-3119, held at Los Angeles City Hall, Public Works Board Room, 200 North Spring Street, 3rd Floor, Los Angeles, California on Monday, March 16, 2015. Written comments are included in Attachment A. A total of six letters were received. Each letter in the attachment has been assigned a number, and the comments within each letter have also been numbered. For example, the first comment in Letter No. 1 is labeled 1-1. Following each scanned and numbered letter are correspondingly numbered responses to the comments. Oral comments are provided in Attachment B, which includes a Reporter's Transcript of Proceedings. Similar to the letters, each comment warranting a response has been numbered, with the first public hearing response labeled PH-1.

The majority of the comments received are focused on the Environmental Impact Report (EIR) for the Academy Museum of Motion Pictures Project (Case Number: ENV-2013-1531-EIR, State Clearinghouse Number: 201305186). As reflected in the attached responses to the comments received at the hearing, neither the comments submitted, nor the responses provided, constitute new significant information warranting recirculation of the EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the responses confirm that the EIR for the Academy Museum of Motion Pictures Project is comprehensive and has been prepared in accordance with CEQA.

ATTACHMENTS:

Attachment A: Written Comments and Responses to Comments
Attachment B: Reporter's Transcript of Proceedings and Responses to Comments

**Attachment A: Written Comments and Responses to Comments
Hearing Officer Public Hearing (March 16, 2015)**

List of Comment Letters

Letter No. 1 Joyce Dillard

Letter No. 2 Dennis Hathaway, President, Coalition to Ban Billboard Blight

Letter No. 3 Tom LaBonge, Councilmember 4th District

Letter No. 4 James O'Sullivan, President, Miracle Mile Residential Association

Letter No. 5 Robert P. Silverstein, The Silverstein Law Firm

Letter No. 6 Daniel Tellalian, Concerned Citizens of Barrows Drive

Comments to FEIR ENV-2013-1351-EIR Academy Museum of Motion Pictures Project
Public Hearing 3.16.2015 Case No. CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR

COMMENT NO. E5-1

You assume no significant impacts in SURFACE WATER HYDROLOGY or SURFACE WATER QUALITY.

You have not based your reports or mitigation on the current requirements of the LA Regional Water Quality Control Board for surface water and hydrology. Monitoring and Reporting is not sufficiently addressed.

RESPONSE NO. E5-1

The commenter does not specify which current requirements of the LA Regional Water Quality Control Board ("LARWQCB") for surface water and hydrology are not addressed.

The Draft EIR discussed impacts on surface water hydrology and surface water quality in Section 4.F, Hydrology and Water Quality with supporting data provided in Appendix I of the Draft EIR. As analyzed on pages 4.F-13 through 4.F-14, impacts on surface water hydrology would be less than significant with implementation of Project Design Feature PDF-WQ-1, Construction Dewatering Analysis and Treatment, an at-grade stormwater flow-through planter, and the required Storm Water Pollution Prevention Plan ("SWPPP"), Standard Urban Stormwater Mitigation Plan ("SUSMP"), Low Impact Development ("LID") and corresponding Best Management Practices ("BMPs"). As discussed on pages 4.F-17 through 4.F-21, impacts on surface water quality would be less than significant with implementation of Project Design Features PDF-WQ-1, Construction Dewatering Analysis, PDF-WQ-2, Nitrate Control, PDF-HAZ-2, Soil Management Plan, and PDF-HAZ-3, Gas Mitigation and Monitoring System; compliance with City grading regulations; and implementation of SWPPP BMPs, SUSMP BMPs, and LID BMPs. Compliance with the National Pollution Discharge Elimination System ("NPDES") General Construction Activity Permit (State Water Resources Control Board Order No. 2009-00090DWQ), Municipal Separate Storm Sewer Systems Permit (LARWQCB Order No. R4-2012-0175), and Waste Discharge Requirements for Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties (LARWQCB Order No. R4-2013-0095) would ensure adequate monitoring and reporting and compliance with current LARWQCB requirements.

1-1

The commenter does not specify why monitoring and reporting is not viewed as sufficiently addressed, however, as required by CEQA, the mitigation measures and Project Design Features set forth in the EIR will be subject to a Mitigation Monitoring and Reporting Program, included in Chapter 4 of this Final EIR.

ADDITIONAL COMMENTS:

PDF-WQ-1 Design Feature is Construction Dewatering Analysis should be for permanent dewatering and contamination issues from the Geotechnical and Methane Reports should be addressed in Mitigation.

You state:

The existing building currently has no means of treatment for stormwater runoff. Drainage from the Project Site is conveyed by underground storm pipes and curb drains into drainage facilities along Fairfax Avenue and by curb drain into Wilshire Boulevard.

1-1
Cont'd

Although the existing level of groundwater at the Project Site has been found to be above the existing May Company foundation level, the existing building is fully waterproofed and does not actively discharge or pump groundwater. Refer to the project Geotechnical and Methane Reports for a discussion on the potential for contamination of the existing groundwater.

LID BMPs are not applicable to the GEOLOGY AND SOILS for infiltrations as you have stated, so ongoing Mitigation must be presented beyond the construction of the project.

Municipal Separate Storm Sewer Systems Permit (LARWQCB Order No. R4-2012-0175 reads as follows:

D. Permit Coverage and Facility Description

The Los Angeles County Flood Control District, the County of Los Angeles, and 84 incorporated cities within the Los Angeles County Flood Control District with the exception of the City of Long Beach (see Table 5, List of Permittees), hereinafter referred to separately as Permittees and jointly as the Dischargers, discharge storm water and non-storm water from municipal separate storm sewer systems (MS4s), also called storm drain systems. For the purposes of this Order, references to the "Discharger" or "Permittee" in applicable federal and state laws, regulations, plans, or policy are held to be equivalent to references to the Discharger, or Permittees herein depicting the major drainage infrastructure within the area covered under this Order are included in Attachment C of this Order.

1-2

Ballona Creek Watershed Group is in the Santa Monica Bay Watershed Management Area with the City of Los Angeles as the Lead Agency in the preparation of the EWMP Enhanced Watershed Management Plans and the CIMP Coordinated Integrated Monitoring Program. There exists responsibility for the Receiving Water compliance issues with timelines of

Ballona Creek Trash TMDL September 30, 2015

Ballona Creek Estuary Toxic Pollutants TMDL January 11, 2021

Ballona Creek, Ballona Estuary and Sepulveda Channel Bacteria TMDL
Dry Weather April 27, 2013

Wet Weather July 15, 2021
Ballona Creek Metals TMDL
Dry Weather January 11, 2016
Wet Weather January 11, 2021

1-2
Cont'd

We see no reference in FEIR Chapter 4 to:
Enforcement Agency (in part)
Monitoring Agency
Monitoring Phase
Monitoring Frequency
Action Indicating Compliance

1-3

Please note that Order 2009-0009-DWQ expired on September 2, 2014 and was amended Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ.

1-4

Joyce Dillard
P.O. Box 31377
Los Angeles, CA 90031

LETTER NO. 1

Joyce Dillard
P.O. Box 31377
Los Angeles, CA 90031

RESPONSE NO. 1-1

The comment presents the commenter's previous comment on the Draft EIR along with the City response that was provided on page 2.B-27, in Chapter 2.B, Responses to Individual Comments, of the Final EIR. The additional comments that are also provided suggest that mitigation should be included in the EIR to address permanent dewatering and contamination issues, because LID BMPs are not applicable to infiltration and geology and soils. Municipal Separate Storm Sewer Systems Permit requirements are also cited along with Enhanced Watershed Management Plans.

The potential for contamination of surface and groundwater during operation of the Project is addressed in Section 4.F, Hydrology and Water Quality with supporting data provided in Appendix I of the Draft EIR, and in Section 4.E, Hazards and Hazardous Materials, with supporting data provided in Appendix H of the Draft EIR. Regarding stormwater runoff during operation, as discussed on pages 4.F-18 through 4.F-20, of the Draft EIR, the Project would be subject to NPDES, SUSMP, and LID requirements throughout the life of the Project, including source control and treatment control BMPs, and LID BMPs. As stated on page 4.F-20, the Project Site is not suitable for the use of underground infiltration as a stormwater BMP due to presence of shallow groundwater and asphalt tar sands, and as a result stormwater capture and reuse is planned as a post-construction BMP. Furthermore, the Project would increase the percentage of impervious surfaces compared to existing conditions and would incorporate landscaped areas that would include flow-through planters with planting media where pollutants would be filtered, absorbed, and biodegraded by the soil and plants prior to discharge. In addition, Project Design Feature PDF-WQ-2, would control nitrates through selection of appropriate plant materials and minimal use of nitrogen-based fertilizers. Due to these and other factors further described in the Draft EIR, the analysis concludes that operation of the Project would not result in discharges that would cause regulatory standards to be violated in Ballona Creek, but rather is anticipated to improve water quality compared to existing conditions on the Project Site with implementation of SWPPP and LID BMPS, as well as other regulatory requirements.

Regarding concerns associated with permanent dewatering, as discussed on page 4.F-21 of the Draft EIR, and in Section 4.E, Hazards and Hazardous Materials, of the Draft EIR, small quantities of groundwater could collect in the sump of the Gas Mitigation and Monitoring System and a drainage system would be required unless a waiver is granted by the Los Angeles Department of Building and Safety. Extracted groundwater, if encountered is expected to be in limited quantities, but could contain dissolved methane and hydrogen sulfide gases, TRPH, TPH, Metals, and VOCs which exceed water quality standards.¹⁰ The collected groundwater may be treated prior to discharge into the sanitary sewer system in accordance with the Bureau of Sanitation, Industrial Waste Management Division, Industrial Waste Water Discharge Permit requirements. Therefore, operation of the Gas Mitigation and Monitoring System would have no effect on surface water quality.

¹⁰ *Jim Osborne, Sales Manager, Pure Effect Incorporated, letter dated April 17, 2009 and included in Appendix C of the Geology and Soil Discipline Report (see Appendix G of this Draft EIR).*

In light of the above, including referenced Project Design Features, BMPs, and compliance with all applicable regulatory requirements, there is no expected water quality significant impact and thus no basis for requiring mitigation measures to address water quality during operation of the Project. Also see Response to Comments E5-2 through E5-6 in the Final EIR.

RESPONSE NO. 1-2

Regulations associated with water quality were summarized in Section 4.F, Hydrology and Water Quality of the Draft EIR. However, as stated on page 4.F-6, a full presentation of regulations relevant to the Project, including the Los Angeles County Separate Storm Sewer System Permit, was included in Appendix B, Regulatory Framework, of the Draft EIR.

RESPONSE NO. 1-3

Regarding why there is no reference to enforcement agency, monitoring agency, monitoring phase, monitoring frequency, and action indicating compliance, in Chapter 4, Mitigation Monitoring and Reporting Program, of the Final EIR, as relates to the regulations cited by the commenter, these specifics apply to mitigation measures and Project Design Features. CEQA does not require mitigation measures where existing regulatory requirements are in place to address potential Project impacts on the environment and for which the Project will comply. As reflected in Section 4.F, Hydrology and Water Quality of the Draft EIR, and in Appendix B, Regulatory Framework, of the Draft EIR, the Project would be subject to extensive regulations that address water quality concerns. As noted above, there is no expected water quality significant impact and thus no basis for requiring mitigation measures to address water quality during operation of the Project.

RESPONSE NO. 1-4

Comment noted.

**Coalition to
Ban Billboard Blight** Defending the Visual Environment

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www.banbillboardblight.org

March 16, 2015

Luciralia Ibarra
Department of City Planning
200 N Spring Street
Los Angeles, California 90012

Re: Case Number: CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR
Academy of Motion Pictures Museum.

Dear Ms. Ibarra:

The Coalition to Ban Billboard Blight is a registered non-profit organization that represents individuals, homeowners associations, civic organizations, and other community groups in the city of Los Angeles. Its mission is to advocate for public policies, regulations, and decisions that protect the city’s visual environment from negative impacts of outdoor advertising.

The following comments are directed to the application for a sign district. We urge disapproval of that application for the following reasons:

I. The Proposed Signage is Not Compatible with the Architecture of the Original Building

The proposed signage is not compatible with the architecture of the Original Building and its status as a city historic-cultural monument. The proposed signage is *not* consistent with the policies of the Miracle Mile CDO by being incorporated into the overall design of a building and complementing the facade or architectural elements on which it is placed. According to the conceptual signage plan, three “banner” signs¹ are to be placed on three corners of the building and one banner sign is to be placed on the north side of the entry tower. These vinyl or fabric signs will have a total surface area of 4300 sq. ft. and will be illuminated without any time restrictions. They will be highly prominent in near and distant views of the building. They will be in stark and jarring visual contrast to the architecture of the Original Building and will clearly detract from its historic design.

2-1

Likewise, the 12 digital displays proposed for the Original Building are wholly incompatible with its architecture. The street level windows of the Original Building were static department store displays. Converting them to digital displays that allow full animation greatly detracts from the building's historic nature.

2-2

Another detraction from the historic architecture are the 8 proposed 16 x 4 ft. flag pole signs. Many historic photographs of the building when it operated as a department store show no signs or flags on the poles, which indicates that they were not intended for permanent flag or banner displays. The poles may now be appropriate for *temporary* signage,

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¹ Note: There is no category of “banner sign” in the city sign code. These proposed signs fit the definition of “supergraphic signs”, which are listed as prohibited sign types.

2-4

but not as a display of large advertising signs on a permanent basis. The proposed flag pole signs would also be lighted with no time restriction, which causes yet more detracting from the architectural values of the Original Building. Finally, the Oscar identification sign on the gold entry tower, which is the single most distinctive element of the building's architecture, is nothing less than an insult to anyone concerned with preserving the city's architectural past. It is inconceivable that this brightly-lit, almost 3,000 sq. ft. sign would not be a major distraction from the building's historic architecture.

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II. The Proposed Signage Lighting Levels Are Far Too High

The lighting levels of the proposed signage are far too high. Contrary to the assertions of the FEIR in Appendix C-1, Table 5, proposed sign illumination is not at the minimum required for nighttime readability. According to Appendix C-1, Section 6.6 Spill Light and Glare Impact Assessment-Signage, the permanent digital displays at sidewalk level would have a maximum luminance of 500 candelas per square meter. The nearly 3,000 sq. ft. "Oscar" ID sign on the entry tower would also have a maximum luminance of 500 cd/m² while the four banner (supergraphic) signs would have a maximum luminance of 200 cd/m².

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According to a study entitled "Luminance Criteria and Measurement Considerations for Light-Emitting Diode Billboards" by the Lighting Research Center at Rensselaer Polytechnic Institute, "the preferred luminance of simulated outdoor signage for legibility and acceptability under nighttime viewing conditions, sign luminances of no more than 100 cd/m² were found to optimize legibility and acceptability, even when competing signs were present." In "Digital LED Billboard Luminance Recommendations" researchers at Arizona State University also recommended luminance levels not to exceed 100 cd/m².

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According to these researchers, high brightness in contrast to the lower brightness of the street or road in a driver's view could increase risk of accidents because of the delay in visual adaption after viewing a sign. In the case of the 16 permanent digital displays proposed for this project, which are generally at the level of the driver's eyes, the high contrast poses a hazard not only for other motorists but for pedestrians crossing the street at the busy intersection of Wilshire Blvd. and Fairfax Ave. The three supergraphic signs proposed for the Fairfax Ave. and Wilshire Blvd. frontages and the Oscar ID sign lighted at five times the recommended level would also pose a hazard.

2-8

III. Full Motion Video Displays are Hazardous and Incompatible with the Miracle Mile CDO.

Even more than brightly lit static digital displays, full motion video animation proposed for the permanent and temporary digital signage creates a substantial hazard for motorists, cyclists, and pedestrians at the intersection of Wilshire Blvd. and Fairfax Ave. The Miracle Mile CDO calls for "creating an environment in which pedestrian and automobile traffic can safely exist." The CDO further states that these issues can be addressed by consideration of lighting and signage, among other things. Motorists whose field of vision includes four-story lighted supergraphic signs, animated digital displays in storefront windows, and colored light shows projected on the walls of the Original Building are in clear danger of being distracted and thus present a substantial hazard to other motorists, cyclists, and pedestrians.

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In a study entitled "External Driver Distractions: The Effects of Video Billboards and Wind Farms on Driving Performance," researchers at the University of Calgary found through use of driving simulations that the presence of the video signs affected a number of driver performance measures. In

2-10

the simulated environment of the study, significantly more collisions occurred in the full motion video sign environment than in the presence of static signs. In another study entitled "Investigating Driver Distraction: The Effects of Video and Static Advertising," by the Transport Research Laboratory in London, drivers in a simulated environment with both video and static advertising signs were found to have spent longer looking at video signs, glanced at video signs more frequently, shown greater variation in lateral lane position with video signs, and braked harder on approach to video signs, among other behaviors. The study concluded that video advertisements caused a "significantly greater impairment" to driving performance than static advertisements.

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To rebut these citations, the FEIR references studies that show no significant impact on traffic safety due to the presence of digital billboards and other digital signage. However, these references fail to mention that one of the primary studies was commissioned by the Outdoor Advertising Association of America, and thus cannot be considered objective. The FEIR also references the recent FHWA study of driver distraction due to digital signs. That reference fails to mention that an expert peer reviewer of that study recently issued an analysis concluding that the study was seriously flawed and its conclusions are not credible.

2-11

IV. The Property Should Not Qualify for a Sign District

The May Company building property does not meet the minimum acreage limit for sign districts as set forth by the Los Angeles Municipal Code. The applicants have "borrowed" acreage from an adjacent property to meet the minimum code requirement of 3 acres. This is clearly a violation of the spirit, if not the actual legal requirements, of the sign district ordinance. There has been extensive discussion in the City Planning Commission and the city planning department concerning the desirability of avoiding "single-property" sign districts. In fact, in 2008 the planning department proposed an amendment to the sign district regulations stating, "Sign Districts shall be established only for geographic areas of relatively large extent, such as several city blocks, and only for those geographic areas that have a distinct common character."

2-12

In addition, the proposed signage violates the letter and spirit of the Miracle Mile CDO and the status of Wilshire Blvd. as a scenic corridor. ~~In summary, the signage clearly detracts from the historic May Co. building's architecture and is inconsistent with building's historic-cultural monument status, the luminance of the signage is far higher than necessary, and the animated signage is a potential hazard for motorists, cyclists, and pedestrians. The FEIR's conclusion that the signage proposed for this project results in no significant environmental impacts is thus seriously flawed, and should be rejected. For all the reasons stated, the sign district application should be disapproved.~~

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2-14

Sincerely,

Dennis Hathaway, President

LETTER NO. 2

Dennis Hathaway, President
Coalition to Ban BillboardBligh
2700 Military Avenue
Los Angeles, CA 90064

RESPONSE NO. 2-1

The statement that proposed signage is not compatible with the architecture of the Original Building and its status as a City historic-cultural monument is noted, however, the comprehensive analysis of signage provided in the EIR provides substantial evidence that this is not the case. The proposed Sign District is described on pages 2-25 and 2-26 in Chapter 2.0, Project Description, of the Draft EIR, and on pages 4.A.1-26 through 4.A.1-36 in Section 4.A.1., Aesthetics and Views, including Figures 4.A.1-9 through 4.A.1-12, of the Draft EIR. The Sign District is also described in Appendix F-3 of the Draft EIR, in a *Historical Resources Assessment Report* (“Assessment Report”), along with an evaluation of each proposed signage type, on pages 94 and 103 and on pages 4.C.3-31 through 4.C.3-33, in Section 4.C.3, Historical Resources of the Draft EIR. Also see Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage of the Final EIR.

Regarding the claim that proposed signage is not consistent with the policies of the Miracle Mile CDO which suggest signage be incorporated into the overall design of a building and complement the façade or architectural elements on which it is placed, as further described in Topical Response TR-3, Signage, in the Final EIR, it should be noted that the Miracle Mile CDO Design Guidelines and Standards were not adopted by the City Council, only by the City Planning Commission. As such, they are not part of the Miracle Mile CDO’s regulations and may be superseded by the Sign District. In addition, the Design Guidelines and Standards do not contain prescriptive requirements, but rather direct that projects “should” be implemented in conformance, which by its terms intentionally allows for a certain degree of flexibility. As stated in Section 1 of the Design Guidelines and Standards, the “intent of the CDO is to provide guidance and direction in the design of new and rehabilitation of existing buildings.” To allow for this intended case-by-case conformance review, Municipal Code Section 13.08.E.3(a) requires that Projects “substantially comply” with CDO Design Guidelines and Standards, recognizing that not every guideline or standard will apply equally in all cases. As set forth in Appendix C-1, Table 4 of the Draft EIR, and Section 3.0, Corrections and Additions to the Draft EIR, in the Final EIR, the Project’s Sign District generally would be consistent with the Miracle Mile CDO’s Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations.

As the applicable Design Guidelines and Standards provisions largely relate to signage programs for buildings with multiple tenancies and storefronts, many of the provisions are inapplicable to a signage program that integrates signage throughout a building for a single larger use, such as the Project. Nevertheless, while the Sign District would allow signage elements that vary from certain recommendations of the Design Guidelines and Standards to allow for the materials, placement and illumination proposed, the overall signage program would be substantially consistent with the Design Guidelines and Standards, including consistency with the Miracle Mile CDO’s goals of promoting museums within the Miracle Mile.

Signage proposed for areas of the Original Building not historically used for signage would be designed and scaled in a manner that is proportional to the building’s architectural elements and to ensure compatibility with its character-defining features. The signage program would include banner signs for building identification and to

announce of events and activities taking place on-site. The Design Guidelines and Standards do not impose limits on the size of banner signs or canopy signs, but rather refer to the Municipal Code for such requirements. As previously noted, the Project's Sign District would establish size and location requirements. Moreover, as discussed in Section 5, Reduced Signage Program, in Topical Response TR-3 of the Final EIR, the four proposed banner signs on the Original Building would be reduced in size by 25 percent from the original proposal evaluated by the Draft EIR.

As discussed in Topical Response TR -1, of the Final EIR, the type, size, and location of signage would be subject to review and approval by the Cultural Heritage Commission or as appropriate by the Office of Historic Resources to ensure compatibility with the character-defining features of the Original Building and consistency with the provisions of the Miracle Mile CDO related to rehabilitation of historic structures. As further stated in Topical Response TR-1, banner signs have been placed, designed and scaled in a manner that is proportional to the building's architectural elements to ensure compatibility with its character defining features. Banner signs would not obscure windows, the Corner Tower, or distinct architectural details, and would be placed such that they would be surrounded by the façade limestone cladding and pulled back from windows, the roofline, and the ground level storefront. Accordingly, the analyses provided in the Assessment Report, the Draft EIR and Final EIR all conclude that impacts on historical resources due to signage, including banner signs, would not be significant.

Regarding the prominence of the banner signs and the claim that they will be highly prominent in views and in stark and jarring visual contrast to the architecture of the Original Building, the Draft EIR analyzed the impacts of the Project's signage program to the aesthetic character of the community in Section 4.A.1, Aesthetics and Views. As noted in Section 4.A.1, the Project Site is located along Museum Row, in a heavily urbanized setting that houses five museums including LACMA, the Page Museum/La Brea Tar Pits, the Petersen Automotive Museum, the A+D Architecture and Design Museum, and the Craft and Folk Art Museum. Within this setting, the Project's signage program, which is intended to promote the Museum and Museum Row, would be compatible with neighboring museum uses and the surrounding urban form and scale. The banner sign on the Original Building's eastern corner visible from Wilshire Boulevard and the two banner signs visible from Fairfax Avenue would be integrated into the buildings' architecture. Furthermore and as previously stated, the type, size, and location of signage would be subject to review and approval by the Cultural Heritage Commission or as appropriate by the Office of Historic Resources to ensure compatibility with the character-defining features of the Original Building and consistency with the provisions of the Miracle Mile CDO related to rehabilitation of historic structures.

RESPONSE NO. 2-2

As with banner signs, digital displays were fully evaluated in Section 4.C.3, Historical Resources of the Draft EIR, in Appendix F-3 of the Draft EIR (the Assessment Report), and in Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage, of the Final EIR. As stated on page 4.C.3-32 of the Draft EIR, and on pages 94, 95, 120 and 121 of the Assessment Report, digital displays would be placed in the storefront windows which were historically used for advertising displays. Because the digital displays would continue the historic use of the storefront windows for temporary advertising displays, and they would be reversible, the Draft EIR found the digital displays would not constitute a significant impact pursuant to CEQA, and would conform to the Standards. Furthermore, permits for the use of digital display signage on the Original Building would be subject to review and approval by the Cultural Heritage Commission or as appropriate, the Office of Historic Resources, to ensure that the digital displays do not overwhelm the architecture of the Original Building. Therefore, the Draft EIR considered the digital displays a less than significant impact. Furthermore, and despite this finding of less than significant impacts, due to comments received on the Draft EIR signage proposed in association with the Project has been reduced, including a reduction in the number of Digital Display boxes in the storefront windows, through

elimination (and replacement with static displays [display box signs]) of the digital display beneath the Corner Tower at Fairfax Avenue and Wilshire Boulevard and the three digital displays flanking doorways on the Original Building's Wilshire Boulevard elevation.

RESPONSE NO. 2-3

Regarding flag pole signs, they were fully evaluated in Section 4.C.3, Historical Resources of the Draft EIR, in Appendix F-3 of the Draft EIR (the Assessment Report), and in Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage, of the Final EIR. As discussed on page 4.C.3-32 of the Draft EIR and on page 94 of the Assessment Report, signs would be permitted on each of the six existing flag poles on the Original Building. Historically, the existing flag poles were used as part of advertising displays. The new use of flag pole signs would be reversible and would continue their historic use. Thus, as stated in the Draft EIR, the inclusion of flag pole signs on the Original Building would conform to the Standards because the original flag poles would be retained and reused and would be reversible. Furthermore, permits for the use of flag pole signs on the Original Building would be subject to review and approval by the Cultural Heritage Commission or, as appropriate, the Office of Historic Resources. Therefore, the Draft EIR considered the flag pole signs a less than significant impact. While the frequency of flag placement on the poles in association with past operation of the department store is not clear, their use on a more frequent basis would not be incompatible with the historic architecture of the building. Regarding the flag poles being lighted and the statement that this would distract from the architecture of the building, signage lighting and other lighting proposed for the Original Building has been designed to be compatible with and to highlight the architecture of the building, and is not expected to detract from appreciation of the architecture of the Original Building.

RESPONSE NO. 2-4

The Project proposes signage that varies from certain requirements regarding signage volume, sizes, and types contained within Article 4.4 of the Municipal Code. As stated on page 2-34 of Chapter 2.0, Project Description, and on page 4.A.1-46 in Section 4.A.1, Aesthetics and Views, of the Draft EIR, approval of the Project's signage program would require approval of a supplemental use district for signage, also known as a Sign District, pursuant to Municipal Code Section 13.11, to deviate from these requirements. Municipal Code Section 13.11 permits the approval of a Sign District, which is an ordinance adopted by the City Council and approved by the Mayor, under certain circumstances and in certain areas. Section 13.11 also permits the use of definitions, such as banner signs, not contained within Municipal Code Section 91.6203 (the contents of which have since been relocated to Article 4.4). In response to the comment that the banner signs constitute "supergraphic signs," Section 13.11 provides that a Sign District may permit such signage. The Applicant has submitted an application for approval of a Sign District, together with proposed findings demonstrating it meets the criteria for the establishment of a Sign District.

RESPONSE NO. 2-5

As analyzed in Section 4.C.3, Historical Resources of the Draft EIR, in Appendix F-3 of the Draft EIR (the Assessment Report), and in Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage, of the Final EIR, the Oscar identification sign (a statuette) would not be a major distraction from the building's historic architecture or conflict with preservation values as suggested by the commenter. Rather, as discussed on page 4.C.3-32 of the Draft EIR, the Oscar statuette would be an outline of the statuette's figural sculpture shape and would be designed to be visually compatible and installed in conformance with the Standards so as to ensure that no adverse impacts to the Corner Tower would occur. The Corner Tower would remain a prominent feature of the building, and the Oscar statuette would not obscure the Corner Tower or detract from the eligibility of the Original Building because the Corner Tower would remain the most prominent and visible primary architectural feature of

the Original Building. The Oscar statuette would be reversible, and the integrity of the Corner Tower would remain intact and unimpaired. The “perfume bottle” was designed to serve as an elegant programmatic architectural feature to reflect the use of the building. Similarly, the Oscar statuette would serve this same function of an artistic element to announce the activities in the building. Further, while The May Company’s signage was on the fins, this central corner element was used for building identification signage. As an outline of the Oscar statuette, the sign design represents a light touch that is intended to complement rather than overwhelm or detract from the iconic tower’s original design. In this regard see Section 4.A.1, Aesthetics and Views of the Draft EIR, including Figure 4.A.1-12, Conceptual Signage West Façade – Original Building, on page 4.A.1-30, and Figure 4.A.1-15, Existing and Simulated View from Wilshire Boulevard at Fairfax Avenue, on page 4.A.1-35. Also, as stated on page 121 of the Assessment Report, permanent signage proposed for the Original Building such as the canopy signs and removable Oscar statuette would be reviewed by a qualified preservation consultant to ensure signage is compatible with the primary façades of the building and in conformance with the Standards. Furthermore, the Oscar statuette and other permanent signage proposed for the Original Building would be subject to approval by the Cultural Heritage Commission or as appropriate by the Office of Historic Resources. For these reasons, the Oscar statuette would not overwhelm or detract from the architectural character of the Original Building. Therefore, the Oscar statuette was considered to have a less than significant impact on aesthetics and historic resources in the Draft EIR. Regarding the comment that the sign would be brightly-lit and almost 3,000 square feet in size, based on a nighttime survey conducted on December 21, 2014 of light levels generated by LACMA’s “Urban Light” street lamp installation at LACMA’s main entrance on Wilshire Boulevard, average luminance levels, or brightness of illuminated surfaces, associated with “Urban Light” are 2000 cd/m², a value four times that of the Project’s proposed signage maximum luminance (See Sign Luminance Survey Data provided in Appendix M of the Final EIR). Therefore, the brightness of proposed signage is well below the brightness of “Urban Light”, and would not be incompatible with this and other light sources in the immediate Project vicinity. Regarding the size of the sign at almost 3,000 square feet, it should be restated that the Oscar statuette would be an outline of the statuette’s figural sculpture shape, and as such it would not cover or obscure a significant area of the building’s Corner Tower.

RESPONSE NO. 2-6

Regarding overall lighting levels, refer to Appendix M of the Final EIR, Sign Luminance Survey Data, which summarizes the results of signage luminance surveys conducted in December 2014 of LACMA’s “Urban Light,” the Hollywood & Highland development, LA Live, and New York’s Times Square, to allow comparison of the associated lighting levels for those areas with those of proposed signage for the Project. The Sign Luminance Survey results show that the “Urban Light” installation at LACMA’s main entrance on Wilshire Boulevard, has an average luminance of 2000 cd/m², a value four times that of the Project’s maximum proposed signage luminance, and higher than 80 percent of the signs at Hollywood & Highland, LA Live, and Times Square. The Signage Luminance Survey results show that for the locations surveyed, more than half (64 percent) of the 50 signs surveyed had a luminance value greater than that of the Project’s proposed signage maximum of 500 cd/m², and fully 54 percent of the signs surveyed had a luminance value greater than the significant impact threshold of 800 cd/m². Only 14 percent of the signs had a luminance value less than 100 cd/m². Therefore, lighting levels resulting from the Project’s proposed signage are not considered high compared to other urban areas.

Regarding the cited study “Luminance Criteria and Measurement Considerations for Light-Emitting Diode Billboards,” it is not a valid, direct comparison to the Project because it evaluates billboard signage adjacent to interstate highways. The fields of view in those scenarios do not take into account the higher ambient light levels associated with urban adjacencies, as in the Project vicinity, and do not address signs perpendicular to roadways and motorist line of sight, as is the case for proposed signage on the Project Site and under existing conditions throughout the Miracle Mile CDO. As stated in Section 4.A.2, Light and Glare, of the Draft EIR, and discussed in

more detail in supporting Appendix C-2, Light and Glare Technical Report, the Illuminating Engineering Society of America defines nighttime outdoor lighting zones based on existing ambient conditions and corresponding sensitivity to light levels, and provides related standards for light trespass illuminance limits. The report cited by the commenter also notes that standards and practices in this dark sky interstate environment are commonly measured as being up to 320 cd/m². The 100 cd/m² is a minimum standard for legibility and acceptability in an open sky environment. For example, the report surveyed signage along interstate corridor I-90 near Albany, NY, which would be appropriate for a lighting zone category 2 (LZ2) area (i.e., rural areas with relatively low levels of ambient illumination), and not relevant to the Project Site or Miracle Mile CDO, which constitute lighting zone category 3 area (i.e., urban areas with medium levels of ambient lighting).

Regarding the cited study “Digital LED Billboard Luminance Recommendations,” it represents opinion, not established regulatory guidance or a broadly accepted professional standard, and contains the flawed assumption that roadway brightness is the basis for eye adaptation. It does not consider urban sources of lighting that are typically present in areas defined by the Illumination Engineering Society of America’s as lighting zone category 3 or LZ3 (i.e., urban areas with medium levels of ambient lighting), which contain street lighting and oncoming automobile headlights, with luminance levels ranging from 500 to 2,500 cd/m².

The referenced publication IESNA RP-8-00, which shows recommended luminance road values from 0.3-1.2 cd/m², is not a metric for eye adaptation but solely a criterion “to determine the amount of light reflected from the pavement in the direction of the driver.” If eye adaptation values are elevated to include street lighting and oncoming traffic that can be anticipated for the Project Site, then even the conservative ratio of 20:1 stated in the report allows for sign values up to 800 cd/m², based on CIE 150:2003, and the 500 cd/m² maximum value shown in the Draft EIR. The opinions stated in the report are just that, and are well below the California Department of Motor Vehicles’ 2011 California Vehicle Code standard for glare within a motorist’s field of view.

RESPONSE NO. 2-7

See Response to Comment 2-6.

RESPONSE NO. 2-8

The 2011 California Vehicle Code, published by the California Department of Motor Vehicles, includes criteria for limiting the potential for impairment of drivers’ vision because of bright light sources. Specifically, Section 21466.5 of the Vehicle Code establishes criteria limiting the output of light sources within a motorist’s field of view. As described in Topical Response TR-3, of the Final EIR, luminance levels of the Project’s proposed signage analyzed in the Draft EIR and under the reduced signage program are well below these legally mandated current accepted standards. It is also reasonably expected that the safety levels required for motorists and supported by the Project are more than adequate to ensure the safety of pedestrians such that they would not be subject to hazards from signage lighting when crossing the intersection at Wilshire Boulevard and Fairfax Avenue. Furthermore, the Los Angeles Department of Transportation (LADOT) also reviewed the proposed signage program presented in the Draft EIR and determined that it would not create any hazards to traffic or pedestrian safety. See correspondence from Wes Pringle, LADOT, July 31, 2014 (Appendix E of the Final EIR.) As noted above, the proposed signage program was subsequently reduced.

RESPONSE NO. 2-9

Regarding pedestrian and driver safety see Response to Comment 2-8, and also note that projected images on the Original Building would only be allowed a maximum of six events per year, with no more than three of those events to include images on both the Fairfax and Wilshire façades.

RESPONSE NO. 2-10

Copies of the studies referenced by the commenter are provided in Appendix A, Original Comment Letters, of the Final EIR. Please see Responses to Comments E11-10, E11-11 and E11-12 regarding video animation and driver distractions. As further described in Topical Response TR-3, Signage, of the Final EIR, and Response to Comment E11-13 (the commenter's individual comment letter received on the Draft EIR), the two studies cited by the commenter, "External Driver Distractions: The Effects of Video Billboards and Wind Farms on Driving Performance" and "Investigating Driver Distraction: The Effects of Video and Static Advertising", are driver simulation studies conducted in Calgary, Alberta, Canada, and London, England, respectively, where highway and street conditions differ from those of the Study Area street system. Both studies concluded that further research of statistical data would be needed to accurately determine the correlation between accidents and digital billboards. "Digital Billboards: New Regulations for New Technology" is a reprint from the website page of the Illinois Coalition for Responsible Outdoor Lighting, and provides a summary of their opposition to digital billboards. These studies are noted and will be forwarded to the decision makers.

The study cited by the commenter, "External Driver Distractions: The Effects of Video Billboards and Wind Farms on Driving Performance", depicts video billboard orientation parallel to the view plane or line of sight of the motorist. In contrast, digital displays and projected images on the Project Site would be generally perpendicular to the driver's line of sight and are not directly comparable to the example in the aforementioned study.

RESPONSE NO. 2-11

Please see Response to Comment 2-11 regarding the study citations referenced by the commenter. Further review of literature regarding digital billboards was conducted by Gibson Transportation Consulting, Inc. as described in Response to Comment E11-13, which included a list and summary of several studies and research articles on the topic that were considered. The commenter's opinion regarding two of the studies reviewed is noted and will be forwarded to the decision makers. Results of research studies have been mixed and deemed inconclusive due to insufficient data to scientifically support a relationship between electronic message signs and accidents.

RESPONSE NO. 2-12

As stated on pages 4.A.1-12 through 4.A.1-17, in Section 4.A.1, Aesthetics, of the Draft EIR, the Project's signage program does not include any proposed signage within the 0.8 acre area north of the Project Site. In light of the proximity of sensitive residential uses and their visual access to the Project Site, the Project's Sign District limits signage within the Resnick North Lawn to that permitted by Article 4.4 of the Municipal Code and does not include any signage facing to the north. See also Response to Comment E28-55 in the Final EIR for additional discussion of the Sign District Boundary. Regarding the reference to "proposed" amendments to the Municipal Code sign district regulations, this is not relevant to current Municipal Code requirements.

RESPONSE NO. 2-13

Regarding consistency of signage with the Miracle Mile CDO see Response to Comment 2-1. Regarding suggested conflicts of signage with the status of Wilshire Boulevard as a scenic corridor, as described in the responses above,

Project signage has been placed, designed and scaled in a manner that is proportional to the Original Building's architectural elements to ensure compatibility with its character defining features, and as further stated in Response to Comment 2-1, the Project's signage would promote the Museum and Museum Row, and would be compatible with neighboring museum uses and the surrounding urban form and scale. Furthermore, see Section 4.A.1, Aesthetics and Views, of the Draft EIR which analyzed the impacts of the Project's signage program on the aesthetic character of the community, including Wilshire Boulevard and its status as a scenic corridor. As discussed on pages 4.A.1-30 through 4.A.1-50, including consideration of visual simulations provided in Figures 4.A.1-13 through 4.A.1-23, impacts on aesthetics and views would be less than significant. In addition, as stated in Topical Response TR-1 of the Final EIR, the signage for the Project has been reduced in response to comments on the Draft EIR. The signage reductions pertain to the Original Building and include the elimination of all digital display box signs in the fourth level windows, reduction in the size of the four banner signs by 25 percent, and removal of four digital display box signs in the storefront windows, which would be replaced with static displays (display box signs). The number of times per year that projected images would be allowed, was also reduced from a maximum of 12 events per year with six of the events to include images on both the Wilshire Boulevard and Fairfax Avenue facades, to a maximum of six events per year with no more than three events to include images on both facades. See also Response to Comment 4-32 regarding the status of Wilshire Boulevard as a Scenic Corridor.

RESPONSE NO. 2-14

This comment provides a summary of the comments raised in this letter. Responses to the comments contained in this letter are provided above in Responses to Comments 2-1 through 2-13.



CITY COUNCIL OF THE CITY OF LOS ANGELES

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March 13, 2015

Mr. Michael LoGrande
Director
Los Angeles Planning Dept.
5th Floor

Re: CPC2014-3119-ZC-SN-CDO
Academy Museum of Motion Pictures, Arts and Sciences
6001-6067 W. Wilshire Blvd
Los Angeles, CA 90036

Dear Mr. LoGrande: *Michael*

I am writing in support of the Academy Museum of Motion Pictures, Arts and Science. This site has extensive history dating back to Councilman John Ferraro's term in office.

In the early 1990's a project was proposed for this location which included two high rise office buildings and a hotel. This project would have demolished the May Co. building. Councilman John Ferraro opposed the previously proposed project and designated the May Co. building as a Los Angeles Cultural Monument, saving this important Los Angeles icon.

The building sat vacant until LACMA purchased this property with the intent to utilize the space as an addition to their current campus.

The City of Los Angeles now has the tremendous opportunity for a new museum on "Museum Row" in the Miracle Mile. Not only will the historic building be rehabilitated and reused for a purpose but it will also enhance this community. The current proposal will showcase the Academy Museum for superior design and will be an important addition to "Museum Row"- LACMA, the Peterson Auto Museum, Page Museum, the La Brea Tar Pits, and the Craft and Folk Art Museum on the Miracle Mile.

In addition, this stretch of the MTA's Purple Line subway extension along Wilshire Blvd will be completed in 2023, allowing for greater mobility for all to enjoy all that this culturally enriched area has to offer. Imagine, a young woman with ruby slippers stepping off the subway at Wilshire Blvd. and Fairfax Ave., looking at the magical Academy Museum of Motion Pictures, Arts and Sciences and exclaiming, "there's no place like home" along the Miracle Mile!!!

I strongly support this important project in my district. Please feel free to contact me with any additional questions or concerns. (213) 473-7004.

Sincerely,

TOM LABONGE
Councilmember, 4th District



LETTER NO. 3

Tom LaBonge
Councilmember, 4th District
Room 480, City Hall
Los Angeles, CA 90012

RESPONSE NO. 3-1

This comment in support of the Project is noted.



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Los Angeles, CA 90036
213-840-0246
Email: jamesos@aol.com

Luciralia Ibarra
City of Los Angeles Department of City Planning
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16 March 2015

Re: Case Number: ENV-2013-1531 EIR Academy Museum DEIR

Dear Ms. Ibarra:

Thank you for the opportunity to comment on this case. Please include this Executive summary with the comments that follow and add them to the administrative record for this case.

4-1

EXECUTIVE SUMMARY:

Data/Legal ~

- This response includes by reference all raw data provided on the "LOS ANGELES OPEN DATA" located at: <https://data.lacity.org>, from which aggregate and consolidated reporting can be derived. This includes, but is not limited to first-responder metrics, water system metrics, power system metrics, sewer system metrics, street quality metrics, and traffic metrics.

4-2

- The EIR relied on old, outdated data. In fact, use of such old and outdated data was one of the reasons that the Hollywood Community Plan Update (HCPU) was rejected by the court. 4-3
 - In addition to the failure to use current data, the City cannot cite to the required five-year monitoring report as described in the Wilshire Community Plan. 4-3
 - Absent the use of current data and absent the trend lines provided by consecutive five-year reports, no substantial evidence of adequate infrastructure exists. 4-3
 - All of the responses that cite alleged conversations and other informal communications with departments and/or agencies are insufficient to overcome the overwhelming amount of readily available raw data, which directly contradicts claims made in the EIR. It therefore does not serve as an informative document. 4-4
 - The responses concerning Judge Goodman's ruling are wholly incorrect. Judge Goodman first interpreted the General Plan Framework – a citywide controlling document – then he applied that interpretation to the HCPU. The City did not appeal the interpretation, nor did it appeal the application of the interpretation to a community plan. His ruling must be adhered to by the City and analyzed as part of the EIR. 4-5
- Transportation/Parking ~
- The conclusions reached in the transportation section are entirely arbitrary and without sufficient support as the EIR relies on a single study and not established ITE rates for each of the proposed uses – not the least of which, a theater/meeting center, is a massive traffic generator unrelated to the “institutional” use. The EIR further does not establish that the findings of the study can be or should be applied to the project and to the area. 4-6
 - The EIR relies on unsupportable credits for multi-passenger car trips, inflated internal capture and neglects to supply adequate parking for each of the proposed uses. The result is an EIR that provides analysis for a project with far too few parking spaces. 4-7
 - The impacts resulting from a lack of parking, including but not limited to neighborhood parking intrusion, air quality, noise, increased trips (while searching for parking) are not studied. This renders the EIR insufficient. Reliance on it would be entirely arbitrary and without sufficient support. 4-8

- The project includes for-profit elements. This precludes using theoretical "institutional" rates for the entire project. 4-9

Land Use/General Plan/Public Safety ~

- The response concerning the status of the infrastructure is flatly wrong and turns the General Plan Framework mitigation policy on its head. It is not incumbent on the public to prove that the infrastructure is threatened. Instead, it is the City that must make a finding that the infrastructure is either not threatened or that sufficient resources will be available to resolve any problem within 12 months. Absent such a finding, as required by the GPF and community plan, the project cannot be approved. We note that the City has already admitted it does not have sufficient resources to resolve its infrastructure problems. 4-10

- Notwithstanding the fact that it is not the duty of the public to prove that the infrastructure is threatened, we cite to aggregate reporting by the City which is easily calculated that clearly shows that LAFD response times are not only far below the accepted metric, but they are getting worse over time. We refer specifically to the NFPA 1710 metric, which has been publically acknowledged by City officials as the controlling metric. That metric is arrival on-scene within five minutes 90% of the time. The latest data available shows that the current LAFD performance is at an alarming 58.69% – and declining. Station 61 (nearest to the project site) is calculated at an even more alarming 49.28%. 4-11

- The EIR uses the incorrect metric for Fire/EMS. It uses average response time, not NFPA 1710. This improper metric disguises the impacts of the project and the state of Fire/EMS in the area. 4-12

- We also specifically point out that the City's own reports confirm that the City's infrastructure is far more than "threatened." In fact, it has been called "unsustainable." Such statements have been made for at least water, power, sewerage, streets, sidewalks, urban forest, police and fire/EMS. 4-13

Signage ~

- A sign district is prohibited by the Scenic Corridor designation for Wilshire Boulevard and represents a significant adverse aesthetic impact that the Scenic Corridor – and the EIR under which it was approved – mitigated against. 4-14

Other ~

4-15

- The EIR cites to a 1994 “abandoned” development agreement but fails to disclose the 1988 EIR, including CEQA mitigations that were imposed as part of that EIR. Absent full disclosure of that 1988 EIR and its mitigations, a full analysis of the impacts of the current project is impossible as some of the project elements, including alteration of “Q” conditions, may be contradicted by the previous EIR.
- The EIR confusingly mentions past entitlements as proof that rights exist, while in other sections disclaims the past entitlements. This renders a proper analysis of the project by the public and by decision-makers impossible.

4-15
Cont’d

4-16

COMMENTS:

1. PURSUANT TO SECTION 21082.1(C) OF THE CALIFORNIA PUBLIC RESOURCES CODE, THE CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT, FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS AND ACCOMPANYING MITIGATION MEASURES AND MITIGATION MONITORING PROGRAM FOR ENV-2013-1351-EIR, SCH NO. 2013051086, FOR THE FOLLOWING ACTIONS:

4-17

Please see Executive Summary above in regard to this request.

2. PURSUANT TO SECTION 12.32 OF THE LAMC, A ZONE CHANGE TO REMOVE THE EXISTING [Q] CONDITIONS RELATED TO PRIOR ENTITLEMENTS ON THE PROJECT SITE;

The applicant has stated that they require a zone change to remove the existing [Q] conditions related to prior entitlements on the parcel that are no longer relevant, but would otherwise be consistent with the existing Community Plan land use and zoning designations.

4-18

The question we have is how the word “relevant” being used in this case? Are we talking about a common definition of relevant, i.e.:

- a. having significant and demonstrable bearing on the matter at hand
- b. affording evidence tending to prove or disprove the matter at issue or under discussion <relevant testimony>
- c. having social relevance

If the applicant is utilizing the word as defined in example “b,” are we then talking about *Federal Rule 401, Test for Relevant Evidence*, which finds that evidence is relevant if:

- a. it has any tendency to make a fact more or less probable than it would be without the evidence; and
- b. the fact is of consequence in determining the action.

4-18
Cont'd

This is a very important question for you to answer when making your decision because:

4-19

- How can you remove the several Q conditions that were mitigation measures as a result of EIR No. 88-347 ZC/GPA (HD)(CU)?

- Several Q conditions were needed for Environmental Clearance. How can they be removed?

4-20

- Lighting/glare Q conditions, as well as sign Q conditions, continue to be necessary and must remain. They are as relevant today as they were in 1993 and again in 2004 when the Miracle Mile CDO was established.

4-21

- The Q condition regarding signs is still relevant in discretionary land use approvals today, as well as compliance with the Transportation Element. How can you remove it?

4-22

- In regard to the CDO was it the intention of the Community Advisory Committee, planning staff, Planning Commission and City Council that the Q conditions on Parcel D regarding signs expire or be removed?

4-23

- Why is this not spot zoning? Removing the Q condition for signs on this parcel would make it the only parcel on the CDO map without restrictive sign regulations?

- How can Permanent Q conditions be removed from the Ordinance 168,993 (Exhibit B) that was used to rezone Parcel D?

4-24

- How can Permanent Q conditions be removed from the Ordinance 168,993, which was the basis for Case No. ZA 94-0086 ZAI (Exhibit C,) that authorized museum use on Parcel D?

4-25

- How will that impact the several projects already built as a result of ZA 94-0086?

4-26

- How can additional uses (events, live entertainment, etc.) be authorized on Parcel D when they were not approved under the “Commercial Office Designation” in Ordinance 168,993? 4-27
- How will the removal of Q conditions and approval of this project effect or impact the 545 evening peak hour daily trips net new trips? 4-28
- Given that there was no public comment taken on the Broad Contemporary Art Museum (BCAM), Resnick Pavilion, or Pritzker garage, what impact do those projects add to the 545 evening peak hour net daily trips? 4-29
- How did the land easements between Museum Associates and the County of Los Angeles change, effect or alter the development agreement on Parcel D? 4-30

3. PURSUANT TO SECTION 13.11 .8 OF THE LAMC, ESTABLISHMENT OF A SIGN DISTRICT;

You should reject this request because:

A. Permanent Q Condition #13: Signs. All signs shall comply with the sign requirements of the CR Zone pursuant to Municipal Code Section 12.12.2.

12.12.2 No 6. Signs indicating the name of the person, business, or the type of business occupying the premises, or the name of the building. Such signs shall be attached to a building and all letters, lights and other identification matter shall be confined to only one surface of the sign, which surface shall be parallel with and facing the front lot line; except that on a corner lot such signs may be placed on a building so that the surface on which the identification matter is confined, is parallel with the side street lot line, or where a building is constructed with a diagonal or curved wall facing the adjacent street intersection, the signs may be attached to such wall so that the surface, on which the identification matter is confined, is parallel thereto. No portion of any sign on a lot shall extend along the side street more than 50 feet from the principal street upon which said lot abuts (for the determination of the principal street, refer to Subsection C of this section).

This Q Condition is also very relevant per the Transportation Element:

B. Scenic Highway Guidelines of the Transportation Element of the General Plan

A standard condition for discretionary land use approvals involving parcels zoned for nonresidential use located within five hundred feet of the center line of a Scenic Highway shall be in compliance with the sign requirements of the CR zone.

4-32
Cont'd

Also the Wilshire Community Plan states the following:

Designated Scenic Highways merit special controls and/or visual enhancement programs in order to protect scenic resources. The land contiguous to a scenic highway is known as a Scenic Corridor. It is appropriate that protective land use controls be established for these Corridors, particularly with respect to signage and billboards.

4-33

Wilshire Boulevard is a Scenic Highway per the Wilshire Community Plan.

C. #5, Permanent Q Condition. Environmental.

The following conditions' are required by the environmental clearance for the subject project:

4-34

e. Lighting/Glare. All lighting shall be shielded and directed onto the site and no floodlighting shall be located so as to be seen directly by the adjacent residential areas. This condition shall not preclude the installation of low-level security lighting. Low reflectivity glass shall be required on exterior walls of the office and hotel buildings.

Additionally, how does such a Sign District fulfill the Urban Design standards (Chapter 5) proposed in the Wilshire Community Plan (Exhibit F)?

Since the Staff report for the Miracle Mile CDO referenced these permanent Q conditions and stated that the reason CDO Q conditions would not be placed on this property was **because of existing [Q] conditions addressing similar issues**, is it not reasonable to assume that the Planning Commission and Council believed and intended that the Q conditions in place were sufficient to accomplish the same objective the CDO had and would have the same force as the CDO?

4-35

What justification can be used to remove the Q conditions leaving the parcel and neighbors unprotected?

Does the applicant actually believe it was the intent of the City Council in authorizing the Miracle Mile CDO, to leave this parcel unprotected from what the CDO staff described as “a blighting environment on the street?”

“Field inspection of the area has revealed that much of new development in the Miracle Mile is inconsistent with the development pattern established by the existing buildings. Some buildings are set back from the prevailing street wall with little attention paid to the design of the facade fronting Wilshire Boulevard. Furthermore, both new and existing development do not have open entrances fronting Wilshire Boulevard and have windows or storefronts, which have been enclosed, used for storage, or tinted so that they are no longer transparent to a passerby. Signage tends to be out-of scale with the size of buildings and viewing distances with a concentration of billboards, roof and pole signs, and sign clutter, which visually degrades the area's character. These problems cumulatively create a blighting environment on the street.”

4-36

The Los Angeles Planning Commission addressed CDO Q conditions during the July 8, 2004 public hearing to establish the Miracle Mile CDO. Speakers at that meeting were, Wally Marks (Miracle Mile Civic Coalition), James O’Sullivan (Miracle Mile Residential Association), Ken Bernstein (Los Angeles Conservancy), Robert Silverstein (Attorney), Megan Hunter (Planning Department), Bob Sutton (Planning Department), and Renee Weitzer (Council District 4 Planning and Land Use Deputy).

4-37

A transcript and recording of this meeting is included. They are addendums to what has already been submitted on this case. Exhibit I from the DEIR submissions was the Miracle Mile CDO Findings, so I will label these as Exhibit I, Addendum-1 (transcript) and Addendum -2 (recording).

At this hearing there was a tremendous amount of discussion about Q conditions, especially as they related to historic or historically eligible buildings. After listening to or reading the transcript, I believe you will come to one inescapable conclusion that no one attending that meeting, including the Commissioners, contemplated that as a result of what we were doing we could leave one of Los Angeles’ most recognizable landmarks without the protections of the CDO. It certainly was not our intent as the transcript and recording will demonstrate.

4-38

We didn’t contemplate that the former May Company building would be left unprotected because it would have been anathema to everyone in that room – and we would still be in that room today if that had been proposed.

Instead, we are witnessing an attempt by the applicant to nullify a CDO process that took eight years to complete and was expressly intended to guarantee certainty, predictability, compatibility. In the recording and accompanying transcription you will hear those specific words used over and over again from Planning Department staff, community members, the Council office, and the Planning Commissioners themselves.

4-39

You will notice that one member of the Community Advisory Committee was Donald Battjes, Chief of Operations for the Los Angeles County Museum of Art. As a matter of fact, with Don's help we met many times at the May Company building and poured over pictures and drawings we would use as examples for the CDO. Ironically, many pictures of the May Company building made their way into the final draft of the design guidelines as it was considered one of the most historically significant structures in the Miracle Mile.

4-40

Here is a list of the Miracle CDO Community Advisory Committee:

Donald Battjes, Jr, Chief of Operations, Los Angeles County Museum of Art
Nicole Bernson, Miracle Mile Residential Association
Ken Bernstein, Director of Preservation Issues, Los Angeles Conservancy
Julie Carpenter, AICP, Miracle Mile Residential Association, Planning & Land Use Committee
Ken Draper, Vice Chair, Mid-City West Community Council
John Kaliski, AIA, Principal, Urban Studio - Los Angeles
Mitzi March Mogul, President, Art Deco Society of Los Angeles
Walter Marks III, Chair, Miracle Mile Civic Coalition
Denise Munro Robb, Miracle Mile Action Committee
James O'Sullivan, President of the Miracle Mile Residential Association
Renee Weitzer, Chief Planning Deputy, Council District 4

4-41

At the same time the Miracle Mile CDO guidelines were being developed, LACMA was in the midst of the "Transformation" process. Eli and Edythe Broad made the lead gift to the Transformation campaign to add a contemporary art building to the LACMA campus and Renzo Piano was invited to create a master plan.

The unification of the original LACMA campus with the former May Company parcel had tremendous support from the community. It was understood by the members of the CDO committee – and the community at large – that the May Company building would be incorporated into LACMA without drastic exterior alteration. Hence, the committee believed that the permanent Q conditions protected the May Company building in a manner equal to or greater than the provisions of the Miracle Mile CDO.

4-42

Frankly, it never occurred to us that anyone would ever want to turn a landmark building into a backdrop for super-graphics, light shows, and digital signs. And since the May Company building is Historic Cultural Monument and had Q conditions that clearly limited the kind of signs that could be placed on the building, everyone was assured that the building was well protected.

It was never the intent of the CDO committee, the community, or the City Council to leave Parcel D (6067 Wilshire) without protection from the inappropriate intrusion of the proposed Sign District – and the record will support that.

4-43

We believe a fair review of the Planning Commission CDO meeting will show that the Staff, Commission and community were very concerned about every building in the Miracle Mile, especially those that had attained a historic designation and would not have left the May company building without protections. Therefore, we strongly believe that the Q conditions relating to signs currently on Parcel D are still extremely relevant.

Additionally, a very perplexing aspect to the applicant's proposal to create a Sign District is the "loan" of .8 acres of the Resnick North Lawn from Museum Associates (dba LACMA) so that the applicant can meet the minimum three acres required for the establishment of such a district.

4-44

- What encumbrances or conditions of any kind are attached to the .8 Acre Resnick North Lawn?
- Likewise, what encumbrances or conditions are attached to this property for the LADWP service yard located there?

4-45

We urge you to reject the request for a sign district and retain the permanent Q conditions related to signs and lighting/glare on the site.

4-46

4. PURSUANT TO SECTION 13.08-E, DESIGN OVERLAY APPROVAL FOR COMPLIANCE WITH THE MIRACLE MILE CDO;

The only way this project would be consistent with the Miracle Mile CDO would be for the Motion Picture Academy to restore the entire May Company building as Museum Associates (dba LACMA) promised to do as part of their "Transformation" campaign. That would be a spectacular project, not this attempt to make a silk purse out of a sow's ear that we are now faced with.

4-47

No matter what justification is used or how the words of the CDO are twisted or tortured, the “Sphere” – or what architecture critic Christopher Hawthorne called “a giant albino Pac-Man” jutting out of the rear of the historic May Company building – will never be compatible or consistent with the Miracle Mile CDO.

4-48

Unfortunately, the Miracle Mile community saw how this process played out with the Director’s approval of the current remodeling of the Petersen Museum facade. So, we are not hopeful that the Director will withhold approval for the design of this project.

4-49

But there is one major part of this project that we firmly believe is clearly not in any way, shape, or form in compliance or consistent with the Miracle Mile CDO: Signage. Even a cursory reading of the staff report (Exhibit I) will reveal that the type of signs this project wishes to use are listed as prohibited.

4-50

You should state emphatically that the types of signs the applicant wishes to utilize and the creation of a Sign District are not consistent with the Miracle Mile CDO.

4-51

5. PURSUANT TO 12.24-W,1, A MASTER CONDITIONAL USE PERMIT TO ALLOW ON-SITE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES;

4-52

How can a Master Conditional Use Permit be allowed when there has been no public disclosure of the square footage of bars and outdoor dining spaces or uses contemplated by applicant?

How much traffic will each use produce?

4-53

What parking demands will they generate?

4-54

Blanket approval of a Conditional Use Permit would most certainly raise the same issues still being discussed in connection with the Grove/Farmers Market approval – unless the exact type, number, and hours of operation of uses are forthcoming.

4-55

The Grove/Farmers Market CUP has led to constant strife between the community and applicants seeking additional permits. The exact number and types of establishments and hours of operation must be fully disclosed so that the community can weigh in on them.

6. PURSUANT TO SECTION 12.27 OF THE LAMC, ZONE VARIANCES TO PERMIT:

4-56

a. Outdoor dining on the rooftop terrace for special events not otherwise permitted under

Per LAMC Section 12.14-A:

What is the justification for the variance?

What are the practical difficulties or unnecessary hardships inconsistent with the general purposes and intent of the zoning regulations?

What are the special circumstances applicable to the subject property that do not apply generally to other property in the same zone and vicinity?

What issues are raised that a variance necessary for the preservation and enjoyment of a substantial property right or use generally possessed by other property in the same zone and vicinity but which, because of the special circumstances and practical difficulties or unnecessary hardships, is denied to the property in question?

What other properties have similar substantial property rights in the vicinity of this property?

How will not granting a variance be materially detrimental to the public welfare? And are we talking about the public welfare of:

- a. 7000 Academy members
- b. groups or institutions who have the funds to rent the facility
- c. the general public who will not have the ability to enjoy the rooftop dining?

b. Code required short-term bicycle parking greater than 50 feet from a main pedestrian entrance and to permit the code-required long-term parking within or adjacent to the LACMA campus not otherwise specified in LAMC Section 12.21-A,16;

Why is there not sufficient space for short-term bicycle parking within 50 feet of the entrance to this building?

Why is there not sufficient long-term parking on the lot especially since there will be a reduction of automobile parking to facilitate bicycle parking?

7. PURSUANT TO SECTION 12.21-A,2 OF THE LAMC, ZONING ADMINISTRATOR'S INTERPRETATIONS:

4-56
Cont'd

4-57

4-58

4-59

4-60

4-61

4-62

4-63

A. TO SPECIFY THAT THE PROVISIONS OF LAMC SECTION 12.24-Y ALSO APPLIES TO INSTITUTIONAL (MUSEUM) AND AUDITORIUM (THEATER) USES;

Permanent Q condition 5-g listed under *Environmental* states that the following conditions' are required by the environmental clearance for the subject project:

Parking. Any nonresidential use of the subject property shall provide off-street parking on site on the basis of the requirements set forth in Section 4c of Ordinance 167,551(Wilshire West ICO). A minimum of 10 percent of the parking spaces provided shall be designated and reserved exclusively for High Occupancy Vehicle (HOV) use.

We believe this Q condition is still relevant today and it was deemed “applicable” to the site as late as 2010 during *Phase 2 parking, Transformation*. (Exhibit – E)

That does not mean that we do not recognize that the Purple Line subway will be operational in approximately 10 years, but we are saying the 10% reduction of parking must be from the conditions in Permanent Q condition 5-g.

Permanent Q Condition 5-g must not be removed, as it is certainly still relevant.

B. TO CONFIRM THAT MUSEUM AND RELATED USES (FOR-PROFIT AND NOT-FOR-PROFIT) ARE PERMITTED IN THE C2 ZONE, CONSISTENT WITH THE CITY USE LIST (ZA 2003-4842(ZAI));

Why is this being requested since Museum use is already permitted under case No. ZA 94-0086 (ZAI) and Ordinance 168,993?

What related uses are being contemplated?

What are the impacts from “related cases”?

What is the for-Profit element of the Project?

What is the square footage assigned to this use?

What are the code requirements that must be met?

4-63
Cont'd

4-64

4-65

4-66

4-67

4-68

4-69

4-70

8. PURSUANT TO SECTION 12.24-Y OF THE LAMC, SPECIAL PERMISSION FOR A REDUCTION OF OFF-STREET PARKING SPACES TO ALLOW FOR A 10 PERCENT REDUCTION IN THE REQUIRED NUMBER OF PARKING SPACES FOR INSTITUTIONAL USES LOCATED WITHIN 1,500 FEET FROM THE PLANNED METRO PURPLE LINE PORTAL AT WILSHIRE AND FAIRFAX;

4-71

How will the for-profit use be institutional?

As we stated above, that does not mean that we do not recognize that the Purple Line subway will be operational in approximately 10 years, but we are saying the 10% reduction of parking must be from the conditions in Permanent Q condition 5-g.

Sincerely:

James O'Sullivan
President, Miracle Mile Residential Association
Vice President, Fix The City Inc.

EXHIBIT I
Addendum-1
MIRACLE MILE CDO
PLANNING COMMISSION TRANSCRIPT

4-72

ACADEMY_MIRACLE MILE CDO

DESCRIPTION: DIALOGUE WITH MALE 1-17, MEGAN HUNTER, WALLY MARKS, KEN BERNSTEIN, ROBERT SILVERSTEIN, JAMES O'SULLIVAN, RENEE WEITZER, FEMALE 1, SAULY, COMMISSIONER ATKINSON, COMMISSIONER BURKE, COMMISSIONER DOMINGUEZ

FILE NAME: MIRACLE MILE CDO_PLANNING COMMISSION HEARING

MARCH 11, 2015

TRANSCRIBED BY DAILY TRANSCRIPTION_SJA

COMMISSIONER MENZER : Let's go to our first item, CPC2003-1779-CDO-ZC. This is a proposed Community Design Overlay District and Q conditions for the Miracle Mile area.

MEGAN HUNTER: Good morning. My name is Megan Hunter. I'm with Community Planning, for the record. As you see before you is a proposed Community Design Overlay District for the area, the commercially-zoned properties along Wilshire Boulevard from Sycamore Avenue on the east to Fairfax Avenue on the west. Oh, sorry about that. I'm unable to use the pointer from where I'm at. But Charlie is going to show you the area. The proposed Miracle Mile covers a one-mile commercial corridor fronting Wilshire Boulevard. Originally conceived as an affluent shopping area for the nouveau riche in the early '20s, real estate developer A.W. Ross designed the district to accommodate both automobile and pedestrian traffic thus commercial developments of this time were grandiose in scale with parking in the rear and two dominant entrances. One unique characteristic of the Miracle Mile is a collection of art deco architecture which is the largest collection of art deco architecture in Los Angeles. Today the Miracle Mile is characterized by numerous high-rise offices, neighborhood retail, and well-known entertainment establishments, and of course the city's greatest concentration of museums. So it's a unique area that warrants the development of a Community Design Overlay District. And in fact when the original motion was being developed for the CDO, Miracle Mile was specifically mentioned as being appropriate for this tool. In 2002, in June, the Planning Department in conjunction with Council member Tom LaBonge's office formed a citizen advisory committee to assist in the development of the guidelines. We've been meeting for over two years and concluded draft guidelines in February of 2004. In May of 2004 we held our public hearing; 35 people

attended, 12 people spoke, eight people spoke in favor of the proposal, one against, and three had general comments.

MEGAN HUNTER: The guidelines that are before you are somewhat unique in that they also incorporate historic guidelines for those buildings that are historic cultural monuments and part of the National Register Historic District. And so that's slightly different than some of the other Community Design Overlay Districts before you. There are two actions that we would like you to consider. One are the CDO guidelines in and of themselves. Within those guidelines you will see references to Q conditions. Those Q conditions are part of a separate list which is shown in Exhibit D. Once those Q conditions are adopted the references within the guidelines will be removed. And there will be the guidelines and standards and Q conditions. Thank you.

COMMISSIONER MENZER: Okay, thank you; any questions for staff? I have several general concerns and then a couple of specific questions.

MALE 2: [INAUDIBLE] a couple of speakers?

COMMISSIONER MENZER: Yeah, we do. We have six speakers. And I'll be happy to do that. Why don't we start with the speakers who are in favor of the proposal starting with Wally Marks and then Ken Bernstein? And in light of the agenda we have today I'm going to ask each of the speakers to limit their comments to two minutes. Wally Marks and Ken Bernstein, if you could, come right up. And then following that we have several speakers who will be speaking, recommending changes. And I will start with Robert Silverstein and Farid Kia, if you could be ready. Thank you.

WALLY MARKS: Hello, Wally Marks, 5407 Wilshire Boulevard, we're a commercial property owner. I'm also President of the Miracle Mile Civic Coalition; an organization that's been around for 15 years. I want to thank the Commission for having us here today. I also want to thank Tom LaBonge's office, Renee Weitzer, and also the staff at Planning. They have been terrific. This is a process that started back in 1996, something that I spearheaded with our organization working with the late John Ferraro. Back in '98 we got approval in this Chamber to move a motion. We worked with the Wilshire Community Plan for the 2000 change and again here we are today. Quickly, because I only have a minute and a half; this is a group that we have worked with our residents, our businesses, our cultural institutions to come up

with what I personally call a predictable document that as a commercial developer I want to know about.

WALLY MARKS: I want to know that when I walk into a neighborhood what are the things that the neighbors, and the businesses, and the other people, the stakeholders, already have put together in a guideline, in a clearly defined document? This is it. We all know how long the Entitlements Process goes. There are too many things that can snag and ruin good development because of a lengthy process. This cuts it shorter. And I think it's a document that a lot of commercial developers like myself would love to see. On top of that you have to realize that this is the first linear downtown of Los Angeles in the '20s and '30s. It has uniqueness as Megan Hunter brought up. And over time these historic buildings and the non-historic buildings have become hodgepodge; owners... a lot of absentee owners. And this is a document that sets it straight. Too many times projects come to us, and when I say us I say that collectively with our neighborhood council, our neighborhood associations, that they try to separate us and they try to break everything apart to get their projects through. This document doesn't do that. And that's why I'm looking for support today from this body. It is a document that is good for the people. It's good for the businesses. It's good for the community and thank you.

COMMISSIONER MENZER: Thank you.

KEN BERNSTEIN: Good morning, Commissioners; Ken Bernstein with the Los Angeles Conservancy. We're very pleased to be here today in support of the Community Design Overlay Zone for Miracle Mile. As has been mentioned already, Miracle Mile was really... has some of the greatest commercial architecture in our city. It has one of the greatest collections of art deco architecture in any city. And is clearly one of our most significant collective historic resources in Los Angeles. It's an area we're seeing revitalization in already. We're seeing reinvestment in the historic architecture but also significant change with new housing and new development coming into the area. It's very important to create these standards to ensure compatibility with the historic architecture. Not creating faux art deco architecture but reasonable compatibility while allowing for exciting new architecture in the area. And this is a very good middle ground approach.

KEN BERNSTEIN: This is not nearly as rigorous as an HPOZ, an Historic Preservation Overlay Zone. There is no five member design review board here. But it is important, as Wally Marks mentioned, to create certainty upfront for developers, property owners, residents, architects alike by creating these standards. I want to point out that in terms of the historic provisions in this plan all of the properties listed in the Appendix and that are cited as historic properties are already being treated by the city as historic resources. Why? Because they are either city historic cultural monuments or were determined eligible for the National Register as part of a historic resources survey in the 1980's and therefore have the legal status as historic resources. When someone goes to the building counter on any of those properties today a flag comes up, ZI-145, which is a zoning flag which indicates that these are historic resources and they need to comply with historic preservation standards. But most applicants and many of them call us in the Miracle Mile, when they get that flag and get that sign-off that they need from Building & Safety, don't know how to comply. And this gives them the guidelines as to how to best comply, gives them the upfront certainty, gives them standards that have been vetted by the community, as Wally Marks said. And you have this all under one roof today with the Cultural Heritage Commission joining your Department with the [SQA?] review that already takes place in the department, your environmental review section. This will really dovetail with those provisions that are already in place for those historic properties without creating one new requirement on any of those property owners and ensure that there is that upfront certainty and upfront review that will make the District work as best it can. So we want to encourage your support. There is nothing new here in terms of the historic resources. Just providing clarification and certainty for all involved so thank you very much.

COMMISSIONER MENZER: Thank you. Our next speaker is Robert Silverstein. And it's indicated that you're representing Gateway Triangle Development. And I've also received from the Commission staff three other speaker cards; Nathalie Lavoie, Neelu Noro, and David Noro who have indicated that you're speaking for them and they will cede you time. Is that correct?

ROBERT SILVERSTEIN: If that's acceptable to the Commission.

COMMISSIONER MENZER: Yes, but if you could keep your comments to four minutes, please. I think that should be adequate.

ROBERT SILVERSTEIN: Thank you.

COMMISSIONER MENZER: Thank you.

ROBERT SILVERSTEIN: My name is Robert Silverstein. I'm an attorney with Hill, Farrer & Burrill, and I represent Gateway Triangle Development, owner of the property at 5225 Wilshire Boulevard. First we wanted to express our appreciation to staff and to the Council's office; Bob Sutton, Renee Weitzer, David Gay, Ron Maben, and Megan Hunter who have worked very hard with us to arrive at some language that we would like to propose to the Commission. They were very involved in formulating this language with us in an attempt to present some clarifications or propose clarifications to the Miracle Mile CDO and Q conditions. I'd also like to make clear that our intention is not to oppose adoption of the CDO or Q conditions. Simply we are here today to request from you certain needed clarifications specifically regarding legal non-conforming signs regarding a few conditions which I have outlined in a handout which I'd like to hand to the Clerk and ask that it be admitted into the record. And I have copies for the Commissioners to make it easy to follow along.

COMMISSIONER MENZER: If I could just interrupt you for a second. The CDO itself at Section 3-D deals with non-conforming uses and specifically states that those structures that don't comply at the time of adoption retain non-conforming rights pursuant to the code. Is that adequate?

ROBERT SILVERSTEIN: That deals with non-conforming uses specifically. And what we wanted to request was a clarification specifically for non-conforming signage. And I would refer to Building and Safety Code Section 91.6206 which specifically addresses and recognizes existing rights for quote existing signs. And it is simply our intention to propose this clarification so that in the future there is no ambiguity, there is no confusion. The intent of the CDO will be clear and it will be simpler to apply. And the section that you mention does address specifically structures and buildings as opposed to signage which is contained in the Building and Safety Code.

ROBERT SILVERSTEIN: And we simply want to incorporate that Building and Safety Code title by reference. And if you would turn your attention please to suggested-change number one, which is at the bottom of page 1, that language simply says legally existing signs and/or sign structures at the time of adoption of the ordinance shall be governed by the existing sign provisions in the Los Angeles Building and Safety Code. It's completely

harmonious with the language that is already in the proposed conditions. This simply adds a clarification so there won't be confusion. There won't be issues down the road. But it is consistent and harmonious with the intent. And our understanding from staff is that this proposed language is the result of many meetings and many discussions. And we are submitting this to you in the hope that we can incorporate this language now so that everybody has a certainty and there is no confusion about these rights.

COMMISSIONER MENZER: Understood.

ROBERT SILVERSTEIN: With regard to change number two; that relates to... in the original language there was language about rear signs of buildings facing residentially-zoned areas. And the language that we would like to submit for clarification is "abut". That creates a much more workable situation because..

COMMISSIONER MENZER: That very faint beep you just heard is the end of your time.

ROBERT SILVERSTEIN: Okay. May I just..

COMMISSIONER MENZER: Is there anything you could just say in closing?

ROBERT SILVERSTEIN: Sure. Let me just wrap up. The language changes are all contained on the two pages which we have provided. They are non-controversial. They provide clarification that will benefit all property owners and the city in terms of application of the CDO and the Q conditions which we support. We simply request that these clarifications be included to ensure that there is no confusion down the road.

COMMISSIONER MENZER: Okay, thank you. You're also speaking for Farid Kia, I believe. Is that correct?

ROBERT SILVERSTEIN: Correct.

COMMISSIONER MENZER: Okay. Our last two speakers; Alan Safale followed by James O'Sullivan.

ROBERTN SILVERSTEIN: Those are all... those individuals are also with Gateway. I'm sorry. Alan Safale is Gateway as well.

COMMISSIONER MENZER: Thank you; James O'Sullivan then.

JAMES O'SULLIVAN: Good morning my name is James. Whoa, sorry about that. I had my morning voice on. My name is James O'Sullivan. I'm the President of the Miracle Mile Residential Association. And I want to thank personally Megan Hunter for all the work that she did in this project and also for all the encouragement we got from CD-4. We've been working as/with the Civic Coalition since 1996 on this. We also... it wasn't mentioned but we also brought the Mid-City West Community Council into this process before certification. So they've been working with the process all the way through. And we believe that we included both residents in the immediate Miracle Mile area and in the larger area as well as business owners to try to get the best plan we possibly could. I understand that in trying to be fair to all parties, you know there may have been some vagueness in there and I'm sure that that will be sorted out, but as we watch the Miracle Mile and the explosion of growth that's going on there right now... I mean we have six new buildings with... no, five new buildings with over 700 apartments and with the mixed use going in there. And we need a document like this because I know that that area between Fairfax and La Brea is just going to keep growing and growing and growing. And we could use some help in terms of these guidelines which we've tried to keep as suggestive. But we would certainly... I'm encouraging and the Miracle Mile Residential Association is encouraging you to approve these. Thank you very much.

COMMISSIONER MENZER: Thank you. Okay, that concludes the public hearing on this. Oh, I'm sorry. I didn't have a card. Would you like to speak, Ms. Weitzer? Please.

RENEE WEITZER: Mr. President, members of the Commission, for the record my name is Renee Weitzer and I represent Councilman Tom LaBonge. Well, we're finally here. We put our motion into Council in 1999 for a CDO on Wilshire Boulevard. The Wilshire Plan was adopted in 2001. And it's taken a long time but the work has been worth it.

RENEE WEITZER: We have a wonderful, wonderful community as you have heard by Wally Marks and Jim O'Sullivan. People that sat on the Committee were the Miracle Mile Chamber of Commerce, the Miracle Mile Civic Association, the Miracle Mile Residents Association, as well as LACMA. And we worked very hard for several years meeting every other week until we've come up with this document. The Planning Department has done a fabulous job and I want to thank them. And I think it's very, very important to get this adopted. Many years ago we started working to bring Wilshire Boulevard back up. We put in the islands with the

left-turn lanes. We put in parking back on Wilshire Boulevard. We have recently approved five residential mixed-use projects on Wilshire Boulevard. It's really, really coming back and we're very excited about it. The community is excited about it. We did meet with Mr. Farid Kia and worked out the issues that he has. And we're supporting the language that has been proposed. And the Department can respond to that specifically. If you have any other questions I'm happy to answer them. Thank you so much.

COMMISSIONER MENZER: Thank you. I would like to ask staff to address the language changes. You have the memorandum that was handed out. There were six specific changes requested. I think the most important seem to be the one involving the existing sign rights and the reference to the building code section.

BOB SUTTON: The others are mainly findings which I don't believe is any problem at all for staff. I think it's mainly change two and three that staff needs to address.

COMMISSIONER MENZER: Change one; is that acceptable to incorporate the existing sign rights language with respect to signs?

BOB SUTTON: It's already in the code so they have legal... what happens if the...

COMMISSIONER MENZER: They're asking if the language that specifically references the non-conforming use also specifically reference the existing sign rights.

BOB SUTTON: It's not a problem because that's what we were doing anyway because that's what the code requires. It's part of the grandfathering rights of existing uses. So we have no problem on any of those. Where we had a finding just clarify that; if that makes it clearer to the public, that's fine.

MEGAN HUNTER: Just based on the changes I would propose that change number six read... the first line of it read retain the original rooflines of historic structures then... this is for Standard 4-A, whenever possible rehabilitate and/or restore the original roofline of altered structures. So the previous sentence should read retain the original rooflines of historic structures. And that would I think achieve what they need and also achieve the CEQA requirements.

COMMISSIONER MENZER: Okay. I'm not quite following that change, what you're suggesting. So it would be 70...

MEGAN HUNTER: Change six, Standard 4-A; a sentence before that should say retain the original rooflines of historic structures. Similar to the change five, retain the original building continuity.

COMMISSIONER MENZER: Okay.

MEGAN HUNTER: And then the second sentence whenever possible.

MALE 1 (STAFF?): It just makes the two sentences consistent.

COMMISSIONER MENZER: Okay, any other suggestions then?

MALE 1 (STAFF?): What about two and three?

MALE 1 (STAFF?): Am I alive here? Change number two; we didn't have that much of a problem with. That takes care of the abutting residentially-zoned properties. Obviously this is a strip commercial area. There is always residential to the rear of it. That's just...

COMMISSIONER MENZER: No, I... that's fine.

MALE 1 (STAFF?): Yeah, that's fine, okay. And then change three; mechanical equipment. We would not put in the language citing a building permit. So it would be mechanical equipment shall not be located in windows or door openings.

COMMISSIONER MENZER: I think that's what it already says so...

MALE 1 (STAFF?): Yeah. Yeah, we would maintain that.

BOB SUTTON: They're actually better with the existing wording which has the word new in there.

COMMISSIONER MENZER: Okay.

MALE 1 (STAFF?): Yeah, [INAUDIBLE].

COMMISSIONER MENZER: Okay, thank you. Were there any other questions from the Commission on these changes? Now let me list my concerns and see if we can address these. And it seems to be this area there needs to be a balance between preserving the existing buildings but also recognizing that there is a great

deal of interest and potential for new development. And in fact I think it was very recently that we approved a mixed use project on one of these buildings that's listed, that Sav-On Drugs building there. And I want to make sure that these Community Design Overlay District regulations don't in any way impede new development or redevelopment. And as I read through these I'm concerned that it doesn't provide enough flexibility or it seems to point too heavily in one direction. So for example the design principles which talk about consistency don't make clear that new development may... because it's new development may not be consistent. It may be higher. It may be denser than what's already there. And I want to make sure that we have language that would require a balancing. And make sure that the decision-makers understand that there is to be a balancing. That's particularly true in connection with the standards reflecting the architecture in section six where it talks about continuity of scale, massing, and there are other places that seem to suggest that a building would need to be... a new building would need to be consistent in height, and scale, and massing with the building next to it. And in many cases these are one-story or two-story buildings. And the height district and the existing zoning permits greater density. There are a couple of other places where we have Q conditions that I think should not be mandatory because they specify either a percentage or a fixed percentage or fixed distances that in the case of new development may find this too difficult to comply with. And rather than these being hard and fast Q conditions they should be recast as guidelines using should rather than shall. And I can list these for you specifically; standard one.. I'm sorry. Standard.. no, I'll give you the Q conditions.

COMMISSIONER MENZER: Q condition two, which lists there needs to be one secondary entrance every 100 linear feet. Q condition four, specifying a 40-foot minimum for parking stalls behind the street line. Q condition seven, which would require a minimum of 40 percent masonry. Q condition six, which would require 60 percent of all ground floor facades to be windows. And Q condition 10, which deals with altering windows in the first 35 feet. I just think we need more flexibility and rather than prescribe those as Q conditions, those I would suggest be guidelines and be recommendations or goals in effect. The other concern I have has to do with the extent and scope of the architectural or the historic preservation aspects. And I'm concerned that the standard as to which buildings are subject to this is too vague. There is a list of projects that are attached as Appendix A or existing buildings. And there is no basis or background in the report that establishes why those are

historic structures or it also doesn't define those as the only structures that are subject to these requirements. It just... the way this is drafted it just talks about historic structures without being clear exactly what those are. And then just a final comment; in the middle of this CDO there is the usual very technical language. And then Section 7 there is a long digression... well not a long digression but a digression involving the history of art deco which made for interesting reading to kind of break up the technical. But I don't think it really needs to be in the ordinance. So anyway, those are the concerns I have and I'd obviously be happy to hear from the staff.

BOB SUTTON: Just on the last issue; remember the ordinance for a CDO is the map and an ordinance for Q conditions. The rest are guidelines. So the idea for guidelines is to explain it, make sure the public understands, and it would be helpful to the public, and to the development community, and to staff who comes on after Megan graduates so that everybody understands what we're trying to get at. So the guideline... I mean the art deco there is for like to help everybody but it's not part of an ordinance. It's an appendix to the guidelines basically.

COMMISSIONER MENZER: But it will have force. Maybe not the same as Q conditions but my concern is the guidelines are going to be read closely.

BOB SUTTON: I'm talking about having those... I'm talking about having the language here to explain what art deco is.

MALE 1 (STAFF?): It's more of a finding than it is a guideline or a standard.

COMMISSIONER MENZER: Okay, understood.

BOB SUTTON: As far as your buildings are listed, these are all designated sites. They've already been designated. They're recognized by either the local, feds, or state.

COMMISSIONER MENZER: How have they been recognized? What is the designation?

BOB SUTTON: There's an actual... for instance on the local ones, they're adopted as a cultural monument by council. And they actually have a monument number. They're actually listed on our maps, on our ZIMAS, on our website, you name it.

COMMISSIONER MENZER: Most of these though, at least in Appendix A, only say eligible for National Registry.

BOB SUTTON: The ones that are eligible for the National Register are treated by environmental law the same. They're also located on our maps, on our ZIMAS so that anybody coming here for a building permit has to go through a different kind of process than they would if they weren't listed.

COMMISSIONER MENZER: So you're saying that these guidelines as they apply to historic buildings apply to these buildings on Appendix A?

BOB SUTTON: And anything that may be adopted by Council later on.

COMMISSIONER MENZER: Subsequently, yeah.

BOB SUTTON: That's correct.

COMMISSIONER MENZER: Okay, so as a clarification then we would make that clear that the historic structures referred to under section seven are the Appendix A structures?

BOB SUTTON: Or designated structures or whatever. That's fine.

MALE 2 (UNKNOWN): And the two criteria...

MALE 3 (UNKNOWN): The sound system is out. Is Arnold there?

MALE 1 (STAFF?): Or there would be a cultural monument that would be designated by the city at a later date so that this would always be updated as the building become historic.

COMMISSIONER MENZER:? So as I understand it the two criteria are either that it's been designated by the city as a cultural monument or it's been placed on a list of eligible structures on the National Registry.

MALE 1 (STAFF?): Eligible or it's on the National Register itself or the state. And that's consistent with California Environmental Quality Act which puts special protections on either National Register buildings, state registered buildings, or those which are eligible to be listed. All of which, even

though it says eligible to be listed, there is a list of eligible to be listed buildings. And they are described.

MALE 2 (STAFF?): And there is in the guidelines a definition of historic building on page eight.

MEGAN HUNTER: If you'd like me to address the other Q condition issues. The community felt that there were a couple of things that they really wanted to make sure were followed design-wise to be consistent with the rest of the Miracle Mile, not only the historic structures but also some of the structures that aren't listed. The Miracle Mile, even though it has all these historic structures, there are three prominent structures that are actually high-rise structures, which one of them is shown on the display which has a Samsung sign on it. So we felt being consistent with massing would actually allow for a high-rise type building. We didn't feel that that would you know preclude anything dense or like I said high. In terms of the Q conditions; the community felt that there were three particular areas that they really felt needed to be protected. One was the Miracle Mile has been... has had a lot of problems with buildings that have turned their back on Wilshire Boulevard.

MEGAN HUNTER: Boarded up windows, boarded up storefronts, had locked entrances along Wilshire Boulevard. The purpose of the CDO is to try to encourage a pedestrian orientation. And the buildings that characterize that area that are considered the important buildings do have primarily storefronts or glazing on the ground floor, do have open and unlocked pedestrian entrances so...

COMMISSIONER MENZER: I understand that. I agree with all that. I'm just concerned that by making it a Q condition and specifying an exact percentage we're going to make it difficult for some buildings to comply. Where if we include all of those things as guidelines, that is there recommendation.

BOB SUTTON: Commissioner MENZER, let's take the building you were talking about a few minutes ago, the Sav-On building. How a CDO works and how a... even design guidelines work on a DRV, for example; if they come in to the Commission for a discretionary action, and most of those kind of buildings wouldn't require a discretionary action, once you take your action your action is what stands. And the only thing that's in front of the staff or a design review board would be those items you haven't addressed. And so and if you go ahead and you approve a site plan for example that set it back 59 feet, just for a number or

two feet, that would be the governing action because that's the discretionary action that you guys approved. We would then only look at the other things that you have not addressed. And that's how there's no conflict when these new buildings come in and they want to take that down. If they want to take a building down, a historic building down, they're going to have to go through an entire environmental review process. They're going to have to go to the Cultural Historic Heritage Commission. They're going to have to go to City Council. So this is not where it is. And the comments of staff, and staff's going to say no, you got to... you can't put signs up. Those type of buildings come under a different kind of review because they are historic monuments. So I don't see the conflict that could take place. It's not clear. And if we want to make this a pedestrian area, we want to keep that concept of the original... of card of Miracle Mile, then the idea of having the frontage, the storefronts, that's critical. And in too many parts of the city, whether it be the Valley or down here, that's what's happening. It affects our pedestrian areas. They close up [OVERLAP]...

COMMISSIONER MENZER: You're saying the only way to protect that is to make it a Q condition and in effect you'd require a zone change to vary from that?

BOB SUTTON: It... what I'm saying to you the most important ingredient on these kind of areas is they shall have entrances to Wilshire Boulevard.

COMMISSIONER MENZER: Okay.

BOB SUTTON: There is nothing more important than that condition.

COMMISSIONER MENZER: I hear you on that. The 60 percent glazing, and the 40 percent masonry, and these other things, are those...

BOB SUTTON: I don't know about the masonry. But again the glazing is important that it shouldn't be a block wall. It has to be that it's pedestrian friendly. And you've done this over and over again on many of the CDOs. And whether it should be a should or a shall in its historic buildings they're stuck with the glazing they already have.

COMMISSIONER MENZER: I'm talking about new buildings, not the historic buildings.

BOB SUTTON: New buildings; it's not a difficulty for them to blend in. There is no real hardship when it comes to new buildings. The hardship of anything might be if they expand an existing historic building. But new buildings should be able to blend in without a problem.

COMMISSIONER OR STAFF ?: I understand the point that Commissioner Menzer is making although I do believe that these particular items would not be terribly onerous for a new developer to comply with. It's... they're fairly general. This is not highly technical in terms of the orientation, that's clear. And requiring 60 percent glazing and 40 percent masonry seems to me to be fairly reasonable and fairly easy for a developer to comply with. It's hard for me to envision a project that would have difficulty complying with that. But I do share the concern. And the last thing we want to do is discourage needed new development in the Miracle Mile. But I find these Q conditions to be acceptable.

MALE 1 (STAFF?): We did have an architect as part of our advisory committee. And we ran these through him and he said that he would as an architect have no problem designing within the...

MEGAN HUNTER: We also...

COMMISSIONER MENZER: Okay, I don't want to belabor this. And if I have the sense of the Commission and I do want to move this on... so if I have the sense of the Commission that you're satisfied that you could live with these Q conditions then I think we can move this on. It looks like you're otherwise... I would like to entertain a motion then. We've had two suggested changes I think from Mr. Silverstein which would be change number one in his memo, and change number two in his memo, and then change number 6 with the clarification that staff made. Are there any other changes or requests? Ms. Weitzer, did you want to say something? I know you were there.

MS. WEITZER: [INAUDIBLE]

COMMISSIONER MENZER: Okay, that's fine. Anybody want to make a motion? If not, I will.

MALE 1 (STAFF?): I'm sorry. I just want to make sure we're all on the same page in terms of the Mr. Silverstein's modifications. We're adopting change one?

MALE 2 (STAFF?): Yes.

MALE 1 (STAFF?): Okay. We're adopting change two?

MALE 2 (STAFF?): Yes.

MALE 1 (STAFF?): Now change three is as to Q condition eight?

COMMISSIONER MENZER: And I understood that we were not adopting that one.

MALE 1 (STAFF?): We're not adopting that at all?

COMMISSIONER MENZER: Right. And then we were adopting change number six with the clarification that the existing sentence would remain as well.

BOB SUTTON: And there is no problem on four and five [INAUDIBLE]?

MALE 1 (STAFF?): So four and five are okay. And it's six, let me just...

BOB SUTTON: Six was putting the language in that Megan mentioned to you before we put this language in.

MALE 1 (STAFF?): Well, it currently... that was my confusion. I wasn't sure.

BOB SUTTON: She needs to make six like five as far as how it read.

MALE 1 (STAFF?): It's a little hard to follow.

FEMALE 2: So are we adopting four and five?

BOB SUTTON: We're adopting four and five.

COMMISSIONER MENZER: Four, five, and six with the clarification.

BOB SUTTON: Six as changed, right.

COMMISSIONER MENZER: Okay.

FEMALE 2: So the only one we're not adopting is number three?

BOB SUTTON: That is correct.

MALE 1 (STAFF?): What page is change six on?

BOB SUTTON: Saully, what page is change six on?

SAULY: I want to say page 25. Is that right? Page 25, for the... so there is currently a number of sentences there. I'm not... I wasn't clear what it was that we're doing with that.

COMMISSIONER MENZER: Could we have staff to read that to us again? This would be Guideline 4-A.

SAULY: Oh, I'm sorry, 4-A.

FEMALE 1: 4-A would be...

COMMISSIONER MENZER: Is it Guideline 4?

SAULY: Yeah, you're right, 4-A. So there is currently one sentence.

MEGAN HUNTER: 4-A would read retain the original rooflines of historic structures. Whenever possible rehabilitate and/or restore the original roofline of altered structures. So there would be two sentences.

COMMISSIONER MENZER: Okay.

SAULY: And in terms of Mr. Silverstein's memo change, one and four are the same thing, right? Except that one applies to the guidelines and one applies to the Q conditions.

MEGAN HUNTER: Right, right.

SAULY: Right, okay.

COMMISSIONER MENZER: Okay.

RENEE WEITZER: And there's just one other question that he has on his memo and that's item number three; the mechanical. He happens to have a building that is an old building that is not able to have air conditioning. So he has air conditioning units

in each office. And he's concerned that he would not be able to add additional units in the windows. So we were trying to figure out how to help that situation out. And the language in his memo would be fine, right Megan?

BOB SUTTON: We weren't supporting that.

RENEE WEITZER: Oh, you were not supporting that? Okay.

BOB SUTTON: He can change... if he has air conditioning now he can replace them.

MALE 1 (STAFF?): But the question is can he put in new window units.

RENEE WEITZER: Yeah, you see not all of his offices have air conditioning units. And if he were to lease another office or break up one office into two he would need to put in an additional air conditioning unit in the window. And we're trying to figure out how to accommodate for that particular...

BOB SUTTON: How about if we make it anywhere there is... where an existing face already has the air conditioning.

RENEE WEITZER: The existing face of the building.

BOB SUTTON: Already has them, new ones would be permitted.

RENEE WEITZER: That would be fine, right, Farid, existing face of the building? That seems fine. Yeah, right, that's fine.

BOB SUTTON: Okay.

COMMISSIONER MENZER: Okay.

RENEE WEITZER: Thank you.

COMMISSIONER MENZER: All right, thank you. So with those amendments and clarifications I would move that we approve the staff report and adopt the findings of the staff. We approve the negative declaration. We approve the CDO boundaries. And recommend that the council adopt the ordinance establishing the boundaries, and approve the proposed guidelines and standards, and also approve and recommend the zone change ordinance. Do we have a second with the amendments and clarifications we just discussed?

COMMISSIONER ATKINSON: I'll second.

COMMISSIONER MENZER: We have a second from Commissioner Atkinson. Could you poll the Commission, please? Yes.

FEMALE 1: Commissioner Burke?

COMMISSIONER BURKE: Yes.

FEMALE 1: Commissioner Dominguez?

MALE 1: Dominguez, yes.

COMMISSIONER DOMINGUEZ: Yes.

FEMALE 6: Commissioner [INAUDIBLE]?

MALE 18: Yes.

FEMALE 1: Motion carried.

COMMISSIONER MENZER: Okay, thank you very much.

[END OF FILE: MIRACLE MILE CDO_PLANNING COMMISSION HEARING]

LETTER NO. 4

James O'Sullivan, President
Miracle Mile Residential Association
907 Masselin Avenue
Los Angeles, CA 90036

RESPONSE NO. 4-1

Comment noted.

RESPONSE NO. 4-2

Comment noted.

RESPONSE NO. 4-3

The comment makes a general statement that the Academy Museum of Motion Pictures (Project) EIR used old and outdated data. Without specific examples a specific response cannot be provided. However, the baseline for the EIR was established in and around the time the Notice of Preparation for the Project was issued in compliance with CEQA requirements. Existing conditions and plans and regulations in place at that time served as the basis for the analyses presented in the EIR, with certain exceptions, such as more recent correspondence with public agencies regarding the circumstances surrounding the proposed Project. Reference to the Hollywood Community Plan Update (HCPU) is not an apt comparison to the Project EIR as the HCPU and its associated Program EIR addressed in a broad and general fashion the potential environmental consequences of planned and forecasted growth through 2030 within a 25 square mile area of the City. In contrast, the Project is not located in Hollywood, and is a specific development proposal for a 2.2 acre site to be completed within a period of less than three years. For this reason the data relied on for the EIR was very specific to the Project Site and surrounding area, rather than being Citywide and focused on existing or forecasted future conditions within a 25 square mile area over an approximate 20 year period, as was the case for the HCPU. Given the site and project specific nature of the Museum proposal there was no need for the EIR to rely on the referenced five-year monitoring reports described in the Wilshire Community Plan. For example, the EIR's assessment of potential impacts on infrastructure and public services were based on current input from City departments and existing conditions specific to the Project Site and its area of effect, not on a broad five-year periodic appraisal of the status of growth and the adequacy of infrastructure within the entire Wilshire Community Plan area. As discussed on page 6-20 under Growth Inducing Impacts, in Chapter 6, Other CEQA Considerations, of the Draft EIR, the Project is located in a highly developed urbanized area and would not foster direct population or housing growth, and it would not trigger the need to reassess the adequacy of infrastructure throughout the Community Plan area. Also see Responses to Comments E22-53 through E22-76, in the Final EIR.

RESPONSE NO. 4-4

The general reference to data that contradicts claims made in the EIR is noted but does not allow for a specific response. As demonstrated through the responses provided to Letter No. 22, and other responses provided in the Final EIR, the Draft EIR was comprehensive, was prepared in accordance with CEQA, and, neither the comments submitted on the Draft EIR or the responses constituted new significant information warranting recirculation as set forth in CEQA Guidelines Section 15088.5.

RESPONSE NO. 4-5

As stated above in Response to Comment 4-2, reference to the HCPU is not an apt comparison to the Project EIR as the HCPU and its associated Program EIR addressed in a broad and general fashion the potential environmental consequences of planned and forecasted growth through 2030 within a 25 square mile area of the City. In contrast, the Project is not located in Hollywood, and is a specific development proposal for a 2.2 acre site to be completed within a period of less than three years. The analyses in the EIR are valid and based on up to date relevant information in accordance with CEQA requirements.

RESPONSE NO. 4-6

The statement that the findings in the EIR transportation section are entirely arbitrary, not sufficiently supported, and rely on a single study and not ITE rates, is in error and is a misleading oversimplification of the methodology used for trip generation. As described on page 116 of the *Traffic Study for the Academy Museum of Motion Pictures Project* prepared by Gibson Transportation Consulting, Inc., (Traffic Study), and as further explained in Topical Response TR-2, Traffic, in the Final EIR, the trip generation rates used were conservative, likely overstated the impacts of the Project, were substantially higher than ITE rates, and were established in accordance with LADOT's Traffic Study Policies and Procedures. The analysis presented in the Traffic Study utilized trip generation estimates conservatively based on the anticipated unique operations and characteristics of the Museum (i.e., attendance levels, anticipated visitor arrival and departure patterns during weekdays and weekends, hourly distribution of daily visitors, events, educational, exhibits and other programming, etc.). The *ITE Trip Generation, 9th Edition* and *ITE Trip Generation Handbook, 3rd Edition*, August 2014, outline instructions to traffic engineers, methodologies, guidelines, and considerations when determining the potential trip generation of a project. The recommended trip generation method (and the method used in the Traffic Study) outlined in the *Trip Generation Handbook, 3rd Edition*, reflects deriving the vehicle trips (personal passenger vehicle or truck) based on mode of travel and vehicle occupancy. As further described in Topical Response TR-2, Traffic, subsection e, Trip Generation Comparison, of the Final EIR, includes a review of the trip generation estimates for the Project based on the anticipated operations of the Project and the published trip rates in Trip Generation was conducted to provide a comparison of rates with those presented in the Draft EIR and Traffic Study. As detailed in Table 3 of the Supplemental Traffic Analysis Memorandum (Appendix B of the Final EIR), even with consideration of the internal capture and transit usage/walk-in reductions, the project-related trip generation estimates used in the Traffic Study were substantially higher than those based on Trip Generation, 9th Edition. Thus the trip generation forecast methodology and associated considerations for internal capture, transit and walk-in patronage, were conservative and appropriate. As further described in Topical Response TR-2, Traffic, of the Final EIR, use of this conservative trip generation forecast likely overstates the impacts of the Project.

RESPONSE NO. 4-7

The basis for and appropriateness of trip credits, and the adequacy of parking were fully described and assessed in the Draft EIR, as further explained in Topical Response TR-2, Traffic, in the Final EIR. Please see Response No. 4-6, above, for further discussion of the trip generation forecast and methodology used in the Traffic Study. As further described in Topical Response TR-2, and Responses to Comments E22-95, E22-96, E22-97, E22-98, in the Final EIR, the trip generation forecast was prepared in accordance with LADOT's *Traffic Study Policies and Procedures*, as well as *ITE Trip Generation* and other industry publications, which include provisions for potential trip reduction credits that should be considered when estimating the number of trips generated by a project (e.g., internal capture, transit, walk-in, etc.).

Regarding parking, please see Topical Response TR-2 regarding code required parking and parking demand. The required number of automobile parking spaces for the Project is based on the Municipal Code. As evaluated in the parking analysis presented in Appendix F of the Traffic Study (Appendix M-1 of the Draft EIR), the Project has a total automobile parking requirement of 482 spaces. Code-required parking would be satisfied within the LACMA facilities, including 378 spaces within the Pritzker Garage and 104 spaces within the Spaulding Lot. An assessment of parking demand for several Project operational conditions was prepared as part of the parking analysis contained in the Draft EIR. The Traffic Study and Draft EIR recognized that attendance levels and parking demands of the Project will fluctuate depending on the activities, programs and events held, as well as by time of year, day of the week and time of day. As further discussed in Topical Response TR-2 and Response to Comment E22-12 of the Final EIR, with implementation of the parking strategies outlined in the Parking and Traffic Management Plan (PDF-TRAF-2), the parking demand for the Project is fully accommodated for each of the operational scenarios for both weekday and weekend conditions. Thus, parking demand impacts were determined to be less than significant.

RESPONSE NO. 4-8

The statement that impacts resulting from a lack of parking were not studied in the EIR is in error. As further explained in Topical Response TR-2, Traffic, in the Final EIR, parking was addressed in Section 4.J, Transportation and Parking, of the Draft EIR, based on information provided in the detailed Traffic Study included in Appendix M-1 of the Draft EIR. More specifically, the Parking Analysis is presented in Appendix F of the Traffic Study. As shown in Table 1 of the Parking Study, and as analyzed on page 4.J-47 and 4.J-48 in Section 4.J, Transportation and Parking, of the Draft EIR, the Project has a total automobile parking requirement of 482 spaces, and code-required parking would be satisfied within the LACMA facilities, including 378 spaces within the Pritzker Garage and 104 spaces within the Spaulding Lot. Although the Traffic Study and Draft EIR show that the Project would meet code required parking within the LACMA facilities, an assessment of parking demand was also provided in the Traffic Study and Draft EIR for several potential Project operational conditions. As reflected in the analysis provided in Appendix F of the Traffic Study, and in the analysis provided on pages 4.J-48 through 4.J-53 in Section 4.J, Transportation and Parking, of the Draft EIR, the Project would meet demand for the different Museum and Theater Special Event operational scenarios through the use of allotted spaces in the Pritzker Garage and Spaulding Lot, the use of leased spaces in the Petersen Automotive Museum parking garage, the use (as needed) of other off-site parking facilities in the Project vicinity, and the implementation of Project Design Feature PDF-TRAF-2, the Parking and Traffic Management Plan. Accordingly, no impacts due to neighborhood parking intrusion, or air quality and noise impacts associated with deficient parking were identified in the Draft EIR, and impacts associated with parking were determined to be less than significant.

RESPONSE NO. 4-9

See Response to Comment 4-6.

RESPONSE NO. 4-10

The general statement that responses regarding the status of infrastructure and its adequacy to serve the Project are wrong is incorrect and not supported by evidence. As demonstrated in detail in Responses to Comments E22-51 through E22-63, in the Final EIR, the Initial Study and Draft EIR prepared for the Project both evaluated Project-specific potential impacts on the full array of public services and utilities for which CEQA and the City require consideration. These analyses were prepared pursuant to the CEQA Statute and Guidelines, and the *L.A. CEQA Thresholds Guide*, and address the specific characteristics of the proposed Project and its environmental setting. The references in the comment and prior comments to the General Plan Framework and other documents that address citywide infrastructure issues do not provide information that conflicts with the infrastructure related

findings in the Initial Study and the Draft EIR that are appropriately focused on a specific Project and the adequacy of infrastructure in the area that would be potentially affected.

RESPONSE NO. 4-11

See Response 4-10 and Responses to Comments E22-51 through E22-63, in the Final EIR.

RESPONSE NO. 4-12

See Response 4-10 and Responses to Comments E22-51 through E22-63, in the Final EIR.

RESPONSE NO. 4-13

See Response 4-10 and Responses to Comments E22-51 through E22-63, in the Final EIR.

RESPONSE NO. 4-14

The basis for the statement that the Scenic Corridor designation for Wilshire Boulevard prohibits a sign district is not clear and is unsupported under both the General Plan Transportation Element and Municipal Code Section 13.11. Regarding suggested conflicts of signage with the status of Wilshire Boulevard as a scenic corridor, see Topical Response TR-3, Signage, of the Final EIR, and note that Project signage has been placed, designed and scaled in a manner that is proportional to the Original Building's architectural elements to ensure compatibility with its character defining features, and that the Project's signage would be compatible with neighboring museum uses and the surrounding urban form and scale. Furthermore, see Section 4.A.1, Aesthetics and Views, of the Draft EIR which analyzed the impacts of the Project's signage program on the aesthetic character of the community, including Wilshire Boulevard and its status as a scenic corridor. As discussed on pages 4.A.1-30 through 4.A.1-50, including consideration of visual simulations provided in Figures 4.A.1-13 through 4.A.1-23, impacts on aesthetics and views would be less than significant. In addition, as stated in Topical Response TR-1 of the Final EIR, the signage for the Project has been reduced in response to comments on the Draft EIR. The signage reductions pertain to the Original Building and include the elimination of all digital display box signs in the fourth level windows, reduction in the size of the four banner signs by 25 percent, and removal of four digital display box signs in the storefront windows, which would be replaced with static displays (display box signs). The number of times per year that projected images would be allowed, was also reduced from a maximum of 12 events per year with six of the events to include images on both the Wilshire Boulevard and Fairfax Avenue facades, to a maximum of six events per year with no more than three events to include images on both facades. See also Response to Comment 4-32 regarding the status of Wilshire Boulevard as a Scenic Corridor.

RESPONSE NO. 4-15

The prior development agreement that applied to the Project Site and Parcel D, and associated environmental documentation, was for a different project. No previously prepared EIR's or other CEQA documents focused on the Project Site are applicable to the Project currently being proposed, and no mitigation measures from such documents apply to the proposed Project. The focus of the current EIR is on the potential environmental effects of the Project and ways to minimize significant environmental impacts through mitigation measures or reasonable alternatives to the Project. As reflected in the Draft EIR and Final EIR, and in accordance with applicable CEQA requirements, the significant environmental impacts of the Project have been disclosed and fully analyzed, alternatives to the Project that reduce its impacts have been evaluated, and all feasible mitigation measures have been proscribed to minimize the significant impacts of the Project.

RESPONSE NO. 4-16

While the specific concern raised in the comment is unclear, additional information was provided in the Final EIR related to land use and the permissibility of a museum use on the Project Site that clarifies the circumstances surrounding zoning for the Project. The additional information does not change the presumption in the Draft EIR that museum uses are an acceptable and allowable land use for the Project Site. Rather, the Final EIR included additional information stating that museum uses are also allowed on the Project Site pursuant to a Citywide Zoning Administrators Interpretation (Case No. ZA 2003-4842 (ZAI), which was included as Appendix N of the Final EIR. The permissibility of museum uses on the Project Site is also reinforced by the fact that the City has consistently permitted museums by right in commercial zones as reflected by the Museum of Contemporary Art (“MOCA”), the Broad Museum currently under construction, the Petersen Automotive Museum, the Hammer Museum, the Museum of Tolerance, the Craft and Folk Art Museum, the Japanese American National Museum, and the A+D Architecture and Design Museum. While the Final EIR also reflects the intent of the Applicant to seek a new ZAI to reconfirm museum uses are permitted in the C-2 zone consistent with the City Use List, this circumstance does not trigger recirculation as it would not result in a new significant impact or substantially increase the severity of a significant impact. The focus of the impact analysis pursuant to CEQA is on physical effects on the environment, and the additional information provided in the Final EIR clarifying the permissibility of museum uses does not change any of the findings in the EIR regarding the physical impacts of the Project or how the Project would relate to relevant City plans and policies.

RESPONSE NO. 4-17

Comment noted, also see the above Responses to Comments 4-2 through 4-16.

RESPONSE NO. 4-18

As previously indicated in Responses to Comments E28-18 through E28-33, in the Final EIR, Section 4.G, Land Use, of the Draft EIR, disclosed and analyzed the existing [Q] conditions that apply to Parcel D (including Appendix J, Table 6, of the Draft EIR) and the current Project seeks removal of these conditions as they were established for a different project on Parcel D.

RESPONSE NO. 4-19

As previously indicated, the [Q] conditions are proposed for removal because they were established for a different project on Parcel D. Mitigation measures associated with EIR No. 88-347 ZC/GPA (HD)(CU) are not applicable to the currently proposed Project and are not needed to address the Projects significant impacts. The mitigation measures required pursuant to CEQA to minimize the significant environmental impacts of the proposed Project are included in the Draft EIR and Final EIR.

RESPONSE NO. 4-20

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-21

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-22

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-23

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-24

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-25

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-26

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-27

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-28

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-29

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-30

See above Responses to Comments 4-15 through 4-19.

RESPONSE NO. 4-31

See above Responses to Comments 4-15 through 4-19. Also see Topical Response TR-3, Signage, of the Final EIR.

RESPONSE NO. 4-32

Regarding applicable requirements for Project signage see Topical Response TR-3, Signage, of the Final EIR. Regarding concerns about scenic highway guidelines and the status of Wilshire Boulevard as a Scenic Corridor. The Project Site is located on Wilshire Boulevard, which is designated a Major Scenic Highway in the General Plan. For Scenic Highways, the Transportation Element of the General Plan provides interim guidelines in cases where a Corridor Plan has not been adopted. The purpose of a Corridor Plan is to provide guidelines that address each corridor's individual scenic character. Since a Corridor Plan has not been adopted for Wilshire Boulevard, the Transportation Element's interim guidelines apply. The interim guidelines regarding signage provide that a "standard condition for discretionary land use approvals involving parcels zoned for non-residential use located within 500 feet of the centerline of a Scenic Highway shall be in compliance with the sign requirements of the CR zone." In this case, however, the interim guideline is inapplicable, as the adoption of a Sign District provides a unique set of rules specific to the Project Site, which ensures preservation of the Wilshire Boulevard scenic highway. Furthermore, improvements that clearly distinguish major entries to individual commercial areas, such as

the western entry to Museum Row at Wilshire Boulevard and Fairfax Avenue, are anticipated to include signage by the Wilshire Community Plan. The adoption of the Sign District is in keeping with the Transportation Element's intent to provide guidelines through Corridor Plans that address the individual scenic character of each Scenic Highway corridor. Moreover, Project signage has been placed, designed and scaled in a manner that is proportional to the Original Building's architectural elements to ensure compatibility with its character defining features, and, the Project's signage would promote the Museum and Museum Row, and would be compatible with neighboring museum uses and the surrounding urban form and scale. Furthermore, see Section 4.A.1, Aesthetics and Views, of the Draft EIR which analyzed the impacts of the Project's signage program on the aesthetic character of the community, including Wilshire Boulevard and its status as a scenic corridor. As discussed on pages 4.A.1-30 through 4.A.1-50, including consideration of visual simulations provided in Figures 4.A.1-13 through 4.A.1-23, impacts on aesthetics and views would be less than significant.

RESPONSE NO. 4-33

See Response to Comment 4-32.

RESPONSE NO. 4-34

As previously stated, the [Q] conditions for Parcel D are proposed for removal because they were established for a different project on Parcel D. Furthermore, the potential for impacts associated with light and glare were thoroughly evaluated in Section 4.A.2, Light and Glare, of the Draft EIR, and as presented on pages 4.A.2-12 through 4.A.2-14, Project Design Features PDF-LIGHT-1 through PDF-LIGHT-3, are incorporated into the Project and contain far more detailed and restrictive conditions on lighting than presented in the [Q] condition listed in the comment.

RESPONSE NO. 4-35

Section 4.G, Land Use, of the Draft EIR, evaluated Project consistency with the Urban Design standards in the Wilshire Community Plan, and also evaluated consistency with the [Q] conditions proposed for removal under the Project. This evaluation was supported by the evaluations provided in Appendix J, Land Use Policy Consistency Analysis, of the Draft EIR, specifically Table 2, Comparison of the Project to Applicable Policies of the Wilshire Community Plan, and Table 6, Comparison of the Project to Applicable Land Use Regulations. Regarding the justification for removal of the [Q] conditions, as previously discussed they are being removed as they applied to a different project. Regarding the comment that the existing [Q] conditions pertaining to signage must be retained because they address similar issues addressed by the Miracle Mile CDO [Q] conditions, it is noted that just as the Miracle Mile CDO [Q] conditions may be amended by ordinance, so too may the existing [Q] conditions for the Project Site. Regarding the suggestion that removal of the [Q] conditions would leave the parcels and neighbors unprotected, this would not be the case. As reflected in Table 6 of Appendix J, Land Use Policy Consistency Analysis, of the Draft EIR, many of the [Q] conditions are not applicable to the Project as they apply to a different project with different land uses. For the other [Q] conditions that have general relevance to the Project, Table 6 demonstrates that the Project as designed would incorporate features that support consistency with these conditions, such that environmental protection afforded the community would not be undermined. For example, as described in Response to Comment No. 4-34 above, the Project's proposed light and glare Project Design Features go beyond the environmental protections provided in the existing [Q] condition for light and glare, which is also the case for other conditions such as applies to archaeological resources, paleontological resources, and historical resources.

RESPONSE NO. 4-36

As analyzed in Section 4.G, Land Use, of the Draft EIR, and as also reflected in Table 3, Comparison of the Project to Applicable Provisions of the Miracle Mile CDO, of Appendix J, Land Use Policy Consistency Analysis, of the Draft EIR, the Project would be consistent with relevant provisions in the Miracle Mile CDO. This is also supported by additional analysis presented in the Final EIR on pages 3-43 through 3-58, in Chapter 3, Corrections and Additions to the Draft EIR.

RESPONSE NO. 4-37

Comment noted.

RESPONSE NO. 4-38

The suggestion that the former May Company Building, a recognized historical resource, would somehow be left unprotected by the Project is not supported by evidence. As stated on page 4.C.3-37, in Section 4.C.3, Historical Resources, of the Draft EIR, the Project would conform with the intent of the Miracle Mile CDO with regard to historical resources in the Miracle Mile, as evaluated in Table 6, in Chapter V.B, of the Historical Resources Assessment Report, included in Appendix F-3, of the Draft EIR. Regarding various protections that would be in place as part of the Project to protect the historical resource, along with several improvements proposed to the building as part of the Project, see the analyses provided in Section 4.C.3, Historical Resources, of the Draft EIR, and in the Historical Resources Assessment Report, Appendix F-3, of the Draft EIR. Also see Topical Response TR-1, Historical Resources of the Final EIR, including the description of the Preservation Plan on pages 2.A-8 and 2.A-9.

RESPONSE NO. 4-39

As indicated in the above responses, the Project, through implementation of various Project Design Features, mitigation measures, and compliance with applicable City regulations and processes, generally would conform with the provisions of the Miracle Mile CDO and there would be no inconsistencies with the Miracle Mile CDO that would result in significant impacts on the environment.

RESPONSE NO. 4-40

See Response to Comment 4-38.

RESPONSE NO. 4-41

Comment noted.

RESPONSE NO. 4-42

There is no proposal for drastic exterior alterations to the original May Company Building (Original Building). To the contrary, as stated on page 2-11, in Chapter 2, Project Description, of the Draft EIR, the proposed rehabilitation work on the Original Building is intended to ensure it would retain its significance as a historic resource, and as required by the City Historic-Cultural Landmark designation, the Project would rehabilitate the Wilshire façade, Fairfax façade, and East façade of the building in accordance with the Secretary of the Interior's Standards. Also see Topical Response TR-1, Historical Resources of the Final EIR, including the description of the Preservation Plan on pages 2.A-8 and 2.A-9. See also Response to Comment 4-38 above.

RESPONSE NO. 4-43

Regarding concerns about protection of the Original Building and adverse effects associated with signage, see Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage, of the Final EIR.

RESPONSE NO. 4-44

As stated on pages 4.A.1-12 through 4.A.1-17, in Section 4.A.1, Aesthetics, of the Draft EIR, the Project's signage program does not include any proposed signage within the 0.8 acre area north of the Project Site, and this area would only permit signage that is otherwise permitted under Article 4.4 of the Los Angeles Municipal Code. See also Response to Comment E28-55 in the Final EIR for additional discussion of the Sign District Boundary.

RESPONSE NO. 4-45

As stated on page 2-23, in Chapter 2, Project Description, of the Draft EIR, improvements to the Los Angeles Department of Water and Power transformer yard would be undertaken as part of the Project.

RESPONSE NO. 4-46

Comment noted.

RESPONSE NO. 4-47

Regarding consistency of the Project with the Miracle Mile CDO, see Responses to Comments 4-35 through 4-39.

RESPONSE NO. 4-48

Regarding consistency of the Project with the Miracle Mile CDO, see Responses to Comments 4-35 through 4-39.

RESPONSE NO. 4-49

Comment noted.

RESPONSE NO. 4-50

Regarding signage and compliance with the Miracle Mile CDO see Topical Response TR-3, Signage of the Final EIR.

RESPONSE NO. 4-51

Regarding signage and compliance with the Miracle Mile CDO see Topical Response TR-3, Signage of the Final EIR.

RESPONSE NO. 4-52

Chapter 2.0, Project Description, of the Draft EIR, includes square footage, occupancy and anticipated uses proposed within the Original Building and the New Wing, including the Special Event Dining Room and Rooftop Terrace on the fifth level of the Original Building, and the Museum Café. The frequency, time and size of outdoor events on the Rooftop Terrace and the Piazza, as well as other operating hours, are also described. As indicated on page 69 of the Revised Draft Entitlement Findings, included as Appendix H of the Draft EIR, the sale of alcoholic beverages is proposed at four locations within the Museum: the Museum Café, the Tearoom, the Event Deck

located within the Sphere, and a mobile kiosk within the outdoor Piazza during Special Events. Activities and potential impacts associated with these areas, including consideration of operational hours, were fully evaluated in the Draft EIR, accordingly, there is no need to separately address alcohol sales within these areas. The appropriate metrics for evaluating these areas, whether based on square footage, or maximum occupancy assumptions, were disclosed in the Draft EIR. For example, see page 136, Table 9, Trip Generation Estimates, in the *Traffic Study for the Academy Museum of Motion Pictures Project* prepared by Gibson Transportation Consulting, Inc., (Traffic Study), including references to the square footage of the Museum Store and Museum Café. For additional information regarding the Master Conditional Use Permit entitlement request, see pages 69 through 71 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR.

RESPONSE NO. 4-53

Trip generation associated with the Project and the potential impacts of the Project on traffic were addressed in Section 4.J, Transportation and Parking, of the Draft EIR, based on the Traffic Study included in Appendix M-1 of the Draft EIR. Also see the *Supplemental Traffic Analysis Memorandum for the Academy Museum of Motion Pictures Project* (Supplemental Traffic Analysis Memo) included in Appendix B of the Final EIR, and see Topical Response TR-2, Traffic, of the Final EIR. The trip generation estimates were based on the use and operational characteristics associated with proposed land use categories, including but not limited to square footage, attendance figures, and other factors that apply to the areas and events where alcohol sales would occur, accordingly, there is no need for further analysis of traffic due to alcohol sales.

RESPONSE NO. 4-54

Parking demand associated with Project uses is addressed in Section 4.J, Transportation and Parking, of the Draft EIR, and in Appendix F of the Traffic Study, which is provided in Appendix M-1 of the Draft EIR. Parking demand is based on assumptions for Museum operational conditions and Special Event operational conditions which include events, activities and locations where alcohol sales would occur. Therefore, there is no need for further analysis focused of parking demand due to alcohol sales.

RESPONSE NO. 4-55

The type, number and hours of operational uses are presented in Chapter 2.0, Project Description, of the Draft EIR and include events and locations where alcohol sales would occur. See also Response to Comment 4-52, regarding proposed locations for the sale of alcoholic beverages.

RESPONSE NO. 4-56

As stated on page 114 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding justification for the variance for outdoor dining, including practical difficulties:

Historically, the Tearoom on the fifth, or top, level of the Original Building was used for dining. Adjacent to the Tearoom to the south is an open rooftop area surrounded by a parapet wall. Consistent with the historical use, the Tearoom would be expanded to contain a special event dining room and, in addition use of the existing rooftop terrace overlooking Wilshire Boulevard along with space for catering and other support services. The special event dining room and rooftop terrace are anticipated to accommodate meetings, conferences, and receptions at the Museum. Los Angeles Municipal Code Section 12.14.A(10) permits a "Restaurant, tea room or cafe (including entertainment other than dancing) or a ground floor restaurant with an outdoor eating area." Given the historic uses and locations, the Tearoom and the existing rooftop terrace

are the appropriate locations for special event and ancillary functions from a historic resource perspective. In 1961, the City issued a Zoning Administrator's Interpretation (ZAI 1808) that clarified that restaurants, cafes, eating establishments, or refreshment facilities which an incidental dining terrace or outdoor eating patio with tables for consuming food and refreshments are permitted in the C2 zone. Since the proposed use does not qualify as a traditional restaurant, cafe, eating establishment, or refreshment facility, strict application of the zoning ordinance would not permit the proposed outdoor rooftop terrace for special events and functions unless the terrace was fully enclosed.

The City's zoning ordinance and the 1961 ZAI clearly recognize that an outdoor terrace for dining is an appropriate use for various types of eating establishments in the City's commercial zones. The proposed use of the rooftop terrace to accommodate dining and refreshments for meetings, conferences, and receptions at the Museum is similar in nature and meets the intent of the zoning ordinance and published ZAI.

Also see Topical Response TR-1, Historical Resources, subsection 3, Interior Features and Tearoom Alterations, in the Final EIR.

RESPONSE NO. 4-57

As stated on pages 114 and 115 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding special circumstances applicable to the subject property that do not apply generally to other property in the same zone and vicinity:

The Project includes the rehabilitation and adaptive reuse of the historic May Company Building, a City Historic-Cultural Landmark. The design concept would retain important historic features of the Original Building, including rehabilitation of its primary façades and seismic reinforcement, while retrofitting the building interior to accommodate Museum uses. This rehabilitation work on the Original Building is intended to ensure that it would retain its significance as a historic resource. As required by the City Historic-Cultural Landmark designation, the Project would rehabilitate the Original Building in accordance with the Secretary of Interior Standards. Historically, the Tearoom on the fifth, or top, level of the Original Building was used for dining. Adjacent to the Tearoom to the south is an open rooftop area surrounded by a parapet wall. Given the historic uses and locations, the Tearoom and the existing rooftop terrace are the appropriate locations for special event and ancillary functions from a historic resource perspective and is consistent with the character of the Original Building. The rooftop terrace has long been established as part of the historic May Company building and enclosing the terrace could potentially impact the historic integrity and significance of the building.

RESPONSE NO. 4-58

As described on pages 115 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding why the variance is necessary for the preservation and enjoyment of a substantial property right:

The City permits incidental dining terrace or outdoor eating patio with tables for consuming food and refreshments in restaurants, cafes, eating establishments, and other refreshment facilities in the C4 zone. There is an ambiguity whether the zoning ordinance and City's ZAI 1808 permits outdoor terraces in conjunction with special events and private functions and out of an abundance of caution the Applicant seeks a variance for the proposed use.

RESPONSE NO. 4-59

LACMA has property rights that are similar to the proposed Project, including allowances for outdoor dining and alcohol sales.

RESPONSE NO. 4-60

As discussed on pages 116 and 117 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding why the variance will not be materially detrimental to the public welfare (i.e., general public):

The rooftop terrace faces Wilshire Boulevard, a major commercial arterial roadway, and is not located near sensitive receptors such as residential uses. The nearest residential sensitive uses are located along Sixth Street and Fairfax Avenue which are located approximately 620 feet and 180 feet of the boundary of the rooftop terrace, respectively. In addition, multi-family residential uses along Orange Grove Avenue and single-family residences along Warner Drive are located approximately 300 feet and 420 feet of the boundary of the event area of the rooftop terrace, respectively.

The use of the rooftop terrace will be conditioned to limit the hours of operation, use of amplified equipment, and the sound levels to minimize impacts to the neighborhood. The use of amplified sound in conjunction with events on the rooftop terrace would conclude by 10:00pm and events without amplified sound would conclude by 12:30am. During a reception, no amplified speech or music is anticipated outdoors, and noise would be primarily from attendee conversation. During outdoor programming events, the main noise source would be generated by an amplified sound system operated by Academy staff. Secondary noise sources would be patrons' applause, which are expected to be limited in frequency and duration during a screening. Noise generated on the rooftop terrace would be shielded from off-site noise sensitive receptors by the top floor of the Original Building to the north (approximately 94 feet above grade) and the seven foot high parapet walls to the east, south, and west. In addition, event related sound level (sound amplification) is limited to a maximum sound level of 90 dBA and 93 dBC at approximately 30 feet from the center of the screening area on the rooftop terrace. Academy sound engineers/technicians will be required to calibrate the sound system/speaker arrangement prior to each screening event. These measures would help to ensure that the variance will not be materially detrimental to the public welfare, or injurious to the property or improvements in the same zone or vicinity in which the property is located.

Historically, the Tearoom on the fifth, or top, level of the Original Building was used for dining. Adjacent to the Tearoom to the south is an open rooftop area surrounded by a parapet wall. Given the historic uses and locations, the Tearoom and the existing rooftop terrace are the appropriate locations for special event and ancillary functions from a historic resource perspective and is consistent with the character of the Original Building. Therefore the public's interest in preservation of the Original Building is furthered by the granting of the variance.

RESPONSE NO. 4-61

As stated on page 113 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding justification for the variance for short-term bicycle parking:

The Project would provide 88 bicycle parking spaces and associated facilities that would meet or exceed requirements as set forth in the City Bicycle Ordinance (Ordinance No. 182,386) ("Bicycle Ordinance").

The Project proposes to provide code required short-term bicycle parking along Fairfax Avenue near the main entrance of the New Wing at a distance greater than 50 feet. The New Wing would include the outdoor Piazza which would be constructed to the north of the Original Building and the Museum's northern entrance, including areas beneath and surrounding the Sphere. The Piazza would replace the existing service driveway and gravel area north of the Original Building. The Piazza is normally intended to provide public access to the Museum and LACMA Campus during the day, and would provide Museum Café and other seating; it would also accommodate Museum and Academy programs and special events held during the day or evening. The design and programming of the Piazza is a vital component of the Project and providing short-term required parking within 50 feet of the Museum entrance would be impractical. The New Wing would include a Museum entrance off the Piazza. Visitors would be directed to the lobby inside the entrance and the ticketing desk and would then enter exhibit spaces or other public areas.

The intent of the zoning ordinance is to provide short-term guest bicycle parking in a convenient and accessible location. As shown on the plans, the proposed location of the short term guest bicycle racks along Fairfax between the Original Building and New Wing meets the intent of the zoning ordinance.

RESPONSE NO. 4-62

As described on page 113 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding justification for the variance for long-term bicycle parking:

The Project proposes to provide long-term bicycle parking at a location within the LACMA Campus or adjacent to the Campus. The zoning ordinance requires that long-term bicycle parking be provided within the nearest parking structure on the level closest to grade. In this instance, vehicular parking for the Museum would be provided within LACMA's parking facilities, which include the Pritzker Garage and off-site Spaulding Lot. Providing long-term bicycle parking in compliance with the zoning ordinance would require removal of existing vehicular parking spaces that serve LACMA which is not feasible. The purpose of the bicycle parking location requirements is to ensure that bicycle parking will be placed in easily accessible and visible locations that facilitate bicyclists entering and leaving a site with minimal effort. In this case, providing long-term bicycle parking, included surplus spaces, within the LACMA Campus or adjacent to the LACMA Campus will meet this intent.

RESPONSE NO. 4-63

As stated on page 2-33, in Chapter 2.0, Project Description, of the Draft EIR and further detailed on pages 12 and 13 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR, One of the requested entitlements is a zone change to remove the existing [Q] conditions as they were established for a different project. Therefore [Q] condition 5-g is not applicable to the requested interpretation. As stated on page 67 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR, the requested entitlement is for approval of a Special Permission for Reduction of Off-Street Parking to allow for a 10 percent reduction in the required number of parking spaces for an institutional use (museum) located within 1,500 feet from the planned Metro Purple Line portal at Wilshire and Fairfax, which would also clarify if a parking reduction would apply for institution (museum) and auditorium (theater) use.

Also see the analysis of parking associated with Project uses in Section 4.J, Transportation and Parking, of the Draft EIR, and in Appendix F of the Traffic Study, which is provided in Appendix M-1 of the Draft EIR.

RESPONSE NO. 4-64

See Response to Comment 4-63.

RESPONSE NO. 4-65

As stated on pages 67 and 68 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding justification for the cited Zoning Administrator's Interpretation:

Museum uses are allowed in the C-2 zone pursuant to a Citywide Zoning Administrator's Interpretation (ZAI) effective August 1, 2003 (Case No. ZA 2003-4842 (ZAI)). However, the City's Zoning Code does not specifically permit a museum use in the C-2 or other commercial zones such as the C-4 zone. Pursuant to authority contained in Section 12.21.A.2 of the Municipal Code, the Chief Zoning Administrator determined and classified, in their proper zone group, other uses permitted in each of the various zones in addition to those specifically listed in the Zoning Code, and prepared a Use List (City Use List) which shows the uses permitted in various zones. As shown on Use List No. 2, Page 16, a museum is a permitted use in the C1.5, C2, C4, C5, M1, M2 and M3 zones. The ZAI approval states that "These lists are the official use lists to be utilized by Department of City Planning, Office of Zoning Administration, and the Department of Building and Safety."

The City has consistently permitted museums by-right in the C2 and other commercial zones including the C4 zone as set forth in the ZAI. For example, the Museum of Contemporary Art (MOCA) located at 250 South Grand Avenue and the Broad Museum currently under construction at 2nd and Grand Avenue are located in the C2 zones. In addition, the following museums are located in the C4 zones as permitted by the ZAI - the Peterson Automotive Museum at 6060 Wilshire Boulevard; the Hammer Museum at 10899 Wilshire Boulevard; the Museum of Tolerance at 9786 W. Pico Boulevard; the Craft & Folk Art Museum at 5814 Wilshire Boulevard; the Japanese American National Museum at 100 N. Central Avenue and; the A+D Museum at 6032 Wilshire Boulevard.

In addition, the Zoning Administrator in Case No. ZA 94-0086(ZAI) previously determined that museum uses are permitted on Parcel D of the Project Site located in the C2 Zone. By operation of the adoption of the ZAI, the ZAI 94-0086 is superseded as set forth therein.

Based on the above, it is confirmed that museum and related uses (for profit and not-for profit) are permitted in the C2 zone.

Also see Response to Comments 4-16 and 5-3.

RESPONSE NO. 4-66

The related uses being contemplated are described in Chapter 2.0, Project Description, and include the Museum, New Wing, and Piazza and were fully analyzed in the Draft and Final EIR for the Project. These uses are also described on pages 3 through 9 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding justification for the cited Zoning Administrator's Interpretation.

RESPONSE NO. 4-67

See Response to Comment 4-66, above.

RESPONSE NO. 4-68

While the Museum is non-profit use, as a stated Project objective on page 2-9 in Chapter 2.0, Project Description, of the Draft EIR, revenue-generating events include lease events such as movie premieres, film festivals, and occasional late night screenings.

RESPONSE NO. 4-69

The square footage associated with the Project, which is the only use contemplated, is presented on Table 2-1, Proposed Development Program, in Chapter 2.0, Project Description, of the Draft EIR.

RESPONSE NO. 4-70

The Code requirements that must be met are described on pages 4.G-15 and 4.G-15, in Section 4.G, Land Use, and Table 6, Comparison of the Project to Applicable Land Use Regulations of the City of Los Angeles Planning and Zoning Code, in Appendix J of the Draft EIR. As concluded therein, the Project would have a less than significant impact with respect to zoning consistency. See also pages 67 and 68 of Appendix H, Revised Draft Entitlement Findings, of the Final EIR regarding justification for the cited Zoning Administrator's Interpretation. Also see Response to Comment 4-63.

RESPONSE NO. 4-71

As previously stated the Museum is a non-profit use. The Museum is considered an institutional use and the theaters are considered auditorium uses. The request is to determine if the proposed Project uses qualify for the special parking reduction. See also Response to Comment 4-63 regarding the Revised Draft Entitlement Findings and [Q] condition 5-g which is not applicable to the Project.

RESPONSE NO. 4-72

The Planning Commission Transcript associated with the Miracle Mile CDO is noted, however, other than the related issues discussed in the above responses, the transcript does not raise issues regarding the content and adequacy of the EIR for the proposed Project, therefore, no further response is required.

ORIGINAL

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VIA HAND DELIVERY

March 16, 2015

Hearing Officer
City Planning Department
200 N. Spring Street, Rm. 700
Los Angeles, CA 90012

Re: Comments and Objections re: Academy of Motion Pictures
Arts and Sciences Special Event Space and Museum
CPC 2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR
SCH #2013051086; ENV-2013-1531-EIR

Dear Hearing Officer:

I. INTRODUCTION.

The undersigned law firm represents 99 Cents Only Stores, LLC (“99 Cents”). For many years 99 Cents has operated near the northwest corner of Wilshire Blvd. and Fairfax Ave. in the immediate proximity of the proposed Academy of Motion Pictures Arts and Sciences Special Event Space and Museum Project (“Project”).

5-1

II. THE CITY AS LEAD AGENCY HAS RELEASED A FINAL EIR THAT IGNORES SERIOUS DEFICIENCIES IN THE DRAFT EIR.

CEQA Guidelines Section 15088(c) imposes a mandatory duty upon the City as lead agency to prepare a “written response” to each of the comments on environmental issues received from commenters on the Draft EIR. Such written response:

5-2

“shall describe the disposition of significant environmental issues raised (e.g., revisions to the proposed project to mitigate anticipated impacts or objections). In particular, the major environmental issues raised when the Lead Agency’s position is at variance with recommendations and objections raised in the comments **must be addressed in detail giving**

reasons why specific comments and suggestions were not accepted. There must be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice.” (Emphasis added.)

5-2

Cont'd

Despite the City’s duty to address environmental comments “in detail,” the FEIR’s responses to most comments, including those submitted by this law firm on October 14, 2014, are legally deficient.

For instance, the City claimed in the Draft EIR that the museum uses proposed for the site were lawful due to a certain Zoning Administrator’s Interpretation (“ZAI”) referenced in the Draft EIR but not attached in the technical appendices. When we commented that the ZAI appeared to have been a void exercise of Zoning Administrator authority to allow museum uses as “office space” contained in a 1993 Development Agreement, and that such interpretation, even with all its other flaws, might only apply if a vehicular trip cap was not exceeded, the City’s Final EIR response ran away from the ZAI relied upon in the Draft EIR, claiming it was for an expired Development Agreement, with the Final EIR now asserting the Academy’s museum use is authorized under a new City document never disclosed to the public in the Draft EIR.

5-3

This is just one example of how the City’s CEQA process has derailed meaningful public participation related to the Project proposal. When the City and Academy’s entire legal premise in the Draft EIR for the ostensible authority to develop a museum land use is rejected in the Final EIR, and a whole new theory of land use is substituted, the duty to recirculate a new Draft EIR has been triggered.

5-4

Comments submitted on the Draft EIR demonstrate that numerous environmental impacts were undisclosed or severely understated in the Draft EIR. When such comments undermined significant portions of the Draft EIR, the City’s “solution” was to add hundreds of pages of “corrections” to the EIR, supported with new substantive studies for which the public was denied an opportunity to review and comment at the Draft EIR stage.

5-5

Additionally, the City made significant modifications of mitigation measures in response to comments without demonstrating that all feasible mitigation had been considered or that the public was given the opportunity to weigh in on the major mitigation measure changes. The Lead Agency may not lawfully make such major

5-6

Hearing Officer
City of Los Angeles Planning Department
March 16, 2015
Page 3

changes to the Project and to its rationale in the Final EIR without recirculation and an opportunity for proper public participation.

5-6
Cont'd

The City's EIR may not be used as a lawful environmental clearance document for the Project.

5-7

III. 99 CENTS ADOPTS ALL OBJECTIONS AS ITS OWN.

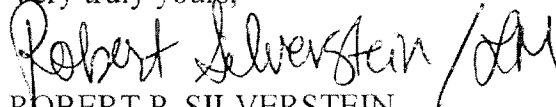
99 Cents adopts all comments submitted in response to the Notice of Preparation of EIR, the Draft EIR, and all public hearings. Review of the comments on the Draft EIR and the City's responses thereto are ongoing.

5-8

IV. CONCLUSION.

The Academy Project's Draft and Final EIR are legally defective.

Very truly yours,



ROBERT P. SILVERSTEIN

FOR

THE SILVERSTEIN LAW FIRM

RPS: lm

LETTER NO. 5

Robert P. Silverstein
The Silverstein Law Firm
213 North Marengo Avenue, 3rd Floor
Pasadena, CA 91101-1504

RESPONSE NO. 5-1

Comment noted.

RESPONSE NO. 5-2

The general comment suggesting that the City's responses to public comments on the Draft EIR were unsupported by factual information, and did not represent a good faith effort, is noted, but is not reflected in the content of the Final EIR which is comprised of three volumes which incorporate a substantial amount of information, including detailed responses to the 33 comment letters submitted on the Draft EIR. See the individual responses below to more specific comments.

RESPONSE NO. 5-3

The statement that the Draft EIR indicated museum uses were permitted on the Project Site pursuant to a Zoning Administrator's Interpretation 1994 ZA-94-0086 (ZAI) is correct. Regarding the statement that the ZAI was not included as an appendix to the Draft EIR is also correct, however, a description of the ZAI was provided on pages 4.G-5 and 4.G-16, in Section 4.G, Land Use, of the Draft EIR, and the document was publically available, as evidenced by it being attached to the letter submitted by the commenter on the Draft EIR (see Letter E-28, Exhibit 2, in Volume 11 of the Final EIR). It is also correct that the Final EIR included additional information stating that museum uses are also allowed on the Project Site pursuant to a Citywide Zoning Administrators Interpretation (Case No. ZA 2003-4842 (ZAI), which was included as Appendix N of the Final EIR, also a publicly available document. However, the suggestion that these circumstances derailed meaningful public participation and that the City should recirculate the Draft EIR due to a "new theory" on land use is in error.

CEQA requires recirculation of a Draft EIR only when "significant new information" is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: "New information added to an EIR is not 'significant' unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement. 'Significant new information' requiring recirculation includes, for example, a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.

- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.
- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."

CEQA Guidelines Section 15088.5 also provides that "[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record."

In regard to the additional information provided in the Final EIR related to land use and the permissibility of a museum use on the Project Site, the information clarifies the circumstances surrounding zoning for the Project. The relevance of the 2003 ZAI in permitting museum uses in the C2 zone and other commercial zones, the fact that the City has consistently permitted museums by right in these zones as reflected by the Museum of Contemporary Art ("MOCA"), the Broad Museum currently under construction, the Petersen Automotive Museum, the Hammer Museum, the Museum of Tolerance, the Craft and Folk Art Museum, the Japanese American National Museum, and the A+D Architecture and Design Museum, and, the intent of the Applicant to seek a new ZAI to reconfirm museum uses are permitted in the C-2 zone consistent with the City Use List, does not trigger recirculation as it would not result in a new significant impact or substantially increase the severity of a significant impact. Furthermore, this additional information does not change the presumption in the Draft EIR that museum uses are an acceptable and allowable land use for the Project Site. The focus of the impact analysis pursuant to CEQA is on physical effects on the environment, and the additional information provided in the Final EIR clarifying the permissibility of museum uses does not change any of the findings in the EIR regarding the physical impacts of the Project or how the Project would relate to relevant City plans and policies. Furthermore, and contrary to the assertion in Comment 5-2 that the City did not fully respond to comments on the Draft EIR, the detailed responses provided on this issue herein and in the Final EIR (see Letter No. E28, Response to Comment E28-6, and Responses to Comments E28-15 through E28-35), show a good faith effort with reasoned responses supported by facts that meet the intent of CEQA. Neither the comments submitted on the Draft EIR nor the responses provided in the Final EIR or herein constitute new significant information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5.

RESPONSE NO. 5-4

See the above Response to Comment 5-3.

RESPONSE NO. 5-5

No specifics are provided to support the contention of the commenter that numerous environmental impacts were undisclosed or severely understated in the Draft EIR, and that comments on the Draft EIR undermined significant portions of the document. Furthermore, the statement that "hundreds of pages" of corrections to the EIR were needed is incorrect. While Chapter 3.0, Corrections and Additions to the Draft EIR is 88 pages in length, most of the text does not reflect actual changes to the EIR, but is provided for context to show where within a page, paragraph or table changes were made to clarify, correct and supplement information. And, many of the pages contained within Chapter 3 show the same revisions where they apply to locations in multiple chapters and sections of the Draft EIR as well as in the EIR technical appendices. As stated and reflected in Chapter 3.0 of the Final EIR, the corrections and additions provided do not add significant new information to the Draft EIR that would require recirculation. In fact, much of the information was provided to be responsive to public comments and further

supported the impact findings in the Draft EIR. For example, many of the corrections were made to present the characteristics of a reduced sign program, and to disclose how the changes in signage would reduce the less than significant impacts of Project signage on aesthetics and views, lighting and glare, and historical resources. These changes to language, figures and calculations demonstrating reduced impacts were made in at least two EIR chapters, four EIR sections and two EIR technical appendices, accounting for a significant amount of the length of the Chapter. Another example of the nature of the changes applied to a comment letter on the Draft EIR from Metro, where updated information was provided, including a name change from “Metro Westside Subway Extension” to “Metro Purple Line Extension,” which resulted in over 20 minor revisions to numerous pages of the Draft EIR. Furthermore, in response to comments on the Draft EIR, several minor changes were made to the language of Project Design Features that added specificity and increased the utility of the features in helping to reduce adverse effects of the Project. Accordingly, a fair reading and appraisal of the corrections and additions shown in Chapter 3 of the Final EIR reflects content that clarifies, corrects and supplements information provided in the Draft EIR, and that reinforces the documents impacts findings. Contrary to the commenter’s statements, the information in Chapter 3 does not reflect significant new information that would result in new significant impacts or substantial increases in the severity of impacts, or that would otherwise require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

RESPONSE NO. 5-6

The statement that there were significant and major modifications to mitigation measures made in response to comments is incorrect, and the general statement that all feasible mitigation was not considered is made without support. In fact, there were only minor changes made to three of the mitigation measures presented in the Draft EIR. One to include reference within mitigation measure MM-ARCH-2 to notify a Native American representative if prehistoric archaeological resources are encountered; one to change a reference in mitigation measure MM-TRAF-2, from “Draft EIR” to “EIR;” and the other to remove unnecessary text citing EIR analytical assumptions from mitigation measure MM-TRAF-3. These changes do not constitute significant and major modifications to mitigation measures as suggested by the commenter. Furthermore, as previously stated, while several minor changes were made to the language of Project Design Features, the modifications added specificity and increased the utility of the features in helping to reduce adverse effects of the Project. While the claim is made that the changes to the EIR circumvented public participation, the opposite is true, as most of the changes made to the Draft EIR were made to be responsive to public input, and were reflected in responses provided to those who commented on the Draft EIR. Contrary to the commenter’s statements, there were no significant or major modifications to the mitigation measures in the Draft EIR, and the minor changes identified in this response, and as reflected in the Final EIR, do not constitute significant new information that would require recirculation of the Draft EIR pursuant to CEQA Guidelines Section 15088.5.

RESPONSE NO. 5-7

As reflected above, many of the statements made regarding the EIR are unsupported or factually incorrect. As stated in the Final EIR and in the responses to this letter, neither the comments submitted on the Draft EIR, the Final EIR, or the responses provided, constitute new significant information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the EIR is comprehensive and has been prepared in accordance with CEQA.

RESPONSE NO. 5-8

Comment noted.

*Concerned Citizens of Barrows Drive
6100 Block of Barrows Drive
Los Angeles, CA 90048*

March 16, 2015

Mid-City West Community Council
543 N. Fairfax Avenue, Suite 106
Los Angeles, CA 90036

sent via email to:

Cary Brazeman, MCWCC PLUC Chair
Taylor Nichols, MCWCC TPSC Co-Chair
Josh Paget, MCWCC TPSC Co-Chair
(and other members of the MCWCC)

RE: 6001-6067 Wilshire Blvd. (Academy Museum of Motion Pictures)
ENV-2013-1531-EIR / CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR

Dear City Staff,

This letter, representing the collective input of the residents of the 6100 block of Barrows Drive in Carthay Circle, is respectfully submitted to our City Staff and City appointees as public comment for the above listed project. Our letter is a companion to the letter dated October 7, 2014 that we submitted to our elected representatives of the Mid City West Community Council (MCWCC) Land Use Committee. In that correspondence we, the undersigned, commented that we found the project's Draft Environmental Impact Report for the above-referenced project **INSUFFICIENT** in its scope of environmental review and its proposed mitigations and findings. Given the enormous scale of this project and its significant adverse impacts on historic neighborhoods in the immediate vicinity, we asked the MCWCC, as our representative body and recipient of stakeholder input, to submit a substantive comment letter and advisory opinion to the City opposing the project, voicing our project impact concerns, and supporting our proposed conditions for approval, as detailed below. Our letter was submitted as a supplement to the substantive letters submitted by the Carthay Circle Neighborhood Association (CCNA), the Miracle Mile Residential Association (MMRA), as well as residents of Del Valle and Ogden Drives, in opposition to the conclusions in the DEIR.

6-1

*As relates to today's hearing regarding a Digital Sign District, our block is **OPPOSED** to any permits allowing illuminated digital signage of any size or height next to LACMA and the historic May Company Building, and immediately adjacent to our historic Carthay Circle, protected by City HPOZ.*

6-2

Who We Are

Barrows Drive is a one-block long residential street in Carthay Circle that connects Fairfax and San Vicente. It is a street of roughly 30 houses that "goes nowhere" and was created by Harvey McCarthay in 1922 as part of a planned residential district. The street

6-3

is in a Historic Preservation Overlay Zone and experiences very limited turnover. We are the home to families with small school-age children, as well as seniors and multi-generational families who have lived on the street for 50 years and more. Our street is also within three residential blocks of the proposed project.

The residents of Barrows Drive are highly cohesive. We celebrate evening summer block parties among neighbors every Monday, when families can come together, share news and reconnect with neighbors. We are overwhelmingly homeowners, many for decades. We take great pride in our neighborhood, and we know our neighborhood's history very well. We know that we live in the middle of a beautiful City, amongst busy streets and cultural institutions, not in a far-away suburb or gated community.

6-3

We are diverse, both in our background and profession. We are voters, taxpayers, parents and grandparents, and civically-engaged. We support our local schools, houses of worship, and nonprofits in a variety of ways.

In short, we are stakeholders.

The Project

The proposed Academy Museum is a large regional attraction, whose goal is to bring thousands of visitors from afar to enjoy the exhibits and events at its venue. In addition to the redevelopment of the existing May Company building, the project will build an equally massive sphere-like wing that is intended to hold both an indoor theater capable of seating approximately 1,000 audience members, as well as a second "view deck" event space capable of hosting both large parties and theater projections for another 1,200 guests. The project includes a third theater, museum exhibit space, a museum café, a museum store, banquet and conference space. It proposes to host thousands of visitors daily, as well as associated staff and security, in a high-profile entertainment facility. The Museum's Design Day Attendance (i.e. a typical peak-day, like a weekend) is projected at 5,000 visitors. The project humbly estimates annual attendance of regional visitors at 860,000 persons annually – at least until it hits its stride. The facility expects to be open 363 days per year, and host events that last well into the night. As presented, none of this project's 860,000 visitors' cars appear to be parked on-site.

6-4

The project also proposes to convert the property's perimeter into a Digital Sign District that has become familiar to visitors of Times Square, the Las Vegas Strip, LA Live, and Hollywood & Highland.

6-5

Existing Conditions

Fairfax Avenue between Wilshire and Olympic Boulevards has reached traffic paralysis. The on-the-ground conditions sit in stark contrast to the incredulous Level of Service ratings that City departments have attributed to the Wilshire-Fairfax, Olympic-Fairfax, and San Vicente-Fairfax intersections. Long traffic queues, mis-timed light signals, and narrowing lanes present daily traffic challenges. The frustrations of drivers often

6-6

manifest themselves in a variety of unsafe and illegal maneuvers -- running red lights and arrows, blocking traffic intersections, crossing double-yellows, and making illegal lefts and u-turns. We neighbors are regular witnesses to auto, auto-bicycle, and auto-pedestrian accidents that result in property damage and human injury. This traffic behavior, neither satisfactorily acknowledged nor assessed in the project's traffic assessment, has become the normal state of affairs just blocks from the proposed project. Needless to say, the significant traffic impacts of the proposed project will serve to gridlock Fairfax and adjacent streets on a daily basis and stop traffic flow entirely -- exacerbating the reckless driving behavior already on display.

6-6
Cont'd

On Barrows Drive, where we live and raise our families, the area's existing traffic hazards manifest themselves in three ways: (1) impatient drivers moving southbound on Fairfax make an illegal right turn onto Barrows Drive; (2) cut-through traffic eastbound on Barrows (frequently above the speed limit) followed by either legal right turns or illegal lefts on Fairfax as part of maneuvers to get east of the neighborhood or (3) cut-through traffic eastbound on Barrows followed by an illegal "dogleg" crossing of Fairfax to enter any of the commercial establishments on Fairfax (the now-expanding Shalhevet School, Tom Bergin's tavern, and the new 149-unit Alliance Residential towers).

6-7

We fail to understand how the Academy Museum and City can address the significant traffic impacts from this project. The traffic behaviors and challenges we experience daily on Barrows Drive were not adequately assessed in the project's environmental report. In selecting key intersections to study, we are very concerned that the key intersections near our block (Fairfax-San Vicente, Fairfax-Olympic, Fairfax-8th Street, San Vicente-Crescent Heights) were not adequately addressed. This is an inadequacy of the DEIR.

6-8

Project Impact Concerns:

We have reviewed the available documents associated with the project. We have serious concerns, including:

(1) **Traffic Impacts:** The regional project generates an enormous number of auto trips to one of the most dense and overburdened areas of the City. The current traffic corridors cannot handle existing regional traffic generated by the Grove/Farmers Market, LACMA, Beverly Center, Petersen and Page Museums. In addition to normal business hours, the Academy Museum also plans large nighttime events that would generate traffic into the late evening hours -- including circling taxis, limousines, and tour buses. The DEIR does not sufficiently document, study, or address how such unmitigatable impacts can adequately co-exist with adjacent, historic single family neighborhoods like Barrows Drive.

6-9

(2) **Parking Impacts:** The regional project generates massive new parking requirements that are not dealt with onsite. A "shared parking" arrangement with LACMA is contemplated as a solution for offsite parking. This suggestion does not reflect the reality of the neighborhood. LACMA, which hosts over 1 million visitors

6-10

annually, is not prepared to park its own visitors (who already spillover into residential neighborhoods). Their parking lots are no solution to the 5,000 daily guests expected by the Academy Museum. The DEIR does not sufficiently document, study or address how such lack of parking capacity be adequately co-exist with adjacent, historic single family neighborhoods like Barrows Drive.

6-10
Cont'd

(3) **Light & Glare Impacts:** The project proposes to create a Digital Sign District of large video screens emitting graphics, animation, scrolling lights, and attention-grabbing visuals along the project's perimeter. Our historic neighborhood has never seen or contemplated the level of light or glare proposed by this project – akin to New York's Time Square, Hollywood & Highland, or LA Live. The Digital Sign District would dwarf and make a sad mockery of LACMA's "Urban Light" street lamp art installation that defines the museum district. The DEIR fails to adequately address the devastating visual impact of proposed digital sign district on adjacent, historic single family neighborhoods like Barrows Drive – places where all our utilities are undergrounded and the open sky is part of the neighborhood identity.

6-11

Proposed Mitigations

Concerned Citizens of Barrows Drive has reviewed documents, discussed our most concerning impacts, and agreed upon a minimum level of project modifications that would allow us to react more favorably to the project. In general, we are supportive of a cultural district in the Miracle Mile. We are also supportive of the redevelopment of the May Company building. And we support Los Angeles' entertainment sector – some of our residents work in entertainment and are members of the Academy. But this project has not properly thought through its impact on adjacent residential neighborhoods, including Barrows Drive. We respectfully request that City Staff and City Appointees support our request for the following conditions on the project:

6-12

(1) *Closure of Barrows/Fairfax Street Opening and adjacent residential streets:* The "exit/right turn only" experiment proposed by the City during the construction of Wilshire office towers has proven a failure. Illegal, and frequently high speed, right turns from Fairfax onto Barrows are a regular occurrence that will grow significantly with the addition of thousands of new trips on Fairfax as a result of this project. Our street is nearly unanimous in desiring a complete closure of the half-closed opening. The developer should work with the City, neighbors, and Council Offices 4 and 5 to design, fund, and build a cul-de-sac appropriate for all that can be implemented immediately. While we cannot speak for Warner and Del Valle residents, we would assume that these neighboring streets would require similar protections. This is a traffic mitigation in response to increased traffic counts and altered circulation patterns from the project, something the developer should responsibly bear as part of the project.

6-13

(2) *Retiming of Fairfax-Olympic-San Vicente Intersection:* The three-way intersection near this project already presents daily traffic challenges. At least three times daily, the intersection gridlocks and devolves into an "every driver for themselves" situation that is life-threatening for the growing numbers of pedestrians and bicyclists

6-14

who seek to cross. In what will inevitably become a public scandal for local Council Offices and the Department of Transportation, City staff maintain that the project's intersection is both a safe and free flowing one (receiving a Level of Service "A"). This technical position has no connection to the conditions on the ground. Only an examination and resignalization of the intersection (and adjacent timed intersections) in light of multiple large developments underway in the immediate area can hope to accommodate the massive regional traffic to be generated. This is a traffic mitigation in response to increased traffic counts and altered circulation patterns from the project, something the developer should responsibly bear as part of the project.

6-14
Cont'd

(3) *Removal of the Digital Sign District:* The light and glare associated with proposed digital sign district is unacceptable. The adverse impacts associated with the proposed signs shows a blatant disregard for the quiet, family-oriented, historic neighborhood that has existed since the 1920s. The digital sign district must be removed in its entirety if the project is to proceed.

6-15

(4) *Expanded Preferential Parking on Barrows and adjacent residential streets:* Barrows Drive is the logical location for nearby street parking for the Academy Museum. Our street has restricted parking weekdays until 6pm, based on mitigations for previous high-density office development on Wilshire. However, we are already impacted with spillover parking from local businesses. With this massive regional project, we recommend the City prioritize and expand restricted hours to 24-7 or whatever restrictions a supermajority of individual street residents desire.

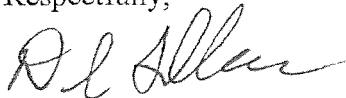
6-16

I hope that City staff and appointees will agree that that the concerns and recommendations of the Concerned Citizens of Barrows Drive are based on personal knowledge of our neighborhood and reasonable responses to the proposed developments. None of our recommendations are unreasonable within the context of this very large project. We simply wish to reasonably protect our very special, historic street from adverse impacts, just as the developers look to reasonably advance their economic interests at the Academy Museum.

6-17

While we intend to engage Council offices and like-minded resident organizations, use the CEQA process to its fullest, and attend any public hearings available, today we ask the City to support us is DENYING the Digital Sign District request and take a better look at the multiple significant, unavoidable impacts of this project.

Respectfully,



Daniel Tellalian
on behalf of the Concerned Citizens of Barrows Drive
6100 Block of Barrows Drive

LETTER NO. 6

Daniel Tellalian
Concerned Citizens of Barrows Drive
6100 Block of Barrows Drive
Los Angeles, CA 90048

RESPONSE NO. 6-1

The organizations past comments, opposition to the Project, and environmental concerns are noted. Responses to the specific comments provided are presented below.

RESPONSE NO. 6-2

The commenter's opposition to the Sign District is noted. Regarding the potential effects of the Sign District on the May Company Building and other historic resources in the area, the Draft EIR evaluated potential impacts on historical resources in Section 4.C.3, Historical Resources with supporting data provided in a *Historical Resources Assessment Report* (Assessment Report) included in Appendix F-3 of the Draft EIR. In addition, see the Final EIR Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage and note that the Applicant has voluntarily committed to reductions in the amount of proposed signage and the number of times per year that certain special event signage would be permitted, in response to public comments on the Draft EIR. The reductions in signage and changes to the Sign District are described in further detail in Topical Response TR-3, Signage, and Appendix D, Supplemental Light and Glare Technical Report, of the Final EIR. As stated therein, the following reductions would be implemented: 1) the four proposed banner signs on the Original Building would be reduced in size by 25 percent, 2) the 16 proposed storefront (ground floor) digital display box signs in the Original Building Storefront Zone would be reduced in number to twelve, including elimination (and replacement with static displays [display box signs]) of the digital display beneath the Corner Tower at Fairfax Avenue and Wilshire Boulevard and three digital displays flanking doorways on the Original Building's Wilshire Boulevard elevation, 3) elimination altogether of the 33 proposed clerestory digital display box signs (averaging 110 square feet) within the Original Building's Upper Wall Zone windows on the Fairfax Avenue and Wilshire Boulevard elevations, which were intended for use during a maximum of 12 special events per year, and 4) a 50 percent reduction in the number of times per year that projected images would be permitted, from the previously proposed maximum of 12 events per year, with six of those events to include images on both the Wilshire Boulevard and Fairfax Avenue façades, to a maximum of six events per year, with no more than three of those events to include images on both façades. All other signage would remain as described in the signage program presented in the Draft EIR. As reflected in the Final EIR, the result of the reduced signage program was that it further reduced the less than significant impacts from signage on historical resources, aesthetics, and light and glare that were identified in the Draft EIR.

RESPONSE NO. 6-3

Comment noted.

RESPONSE NO. 6-4

Comment noted.

RESPONSE NO. 6-5

While a Sign District is proposed as part of the Project, the reference to Times Square, the Las Vegas Strip, LA Live and Hollywood & Highland is not an apt comparison to what is proposed under the Project. As noted on page 2-25, in Chapter 2, Project Description of the Draft EIR, the purposes and objectives of the Sign District include but are not limited to:

- Encourage creative, well-designed signs that contribute in a positive way to the visual environment of Museum Row, the Miracle Mile District and the Wilshire Community Plan area in a manner that accentuates the architectural characteristics of the Project; and,
- Ensure that signs are consistent with the identity established by the Original Building, the New Wing, Museum Row and the Miracle Mile District, integrated and compatible in scale with the aesthetic character of the structures on which they are located, while maintaining compatibility and sensitivity to surrounding uses.

Furthermore, refer to Appendix M of the Final EIR, Sign Luminance Survey Data, which summarizes the results of signage luminance surveys conducted in December 2014 of LACMA's "Urban Light," the Hollywood & Highland development, LA Live, and New York's Times Square, to allow comparison of the associated lighting levels for those areas with those of proposed signage for the Project. The Sign Luminance Survey results show that the "Urban Light" installation at LACMA's main entrance on Wilshire Boulevard, has an average luminance of 2000 cd/m², a value four times that of the Project's maximum proposed signage luminance, and higher than 80 percent of the signs at Hollywood & Highland, LA Live, and Times Square. The Signage Luminance Survey results show that for the locations surveyed, approximately 64 percent of the 50 signs surveyed had a luminance value greater than that of the Project's proposed signage maximum of 500 cd/m². As demonstrated in the Draft EIR, and as further reflected with the reduced signage program presented in the Final EIR, impacts associated with lighting and other aspects of signage would not exceed thresholds of significance, and impacts would be less than significant.

RESPONSE NO. 6-6

The comment regarding congestion along Fairfax Avenue will be forwarded to the decision-makers. The Draft EIR addressed traffic and parking in Section 4.J, Transportation and Parking with supporting data provided in the detailed *Traffic Study for the Academy Museum of Motion Pictures Project* prepared by Gibson Transportation Consulting, Inc., (Traffic Study) included in Appendix M-1 of the Draft EIR. The Traffic Study recognized that the Study Area, including intersections along Fairfax Avenue, Wilshire Boulevard, Olympic Boulevard, San Vicente Boulevard, experiences high traffic volume and vehicular queuing within the Study Area during the commuter peak hours as highlighted in both the existing and future intersection operating conditions shown in Tables 24A-24C, 25A-25B, 27A-27C, and 28A-28B of the Traffic Study, with several intersections operating at LOS E or F during one or more of the analyzed peak hours. The relative impact of the added traffic volumes to be generated was evaluated based on an analysis of operating conditions both with and without the Project, in accordance with LADOT's *Traffic Study Policies and Procedures* and the significance impact criteria established by the City. In general, according to the significant impact criteria, the higher the volume-to-capacity ratio and worse Level of Service (LOS), the lower the amount of Project traffic that can be added before causing a significant impact. As discussed in Section 4.J, Transportation and Parking of the Draft EIR and Traffic Study, as well as in Topical Response TR-2, Traffic of the Final EIR, the incremental increase in traffic generated by the Project was fully evaluated based upon substantial evidence and the potential traffic impacts of the Project disclosed.

RESPONSE NO. 6-7

The comments regarding current driver behavior and cut through traffic on Barrows Drive is noted and will be forwarded to the decision-makers. Please refer to Topical Response TR-2 regarding the Neighborhood Intrusion Analysis and supplemental traffic analysis conducted in response to comments on the Draft EIR and Responses to Comments E16-5 through E16-9 regarding traffic and the analysis of local residential streets within the Carthay Circle neighborhood, (e.g., Barrows Drive) in the Final EIR. Based on a review of the daily trips associated with the Museum (Table 9 of the Traffic Study) and the general direction of approach and distribution of traffic through the Study Area, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant.

RESPONSE NO. 6-8

Please refer to Topical Response TR-2 regarding the Neighborhood Intrusion Analysis and supplemental traffic analysis conducted in response to comments on the Draft EIR and Responses to Comments E16-5 through E16-9 regarding traffic and the analysis of local residential streets within the Carthay Circle neighborhood, (e.g., Barrows Drive) in the Final EIR. As shown in Figure 2-A of the Traffic Study, several key signalized intersections were evaluated surrounding the Carthay Circle neighborhood, including those noted (Fairfax Avenue & San Vicente Boulevard, Fairfax Avenue & Olympic Boulevard, Fairfax Avenue & 8th Street, etc.). Therefore, as further described in Response to Comment E16-5 in the Final EIR, although not every intersection has been selected for analysis along every roadway within the study area, the traffic analysis Study Area, is sufficiently comprehensive to evaluate and identify the potential significant impacts of the Project. The Traffic Study and Draft EIR, fully evaluated the incremental increases in traffic due to the Project in the Study Area, including surrounding neighborhoods, and identified significant impacts according to the City's approved methodology and significance thresholds.

RESPONSE NO. 6-9

The Draft EIR and Traffic Study provide a comprehensive analysis of the potential traffic impacts associated with the Project. Traffic associated with both existing development (e.g., LACMA, Petersen, Grove/Farmers Market, etc.) and future development projects within the area, including the proposed Shalhevet school and mixed use development on the east side of Fairfax, were accounted for in the analysis of existing and future conditions as presented in the Traffic Study. As further outlined in Topical Response TR-2, Traffic, of the Final EIR, a summary of the Traffic Study scope, methodology, and traffic analysis scenarios is provided in Chapter 2, Traffic Impact Analysis Methodology, of the Traffic Study. To evaluate the potential range in operations of the Project, including analysis of evening events in the Theater, the Traffic Study included analysis of two operational scenarios: Museum and Theater Special Event.

As further summarized in Topical Response TR-2 of the Final EIR, and analyzed in Section 4.J, Transportation and Parking, even with implementation of Project Design Features PDF-TRAF-1 and PDF-TRAF-2 and Mitigation Measures MM-TRAF-1, MM-TRAF-2, and MM-TRAF-3, traffic impacts would be significant and unavoidable at three intersections (under Future With Project Conditions). All three intersections would experience significant unavoidable impacts during a Theater Special Event, with one of the intersections also significantly impacted during Museum Operations (Future With Project Conditions). Under Future With Project Conditions with Proposed City Bicycle Lane Improvements, as discussed in Section 4.J and the supporting data provided in Appendix B of the Final EIR, Supplemental Traffic Analysis, significant unavoidable impacts would occur at three additional intersections during Museum Operations, and at one of the intersections identified as having significant unavoidable impacts during a Theater Special Event (Future with Project Conditions).

RESPONSE NO. 6-10

As further explained in Topical Response TR-2, Traffic, in the Final EIR, parking was addressed in Section 4.J, Transportation and Parking, of the Draft EIR, based on information provided in the detailed Traffic Study included in Appendix M-1 of the Draft EIR. More specifically, the Parking Analysis is presented in Appendix F of the Traffic Study. As shown in Table 1 of the Parking Study, and as analyzed on page 4.J-47 and 4.J-48 in Section 4.J, Transportation and Parking, of the Draft EIR, the Project has a total automobile parking requirement of 482 spaces, and code-required parking would be satisfied within the LACMA facilities, including 378 spaces within the Pritzker Garage and 104 spaces within the Spaulding Lot. Although the Traffic Study and Draft EIR show that the Project would meet code required parking within the LACMA facilities, an assessment of parking demand was also provided in the Traffic Study and Draft EIR for several potential Project operational conditions. As reflected in the analysis provided in Appendix F of the Traffic Study, and in the analysis provided on pages 4.J-48 through 4.J-53 in Section 4.J, Transportation and Parking, of the Draft EIR, the Project would meet demand for the different Museum and Theater Special Event operational scenarios through the use of allotted spaces in the Pritzker Garage and Spaulding Lot, the use of leased spaces in the Petersen Automotive Museum parking garage, the use (as needed) of other off-site parking facilities in the Project vicinity, and the implementation of Project Design Feature PDF-TRAF-2, the Parking and Traffic Management Plan. Accordingly, no impacts due to neighborhood parking intrusion associated with deficient parking were identified in the Draft EIR, and impacts associated with parking were determined to be less than significant.

RESPONSE NO. 6-11

See Response to Comment 6-5 above, and as previously stated, rather than the Sign District “dwarfing” and making a “mockery” of LACMA’s “Urban Light” installation, the Project’s maximum proposed signage luminance would be four times less than that of the Urban Light installation. Regarding the claim that the Draft EIR failed to adequately address the effects of the Sign District on adjacent neighborhoods, and that the visual impact of digital signs would have a devastating impact on these areas, the specific nature of the concern is unclear. The Draft EIR comprehensively evaluated the potential impacts of the Project’s proposed signage program and Sign District with respect to aesthetics and views in Sections 4.A.1, Aesthetics and Views (see pages 4.A.1-26 through 4.A.1-31, and 4.A.1-43 through 4.A.1-46); 4.A.2, Light and Glare (see pages 4.A.2-7 through 4.A.2-14, and 4.A.2-21 through 4.A.2-23); and 4.C.3, Historical Resources (see pages 4.C.3-31 through 4.C.3-33); with supporting information provided in Appendices C-1, C-2, and F-3 of the Draft EIR. In addition, the Draft EIR addressed vehicle safety in Section 4.J, Transportation and Parking (see pages 4.J-44 through 4.J-45). And as previously noted, concerns about signage were also addressed in the Final EIR Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage. Furthermore, the Applicant has voluntarily committed to reductions in the amount of proposed signage and the number of times per year that certain special event signage would be permitted, in response to public comments on the Draft EIR. Specifically, the signage reductions pertain to the Original Building and include the elimination of all digital display box signs in the fourth level windows, reduction in the size of the four banner signs by 25 percent, and removal of four digital display box signs in the storefront windows, which would be replaced with static displays (display box signs). The number of times per year that projected images would be allowed, was also reduced from a maximum of 12 events per year with six of the events to include images on both the Wilshire Boulevard and Fairfax Avenue facades, to a maximum of six events per year with no more than three events to include images on both facades. Regarding the concern that digital signs would have a devastating impact on neighborhoods like Barrows Drive, due to the streets location, distance and orientation, visual access to signage at the Project Site, if any, would be limited, as would any effects on the historic character of the neighborhood. Project signage has been placed, designed and scaled in a manner that is proportional to the Original Building’s architectural elements to ensure compatibility with its character defining features, and the Project’s signage would promote the Museum and Museum Row, and would be compatible with neighboring

museum uses and the surrounding urban form and scale. Furthermore, see Section 4.A.1, Aesthetics and Views, of the Draft EIR which analyzed the impacts of the Project's signage program on the aesthetic character of the community. As discussed on pages 4.A.1-30 through 4.A.1-50, including consideration of visual simulations provided in Figures 4.A.1-13 through 4.A.1-23, impacts on aesthetics and views due to signage would be less than significant.

RESPONSE NO. 6-12

Comment noted. Also see Response to Comment 6-11 above in regard to the potential for Project signage to affect neighborhoods.

RESPONSE NO. 6-13

As described in Topical Response TR-2, the Draft EIR addressed neighborhood traffic intrusion in Section 4.J, Transportation and Parking, on pages 4.J-39 through 4.J-41, with further supporting analyses in Neighborhood Traffic Analysis in Chapter 12, Neighborhood Intrusion Analysis, of the Traffic Study. Please refer to Responses to Comment E16-7, E16-8, E16-9 and E22-101. The Draft EIR acknowledges that the Project would increase traffic throughout the Study Area, including the adjacent communities. LADOT has adopted a specific set of criteria for selecting residential street segments for analysis and defining a significant impact of Project traffic on local neighborhood streets. These impact criteria state that a project would have a significant impact on a local residential street if the Project increased the daily travel on that local street by a certain percentage. The allowable percentage increase varies with the level of current traffic on that street. As described in Chapter 12 of the Traffic Study, according to LADOT's Policies and Procedures, four conditions must be met to create the conditions under which there could be a significant impact on local streets in a neighborhood, including review of congestion on arterial roadways and the incremental increases in traffic along a residential local street. As discussed in Chapter 12 of the Traffic Study, one or more of the criteria were not present for the local residential streets in the surrounding neighborhoods (e.g., Miracle Mile, Carthay Circle, etc.) and thus, residential street segment impacts were determined to be less than significant. This is not to say that Project traffic would not use roadways within the surrounding neighborhoods and result in an increase in traffic throughout the Study Area. However, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant based on the City's established criteria. As further described in Topical Response TR-2 and Appendix B of the Final EIR, in response to comments on the Draft EIR, a supplemental analysis was conducted for residential street segments in adjacent neighborhoods, which also concluded that potential neighborhood traffic intrusion impacts from the Project would be less than significant. Therefore, mitigation measures, including those suggested in the comment are not required. However, the suggested measure of fully closing Barrows Drive at Fairfax Street is noted and will be forwarded to the decision makers.

RESPONSE NO. 6-14

The "three-way intersection" referenced in the comment was analyzed as part of the Traffic Study as shown in Figure 2-A of the Traffic Study, and is reflected as Intersection No. 32, Fairfax Avenue & San Vicente Boulevard, Intersection No. 33, Fairfax Avenue & Olympic Boulevard, and Intersection No.34, San Vicente Boulevard & Olympic Boulevard. As summarized in the Traffic Study and further described in Topical Response TR-2, Traffic, impacts at these three intersections were determined to be less than significant and therefore, no mitigation measures are required. As outlined in Response to Comment 6-6 above, the Draft EIR and Traffic Study acknowledge that the Project would result in increases in traffic along these roadways and intersections in the area. However, the incremental increase in traffic and volume-to-capacity ratios due to the Project is not large enough to be considered significant based on the City's established criteria.

As summarized in the Traffic Study and further described in Topical Response TR-2 of the Final EIR, a range of Transportation Mitigation measures have been considered for the Project, including implementation of a Parking and Traffic Management Plan, transit connection enhancements, and transportation systems managements improvements to mitigate Project impacts at the significantly impacted intersections and to improve traffic operations in the Project vicinity. Mitigation Measure MM-TRAF-1 includes transportation systems management improvements, including traffic signal enhancements, signal controller upgrades, system loop detectors, and installation of closed circuit television cameras, which are anticipated to enhance traffic signal timing, traffic signal operations, and improve traffic operations along roadways in the Study Area. Further, the parking and traffic management plan (PDF-TRAF-2) includes transportation demand measures which aim to reduce automobile travel to/from the Project. The effectiveness of the mitigation measures were analyzed as part of the Traffic Study for both the existing and future conditions. The analyses of Existing with Project with Mitigation conditions are summarized in Tables ES-7A to ES-7C and the Future with Project with Mitigation conditions analyses are summarized in Tables ES-10A to ES-10B. As shown, although no significant Project-related impacts were identified at the three referenced intersections, the mitigation measures are anticipated to result in improved operating conditions at the key intersections. Nonetheless, the comments regarding traffic signal timing improvements are noted and forwarded to the decision-makers.

RESPONSE NO. 6-15

The opposition to the Sign District is noted, however, as indicated in Responses to Comments 6-2, 6-3, and 6-11 above, the comprehensive analyses provided in the EIR demonstrates that impacts associated with signage would be less than significant pursuant to City thresholds and applicable industry standards. And, in terms of light and glare effects, as previously stated the perception that lighting from Project signage would “dwarf” the effects of the Urban Light installation, is incorrect as the luminance from Urban Light is four times that of the Project’s maximum proposed signage luminance. Accordingly, light and glare should not present an issue within the Barrows neighborhood.

RESPONSE NO. 6-16

Comment noted. Based on the parking analysis contained in Appendix F of the Traffic Study, the Project’s peak parking demand during weekday and weekend evenings is anticipated to be accommodated within the available parking spaces within the Pritzker Garage and Spaulding Lot, as well as the leased parking spaces within the Petersen Museum. As such, parking along Barrows Drive and other roadways south of San Vicente Boulevard associated with the Project is not anticipated. The available parking supply, bus pick-up/drop-off circulation operations and locations would be managed through the Parking and Traffic Management Plan (PDF-TRAF-2) so that the parking demands are met throughout the day for weekday and weekend conditions for various museum attendance levels, as well as for evening events in the theater. As such, with implementation of the Parking and Traffic Management Plan, parking impacts were determined to be less than significant.

RESPONSE NO. 6-17

Comment noted.

**Attachment B: Reporter's Transcript of Proceedings and Responses
to Comments
Hearing Officer Public Hearing (March 16, 2015)**

CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING PUBLIC HEARING

IN RE:)
)
ACADEMY MUSEUM OF MOTION PICTURES,)
ARTS, AND SCIENCES.)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS
Los Angeles, California
Monday, March 16, 2015

Reported by:
TRISHA WIENER
CA CSR No. 13576
JOB No. 305411

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CITY OF LOS ANGELES
DEPARTMENT OF CITY PLANNING PUBLIC HEARING

IN RE:)
)
ACADEMY MUSEUM OF MOTION PICTURES,)
ARTS, AND SCIENCES.)
_____)

REPORTER'S TRANSCRIPT OF
PROCEEDINGS, pages 1 through 93, taken
at Los Angeles City Hall, Public Works
Board Room, 200 North Spring Street,
3rd Floor, Los Angeles, California, on
Monday, March 16, 2015, before
TRISHA WIENER, California Certified
Shorthand Reporter No. 13576.

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APPEARANCES :

LUCIRALIA IBARRA, Hearing Officer

1 Los Angeles, California

2 Monday, March 16, 2015

3 1:00 p.m.

4

01:03 5 MS. IBARRA: Good afternoon. My name is
6 Luciralia Ibarra. I'm the hearing officer for this
7 case. It is a CPC case going to the City Planning
8 Commission.

9 I have a speech that I need to recite to
01:03 10 satisfy the requirements of the City.

11 This is the scheduled public hearing for
12 case number CPC 2014-3119. It includes a zone
13 change, a sign district, community design overlay, a
14 master conditional use permit, variances, zoning
01:03 15 administrator's interpretations. It includes EIR
16 ENV-2013-1351. This project involves property
17 located at 6001 through 6607 West Wilshire. The
18 project proposes the establishment of the
19 Academy Museum of Motion Pictures.

01:03 20 The case involves the following entitlement
21 requests: A zone change to remove the existing [Q]
22 conditions related to prior entitlements on the site,
23 the current zone is [Q]C2-2-CDO; a proposed sign
24 district; design overlay approval for projects within
01:04 25 the Miracle Mile CDO; a master conditional use permit

1 to allow the sale and consumption of alcoholic
2 beverages; zone variances to permit outdoor dining on
3 the rooftop terrace for special events, to provide
4 code-required short-term bicycle parking greater than
01:04 5 50 feet from the main pedestrian entrance, and to
6 permit the code-required long-term parking within or
7 adjacent to the LACMA campus; zoning administrator's
8 interpretations to specify that the provisions of
9 LAMC Section 12.24-Y also applies to institutional
01:04 10 and auditorium uses relative to the museum and
11 theater use, to confirm that museum and related uses
12 (for-profit and not-for-profit) are permitted in the
13 C2 Zone and consistent with the City Use List as
14 identified in ZA 2003-4842; special permission for a
01:05 15 reduction of off-street parking spaces to allow for a
16 10 percent reduction in the required number of
17 parking stations for institutional uses located
18 within 1500 feet from the planned Metro Purple Line
19 portal at Wilshire and Fairfax; site plan review for
01:05 20 a project which creates or results in an increase of
21 50,000 gross square feet of nonresidential floor
22 area; and proposed certification of the Environmental
23 Impact Report, binding Statement of Overriding
24 Considerations, and accompanied Mitigation Measures
01:05 25 and mitigation monitoring for ENV-2015-1351.

1 Again, my name is Luci Ibarra. I'm the
2 hearing officer assigned to this case and will be
3 conducting this meeting on behalf of the City
4 Planning Commission. People wishing to speak or
01:06 5 submit written testimony should do so during this
6 hearing. After the hearing I will prepare a written
7 staff report containing the Planning Department's
8 recommendations to the City Planning Commission.
9 Copies of this report will be sent approximately one
01:06 10 week prior to the Commission meeting date to anyone
11 who provides their name and address on the mailing
12 list form. No decision on this case is being made
13 today. These entitlements are appealable to the City
14 Council by any party.

01:06 15 The case is tentatively scheduled for a
16 decision meeting before the City Planning Commission
17 on May 14, 2015. That meeting will take place after
18 8:30 here in City Hall. The placement of this case
19 on the City agenda for that day and copies of that
01:06 20 agenda may be obtained approximately one week before
21 the meeting date by either calling the Commission
22 office at (213) 978-1300 or visiting the Planning
23 Department website at planning.lacity.org.

24 The Commission meeting will be a public
01:07 25 meeting. The Commission may permit limited

1 additional public testimony on this case.

2 Today's hearing is established to meet the
3 legal notice of hearing requirements prior to the
4 Commission taking action as well as for obtaining
01:07 5 public input for the preparation of the staff report.

6 If anyone wishes to submit additional
7 information to the Commission or takes exception to
8 the staff report or recommendations, they should do
9 so in writing prior to the Commission meeting.

01:07 10 Information about that date and the location
11 of the meeting along with instructions about where to
12 send communications will be provided on the cover
13 sheet of the staff report.

14 The procedure that will be taken at this
01:07 15 hearing will be as follows: First, I will hear from
16 the applicant or his or her representatives. Then,
17 I will hear from those wishing to speak. Finally, if
18 people are speaking in opposition or have questions,
19 the applicant will have an opportunity to respond at
01:07 20 the conclusion of the hearing.

21 Please limit your comments to the subject
22 matter of this hearing and direct all of your
23 statements to me and not to others in the room.

24 Before starting the hearing, please take
01:08 25 time again to turn off your cell phones for the

1 duration of the hearing.

2 Any displayed graphics or any written
3 documentation presented during the hearing are to be
4 regarded as part of the public record and are to be
01:08 5 left with me.

6 When you come to speak, please state your
7 name and address for the record.

8 May I now hear from the applicant and his or
9 her representatives, please?

01:08 10 MR. KRAMER: Thank you.

11 My name is Bill Kramer. I'm the managing
12 director of the Academy Museum of Motion Pictures
13 Project. Address is 6067 Wilshire Boulevard,
14 Los Angeles, California 90036. We are thrilled to be
01:08 15 here today to present our plans for the Academy
16 Museum to you and to the public.

17 The Academy Museum Project is part of an
18 institution that has a deep and honored history of
19 tying together the City of Los Angeles and the film
01:09 20 industry, The Academy of Motion Picture, Arts, and
21 Sciences. The Academy was founded in 1927 by 36 of
22 the most influential filmmakers in motion pictures.
23 That includes Louis Lumiere, Douglas Fairbanks,
24 Harold Lloyd, Mary Pickford, and Cecil B. DeMille.

01:09 25 We are a membership organization and our

1 members currently include close to 7,000 film artists
2 and professionals and we have long been dedicated to
3 the advancement of the arts and sciences of motion
4 pictures.

01:09 5 This is a photograph of the second annual
6 Academy Awards presentation at the Roosevelt Hotel in
7 1929. In 1944 the Academy created the Academy
8 Foundation to oversee the Academy's education
9 programs, film preservation initiatives, public
01:10 10 lectures and screenings, the Academy's vast permanent
11 collection of film-related materials, and now the
12 Academy Museum of Motion Pictures.

13 Designed by Pritzker prize-winning
14 architect, Renzo Piano, the museum will be a home for
01:10 15 the presentation of the Academy collection as well as
16 a home for the Academy's K through 12 educational and
17 public programs. Our goal is to create the world's
18 premier cultural institution devoted to the history
19 and future of the moving image, something that should
01:10 20 be located in Los Angeles and needs to be located
21 here. We're the global home of the movie industry.

22 As you know, the site we're proposing for
23 the new Academy Museum is the historic Wilshire
24 May Company Building. The building is a perfect
01:10 25 example of Streamline Moderne architecture and is an

1 iconic landmark in our city. Also, it has a strong
2 connection to the film industry as it opened in 1939,
3 long considered one of the best years for movies.
4 1939 brought the release of "Gone With the Wind,"
01:10 5 "Stagecoach," "The Women," "The Wizard of Oz," and
6 many more incredible and iconic films.

7 The selection of this site gives the Academy
8 an opportunity to restore the facade of this historic
9 landmark and would be the Academy's third adaptive
01:11 10 reuse project.

11 The Academy restored the former
12 Beverly Hills Waterworks Building and reopened it
13 in 1991, the home of the Academy's Margaret Herrick
14 Library. The library holds more than
01:11 15 80,000 screenplays, 42,000 original posters,
16 15,000 production costume design drawings, and over
17 10 million photographs, much of which will be on
18 display in the Academy Museum.

19 And in Hollywood in 2002 the Academy
01:11 20 restored the 1948 Don Lee Mutual Broadcasting
21 Building, which included four large soundstages that
22 were home to classic productions, including "Queen
23 For a Day" and "My Friend Irma." Today it's the home
24 of the Academy's film archives, which contains over
01:11 25 170,000 films, video assets, as well as Academy

1 Museum collection items.

2 The location of the May Company Building in
3 the western corner of Hancock Park is extremely
4 appealing to the Academy. This site allows us to
01:12 5 join other cultural institutions on the Miracle Mile,
6 LACMA, the Petersen, the Page Museum, and the Craft
7 and Folk Art Museum, to create a powerful and popular
8 cultural center for the City of Los Angeles.

9 The area is currently well-served by bus
01:12 10 lines. And with the expansion of the Purple Line,
11 the Academy Museum will be perfectly situated to be a
12 transit-friendly project. The Academy Museum Project
13 will open up Hancock Park to the west and will invite
14 people onto the campus with the new pedestrian
01:12 15 walkway. That area is currently closed to visitors.

16 As you can see from the site plan hopefully,
17 Renzo's design of the Academy Museum creates two
18 distinct buildings that will form the museum campus.

19 To the south, the bottom of this site plan,
01:12 20 is the restored original May Company Building which
21 will feature six stories of immersive galleries, an
22 education studio, a theater, special event spaces,
23 activity public spaces, conservation areas, and a
24 lively cafe and museum store.

01:13 25 The new spherical addition to the north

1 connects to the May Company Building with glass
2 bridges and will feature a state-of-the-art
3 1,000-seat theater. One of the main programmatic
4 goals of this project is to create a theater of this
01:13 5 size that can accommodate the Academy's and film
6 community's screenings, premieres, and public
7 programs.

8 This is a cross-section of the project along
9 Fairfax. The original May Company Building was to
01:13 10 the south and the new theater is to the north. As
11 you can see, the size of the new main theater
12 requires us to build a new structure. To place this
13 theater within the original May Company Building
14 would consume most of the original structure and
01:13 15 leave no room for the other programmatic elements of
16 the project.

17 To quickly walk you through the project,
18 starting with the May Company Building, on the
19 sublevel the museum will contain a 300-seat theater
01:14 20 for screenings, lectures, and panel discussions.
21 This is shown in red in the cross-section.

22 Connected to this theater, in navy blue on
23 the cross-section, is a lower lobby for the theater
24 that will include a free public exhibition on the
01:14 25 history of movie palaces, and it will contain a

1 K through 12 education studio.

2 The main lobby, in the purple cross-section,
3 will contain three public areas: a museum store, a
4 free introductory gallery, and a cafe. The lobby
01:14 5 will connect to an outdoor public piazza that will
6 open the museum to the LACMA campus and the
7 surrounding neighborhood.

8 Moving up in the May Company Building,
9 the mezzanine, in orange, will contain a permanent
01:14 10 exhibition on the Academy at the Oscars. Floors two
11 and three, in green, will contain a vast permanent
12 exhibition on the history of movies. The fourth
13 floor, in yellow, will host temporary exhibitions
14 that will rotate two or three times each year.

01:14 15 On the fifth floor above the temporary
16 gallery space, the Academy will renovate the
17 Academy's tearoom and restore it to its original use
18 as a dining and social occasion space. Also on the
19 fifth floor, in blue on the cross-section, is this
01:15 20 spectacular terrace on the roof of the main theater
21 that will provide visitors with expansive views of
22 the city. In addition, special projects tied to the
23 history of Los Angeles and moviemaking will also be
24 installed in this space.

01:15 25 Now I'd like to turn the presentation over

1 to Bill Delvac for our entitlements discussion.

2 MR. DELVAC: Thank you, Bill.

3 Hearing Officer, I'm Bill Delvac of
4 Armbruster Goldsmith & Delvac at 11611 San Vicente
01:15 5 Boulevard, Suite 900, Los Angeles, 90049.

6 At the outset, let me say we are very
7 pleased to be here after a number of years
8 considering where to locate the museum, how to design
9 and build the museum, and all of the issues of
01:16 10 concern to the community and the Academy.

11 An EIR has been prepared. The Final EIR is
12 now out. It's addressed a wide range of issues.
13 Notably, we're going to focus on a few of these:
14 cultural resources, traffic and parking, signage,
01:16 15 land use, and noise.

16 Most of the issues have to do with parking.
17 There are a number of mitigation measures that they
18 can loosely be grouped into the following categories:

19 Transit connection enhancements. We're
01:16 20 fortunate to be located at the new hub of transit in
21 Los Angeles. And we believe that given the cultural
22 institution and out-of-town visitors, I think we will
23 experience some of the greatest transit usage of any
24 museum in Southern California. In addition, there
01:16 25 will be a number of traffic signal upgrades and

1 significantly an event coordination plan with LACMA
2 to manage parking and traffic.

3 Next slide. Parking is a key issue. We
4 addressed code parking. There's 482 co-department
01:17 5 spaces required. These will be provided by
6 covenants. There's 378 spaces in the Pritzker garage
7 and 104 spaces in the Spaulding lot. In addition,
8 the code requires 43 bicycle parking spaces. The
9 project, in fact, is going to provide over double
01:17 10 that number with 88 spaces. This is in recognition
11 of the change in transit in Los Angeles as well as
12 our goal and plan to be LEED status.

13 Next slide, please. Parking and traffic
14 management plan has a number of components. Again,
01:17 15 they can be grouped into managing parking to maximize
16 use of on-site spaces and directions and maps to
17 parking, point-of-sale and otherwise. Increasingly
18 with everyone having a handheld device almost always
19 in their hand, we will be using realtime mobile
01:18 20 applications as to where parking is available and the
21 directions.

22 In addition, we'll be encouraging alternate
23 options of ridesharing, carpooling, and mass transit.
24 There will be a TDM. Also, the attendant and valet
01:18 25 will assist with parking in Pritzker garage. And

1 finally, employees and staff will park offsite in a
2 nearby lot.

3 Next slide. One of the key issues both at
4 the outset and throughout has been the historic
01:18 5 status of the May Company Building. When the Council
6 designated this building, it was explicit in its
7 designation that the 1939 original building was to be
8 preserved, that the 1946 addition may be removed, the
9 original building may be adapted for new uses, and
01:19 10 the exterior treatment of the original building's
11 three primary facades must conform to the Secretary
12 of the Interior's Standards for Rehabilitation.
13 Finally, Council designated that standards need not
14 apply to interior alterations.

01:19 15 This project has done each and every one of
16 these things. We're preserving the original
17 building. We're moving the '46 addition, we're
18 adapting it for new uses. And on the exterior, we're
19 conforming to the Secretary of the Interior's
01:19 20 Standards.

21 Next slide. This depicts the existing
22 building at the top. At the left is the original
23 building on the bottom and at the right is the
24 project as proposed. The addition changed the
01:19 25 proportions of the facade along Fairfax. And when

1 the project is completed, the building will have its
2 original proportions. We were very pleased in our
3 presentation to the Cultural Heritage Commission that
4 the restoration of the building to its original shape
01:20 5 and proportions was very favorably noted.

6 Next slide. In terms of meeting the
7 Secretary of the Interior's Standards and creating a
8 museum that will last for 110 years at least, a lot
9 of attention has been paid to the exterior, the
01:20 10 limestone cladding and mosaic tile. On the bottom
11 you can see photographs of the existing condition of
12 cracking and spalling.

13 It is in the Academy's economic interest and
14 in the interest of preservation to preserve every bit
01:20 15 of the cladding that can be preserved. An extensive
16 testing program has been developed to protocol, and
17 the results will be reviewed and approved by the
18 Council of Historic Resources. Again, our goal is to
19 have every bit of fabric that can remain, remain.
01:21 20 It's just more cost effective.

21 Next slide. Every museum needs to let the
22 patrons and the public know what's going on in their
23 museum. We proposed a sign district ordinance.
24 We've heard from the community that there's concerns
01:21 25 about the volume of signage. So we've voluntarily

1 chosen to reduce signage, reducing the banner sizes
2 by 25 percent, removing all 33 digital displays in
3 the upper-story windows, replaced four digital
4 displays in windows and store fronts with static
01:21 5 displays, and a 50 percent reduction in the projected
6 image signs from 12 special events a year -- 12 to
7 six, pardon me -- with only three that can include
8 images on both sides. We do know that this is a key
9 issue. We continue to consider what signage is
01:22 10 required for the Academy. We believe our sign
11 district ordinances strike an appropriate balance.

12 Next slide. Key entitlements, we summarized
13 these. I'll just touch on a few key points here.

14 There are existing a few conditions that
01:22 15 relate to a prior project, a massive built project.
16 We believe it clearly demonstrates that those
17 conditions are no longer relevant, this is a very
18 different project.

19 We've also taken a careful look at the
01:22 20 Miracle Mile CDO. We believe that the signage and
21 the design is consistent with the requirements, the
22 regulations, and guidelines of the CDO.

23 We've also asked for on-site alcohol, both
24 in terms of the regular cafe and special events.

01:22 25 Every museum in Southern California, probably

1 throughout the country or the world, hosts special
2 events. We believe this is a key part of the support
3 of the Academy.

4 We'd be pleased to answer any questions and
01:23 5 request an opportunity to provide any additional
6 comments based on the testimony.

7 MS. IBARRA: Sure.

8 MR. DELVAC: Thank you.

9 MS. IBARRA: Before you leave, I'm going to ask
01:23 10 you to straighten out the podium. Thank you very
11 much.

12 MR. DELVAC: Thank you.

13 MS. IBARRA: I will now hear from those wishing
14 to speak. Can I see a show of hands of those
01:23 15 interested in speaking, please? Can I see a show of
16 hand of those wishing to speak, please? Okay.

17 Let's start on the left, if you want to come
18 forward. Again, state your name and address.

19 MS. MULLIKIN: Laurie Mullikin, 615 South Gretna
01:23 20 Green Way.

21 When I retired from IBM, I got trained as a
22 media literacy scholar and I got a much deeper
23 appreciation of the role of film and storytelling
24 that describes how we live in our world and how the
01:24 25 world works. And it gave me such a love for film

1 over the last three or four years, I've now gone to
2 ten international film festivals where I've gotten a
3 chance to see how really huge the industry is in
4 terms of filmmaking and consumption.

01:24 5 So I've got a handful of reasons why I want
6 the museum, but the main one I want to highlight is
7 why the City needs the museum. And that has to do
8 with the dollars that flow to the city from the
9 industry. I only have a couple of minutes and I know
01:24 10 others want to address that, but it comes from making
11 a film as well as tourism and all the ancillary
12 things that go with that.

13 Just as an example, a museum recently had a
14 wonderful exhibit on the early growth of the film
01:25 15 industry that was referred to here and how it went
16 from Nazi incursion to Europe built the industry
17 here. When I went to it, it was wonderful, but it
18 made me sort of embarrassed that L.A. didn't have a
19 single place where we learned this kind of stuff.

01:25 20 And then, in fact, what locals and tourists
21 think of the film industry is the Hollywood sign, the
22 old Grauman's Chinese, and the bus tours with the
23 maps to the stars. That, to me, really sort of
24 hurts. So to have a professional-level museum like
01:25 25 music has with the GRAMMY and film has in

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1 Beverly Hills, we need a single location for the
2 learning and the appreciation and the collecting of
3 money from being the premier world industry.

4 MS. IBARRA: Thank you.

01:26 5 This side, anyone wishing to speak, come up.

6 MR. O'SULLIVAN: Good afternoon. My name is
7 James O'Sullivan. I live at 907 Masselin Avenue.
8 I'm the president of the Miracle Mile Residential
9 Association. I'm also the vice president of Fix the
01:26 10 City. I'm representing both groups.

11 Short and sweet. You cannot approve this
12 EIR for the reasons that we identify in this letter
13 and for the submissions we've already put in the
14 record. Also for the record, we want to incorporate
01:26 15 by reference all testimony and data submitted by
16 other parties for this project approval. So I'd like
17 to hand this to you. There was also one thing we
18 were not able to put in the record. It explains it
19 in there.

01:27 20 MS. IBARRA: You can bring it forward.

21 MR. O'SULLIVAN: Okay.

22 MS. IBARRA: Thank you.

23 MR. O'SULLIVAN: That's it. It's all on the
24 page.

01:27 25 MS. IBARRA: Okay. All right. Thank you.

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1 On this side, would you like to come up,
2 please?

3 MS. MORELLO: Good afternoon. I'm Terry
4 Morello. I'm senior vice president of internal
01:27 5 affairs at the Los Angeles County Museum of Art
6 located at 5905 Wilshire Boulevard, 90036.

7 I'm here to say that on behalf of LACMA, we
8 fully support the new Academy Museum as presented.
9 Miracle Mile is home to several world-class museums
01:27 10 and is an important destination for locals and for
11 tourists alike. There's a strong spirit of
12 collaboration between these museums committed to
13 creating dynamic cultural experiences for visitors of
14 all ages.

01:27 15 We at LACMA are particularly pleased at the
16 open piazza. The pedestrian access at Fairfax will
17 seamlessly connect the Academy Museum to the LACMA
18 campus and beyond to the Tar Pits and Page Museum.

19 The Academy Museum Project adds to the
01:28 20 diverse mix of uses in this historically rich
21 neighborhood and will have a positive economic impact
22 on the surrounding small businesses.

23 I have been very impressed that the Academy,
24 like LACMA, is committed to working hand in hand with
01:28 25 our neighbors to mitigate any impacts their

1 construction project brings.

2 We look forward to seeing new neighbors in
3 the Academy Museum and, again, fully support the
4 project as presented. Thank you for your time.

01:28 5 MS. IBARRA: Thank you.

6 On this side, anyone else wishing to speak?

7 MR. BARRO: My name is David Barro. Address is
8 9550 Alcott Street, Los Angeles, California 90035.

9 First of all, thank you for the opportunity
01:28 10 to speak today. I fully support the museum project.
11 I was born and raised in Southern California, went to
12 college up in Northern California, wanted to come
13 back for all the experiences and opportunities that
14 Southern California, particularly Los Angeles, has.
01:29 15 Not one of them currently is a museum dedicated to
16 motion pictures.

17 I believe that the Academy Museum of Motion
18 Pictures will celebrate and explore how film has
19 reflected and shaped our world culture and helped us
01:29 20 all to better understand and appreciate what movies
21 have meant and continue to mean to everyone who, as
22 part of the audience, has experienced that.

23 Located in the heart of Los Angeles
24 Miracle Mile, the museum will become a landmark
01:29 25 attraction, a place for anyone to come out and learn

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1 about filmmaking, acting, and learn the relationship
2 between the community and all the talented
3 filmmakers.

4 I hope to get a better understanding of how
01:30 5 movies are made and learn about how the movies
6 interaction with partnerships and perhaps leave with
7 a new understanding of something to aspire to.

8 Thank you. I fully support the project.

9 MS. IBARRA: Thank you.

01:30 10 On this side, anyone else?

11 MR. KARGES: Good afternoon. My name is
12 Terry Karges. I'm the executive director of the
13 Petersen Automotive Museum, 6060 Wilshire Boulevard
14 in Los Angeles, California 90036.

01:30 15 I want to say how pleased we are to be here
16 to voice our support for the Academy Museum of Motion
17 Pictures. Our two museums are the anchor to
18 Museum Row on the Miracle Mile, an area that's well
19 on its way to becoming the cultural center of
01:31 20 Los Angeles. The Academy Museum will bring
21 experience to the neighborhood that is like no other.

22 Museum leadership has been transparent
23 throughout the approval process and, as with us,
24 early on shared their plans. Since then, we have
01:31 25 talked about future collaborations and developed a

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1 strong partnership. We look forward to working with
2 the Academy on future exhibitions that will appeal to
3 locals and tourists alike.

4 We're also partnering with the Academy
01:31 5 Museum on parking. We're providing employee parking
6 for the museum staff. We're working closely with the
7 Academy and all institutions on Museum Row to create
8 a parking plan that serves all of the institutions in
9 the area.

01:31 10 We're thrilled to have such a renowned
11 Los Angeles institution and cultural concept as a
12 neighbor. Many new residential developments as well
13 as office developments are changing the face of the
14 neighborhood. We're glad the Academy is building a
01:31 15 museum at this site and providing its neighbors with
16 a new iconic building that will complement and add to
17 the great neighborhood we have. Thank you.

18 MS. IBARRA: Thank you.

19 Anyone else on the third row that wanted to
01:32 20 speak on this side?

21 MS. WILLIAMS: Hello. My name is Brittney
22 Williams. My address is 1576 Brave Run Road,
23 Altadena, California.

24 Before I begin, I would like to thank
01:32 25 everyone that is involved in the wonderful

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1 opportunity to speak on your behalf.

2 So I am here today in support of the
3 Academy Museum of Motion Pictures. I was born and
4 raised in Los Angeles. To me, movies and films were
01:32 5 something that my mom and I had always bonded over
6 when I was just a little kid. My mom had introduced
7 me to Old Hollywood and the films from that era as a
8 young child.

9 It was a little later when I begun the
01:33 10 tradition of watching the Oscars. Ever since then,
11 I have been the weird kid either eager to talk movies
12 no one had ever heard of or overly excited to make my
13 yearly Oscar picks with my principal ballot. It
14 wasn't until recently that I found a home online with
01:33 15 other weird kids like me that understood that or got
16 me.

17 Since then, I thank my mother silently every
18 day for letting me be me and opening me up to other
19 different ideas in that world, the world of arts and
01:33 20 cultures. That is exactly what the Academy of Motion
21 Pictures, Arts, and Sciences wants to do and will do
22 with this museum. Not only is it going to tell
23 stories like mine and my mother's and many others',
24 be it similar or not, by putting this Academy Museum
01:34 25 here in L.A., the birthplace of the art form itself,

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1 you cannot only continue telling those stories in a
2 much more fun and inclusive way, reaching so many
3 more in the community while still carrying on the
4 distinct film tradition the Academy holds so dear,
01:34 5 others can come to the museum and experience the
6 past, present, and future of cinema through the
7 archived feature films, shorts, animation,
8 documentaries, and experimental cinema.

9 Thank you so much.

01:34 10 MS. IBARRA: Thank you.

11 Anyone else on this side wishing to speak?

12 MS. KLEIFIELD: Good afternoon. My name is
13 Joyce Kleifield. I am a resident of the area at
14 122 South Kilkea Drive, L.A., 90048. I'm also here
01:35 15 in the capacity of my job which is the executive
16 director of the Harrison Trust for Los Angeles High
17 School.

18 So addressing both viewpoints as a resident
19 in the area for 30 years, we're thrilled with the
01:35 20 advent of the Museum. And I just want to say I echo
21 everything everybody else has said, delighted we
22 could have such wonderful, culture experiences that
23 we can walk to.

24 But from the standpoint of representing and
01:35 25 working with the oldest high school in Southern

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1 California, Los Angeles High School, we're very
2 pleased with the outreach that the Academy has come
3 up with as far as working with our students.

4 We're trying to train the future generation,
01:36 5 and the landscape of public education makes it very
6 difficult to do that without the partnership and the
7 commitment of our communities. And the Academy has
8 already been in discussions with us about how to
9 engage our students, how to involve them in the
01:36 10 process of building their educational programs. And
11 this is invaluable to us.

12 So from both standpoints, from a residential
13 standpoint, from the standpoint of education within
14 our city, from being good neighbors, we heartily
01:36 15 support the museum. Thank you.

16 MS. IBARRA: Thank you.

17 This side. Just come up.

18 MR. HIXON: Hello. I'm Ken Hixon. I live at
19 745 South Genesee Avenue, Los Angeles, 90036.

01:37 20 I'm vice president of the Miracle Mile
21 Residential Association. As you'll see in the
22 material that Mr. O'Sullivan submitted to you on our
23 behalf, it was never the intent or even in the
24 imagination of the creators of the Miracle Mile
01:37 25 CDO -- whether it was the CDO committee itself, the

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1 City Planning staff, the City Planning Commission,
2 the PLUM Committee, the City Council, or the mayor,
3 all of whom in the end signed off on this -- it was
4 never in their wildest imagination that anyone would
01:37 5 ever come along and maintain that the CDO would
6 support the creation of a digital sign district.

7 So it's critical in reviewing these
8 materials that we submitted that you remember the
9 word "intent." Because on this grounds, the digital
01:38 10 signage, and on other direct approvals seeking
11 approval which applies to CDO, basically what's
12 happened here is a complete nullification of the CDO.

13 Thank you.

14 MS. IBARRA: Thank you.

01:38 15 On this side, come on up.

16 MR. BURNEY: Good afternoon, everyone. My name
17 is John Burney. I'm the director of resident
18 services at Park La Brea Apartments, and this year is
19 my 25th year at Park La Brea.

01:38 20 We thought it was important to come today
21 and support the Academy's project. We're inspired by
22 the Academy's plans, and we're encouraged by their
23 goal to bring culture and history to our corners
24 while honoring preservation.

01:39 25 I've come today to support the project, but

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1 we also attended as good neighbors representing the
2 voices of our residents. It is not unusual -- and
3 I have participated in construction projects that
4 have surrounded Park La Brea for the last 25 years.
01:39 5 These include the Grove and the Plazas. So we're
6 here today to say that as concerns come up and as
7 there are challenges, we intend to be good neighbors
8 and we honor and support the project. And we are
9 anxious to participate. Thank you.

01:39 10 MS. IBARRA: Thank you.

11 MR. CHACON: Good afternoon. My name is
12 Marcos Chacon. My address is 703 Robinson Street in
13 Los Angeles, California 90026.

14 I'm here to speak in support of the
01:40 15 Academy Museum. I'm a proud Angeleno, born and
16 raised in Silver Lake. To me, Los Angeles is the
17 best city. We have the best food, people, weather,
18 culture, and artwork. Los Angeles is the
19 entertainment hub of the world. When we look back in
01:40 20 the history of cinema, Los Angeles is deeply rooted
21 in its history. So why not have a museum dedicated
22 to film and how it has impacted and shaped cultures
23 around the world?

24 The Academy is a nonprofit organization
01:40 25 focused on education, outreach, and preservation of

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1 the film industry. The museum will be a continuation
2 of these objectives. Film is like any other art
3 form. So why not have a museum where its art can be
4 exhibited, examined, and learned from like the other
01:40 5 forms of art on Museum Row?

6 The City deserves a museum of this kind, and
7 people will come from all over the world to learn
8 about this art form. The Hollywood Costume Exhibit
9 put on by the Academy was successful and people loved
01:41 10 it. While working at the exhibit, an elderly woman
11 came to me with tears of joy because she said she had
12 seen Dorothy's red slippers in person. She was one
13 of many people with this reaction. When the museum
14 is up and running, many people will have this moving
01:41 15 experience.

16 So I fully support the project and look
17 forward to the museum in 2017.

18 MS. IBARRA: Thank you.

19 Councilman, would you like to speak?

01:41 20 COUNCILMEMBER LABONGE: Sure.

21 Good afternoon and thank you very much on
22 behalf of the Planning Department, which has a very
23 important job to balance all the issues out.

24 You know, we talk about transformation in
01:42 25 Los Angeles, transformation of Downtown, of all the

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1 old neighborhoods. It's an absolute transformation
2 that's taking place in the Miracle Mile, and a
3 miracle is happening. It's all coming together:
4 LACMA, the Los Angeles County Museum of Art,
01:42 5 celebrated its 50th anniversary; the Page Museum;
6 Craft and Folk Art; the Petersen Museum. And now
7 this is one of the greatest opportunities that's come
8 to the Mile. It came to the Mile because it felt it
9 better served all.

01:42 10 Do you remember the big stone came to LACMA?
11 I went out and followed it to South L.A. and through
12 Central L.A. and it came here. I talked to people
13 that followed it all the way from Riverside. They
14 got so inspired, it was kind of like the yellow brick
01:42 15 road. We just heard the reference to the very
16 wonderful movie made 75 years ago, "The Wizard of
17 Oz."

18 That all being said, all the challenges can
19 be met. I think it's so important that we have this
01:43 20 concept happening in the subway. You can now be a
21 tourist in Los Angeles and not have to rent a car.
22 You can go from Universal City to Hollywood to the
23 Central City to L.A. Live, out to the very special
24 Exposition Park, California Science Center.

01:43 25 Now with the extension of the Purple Line,

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1 which will come up here which I want to change -- the
2 speaker right before me hit a home run -- but I want
3 to change it to the Ruby Line instead of the Purple
4 Line. The first girl who comes with ruby slippers,
01:43 5 gets off that Metro subway, she'll say, "There's no
6 place like home."

7 This is so special. We all should know that
8 John Ferraro, the late great councilman, defeated the
9 destruction of the May Company Building. There's no
01:44 10 replacement of the May Company Building like the
11 May Company Building on the northeast corner of
12 Wilshire and Fairfax. Having that building saved,
13 and it sometimes takes time, then the right thing
14 comes together.

01:44 15 Renzo Piano, the great architect, the
16 concept is a great adaptive reuse of life to connect
17 to Fairfax to the historic Farmers Market and all
18 that goes on there, the wonderful Grove, this
19 transformation. This is an urban area, and we have
01:44 20 to protect neighborhoods.

21 Years ago, I believe it was Supervisor
22 Yaroslavsky used planning tools to stop country
23 traffic from encroaching the area to the west when
24 the big tower was built up on Wilshire.

01:44 25 So some of these concepts could be used.

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1 I think with this letter here, I think it's a great
2 opportunity for all of us. And I do believe one
3 reason why I'm here over these 39 years is I was
4 always fascinated with not just film, but with the
01:45 5 operations in the city. And going around the city,
6 I learned about the city as a young person, and it
7 helped me later on.

8 Think how many people are going to walk
9 through there that have love for the history of film
01:45 10 and are going to be inspired to create or work in
11 some aspect of the film business which is our
12 business here in Hollywood and Los Angeles,
13 California.

14 So thank you very much and thank all the
01:45 15 people for coming down. And we look forward to the
16 day when this transformation will become real and
17 let's call it a wrap. We'll call it a wrap.

18 Thank you.

19 MS. IBARRA: Thank you.

01:46 20 MS. MCCOMB: Good afternoon. My name is
21 Meg McComb. I'm the executive director of the
22 Miracle Mile Chamber of Commerce, 5858 Wilshire
23 Boulevard, Los Angeles, California 90036.

24 We're excited, the Chamber is excited. The
01:46 25 members of the Chamber are excited. We don't just

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1 represent businesses, but the employees that work in
2 those businesses who work and often live in this
3 district. We're excited about the museum that's
4 coming, the opportunities for employment, the
01:46 5 opportunities for culture.

6 We understand that from time to time, there
7 will be some inconveniences, but the Academy has
8 always been very open. They've always been very
9 careful about informing us of their intentions and
01:46 10 showing us their plans. We look forward to
11 continuing to work with them, and we will be
12 delighted when the museum is finally opened.

13 Thank you.

14 MS. BRAUN: Hello.

01:47 15 MS. IBARRA: Hi. Your name and address for the
16 record?

17 MS. BRAUN: My name is Marissa Braun. I live at
18 5200 Wilshire Boulevard, L.A., 90036.

19 I recently relocated to L.A. after
01:47 20 graduating college in May. I moved to L.A. not only
21 because of my interest in the arts world, but also
22 because of the amazing culture, creativity, and
23 imagination that's here.

24 When looking for a neighborhood to live in,
01:47 25 I was immediately drawn to Miracle Mile and it has

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1 proven to be a great choice. The arts and culture
2 here are second to none, and the walkability of the
3 area is exactly what I was looking for.

4 I researched my new neighborhood before I
01:47 5 moved here, and the Academy Museum sealed the deal
6 for me. Art galleries, restaurants, shops, museums
7 were all within walking distance already. With the
8 subway and other amazing changes coming to the
9 neighborhood, Miracle Mile will not only be the most
01:47 10 interesting and artistically diverse neighborhood in
11 L.A., it will also be one of the easiest to get to.

12 Beyond the physical changes occurring, I see
13 cultural changes as well. I have many friends who
14 don't have cars and/or rarely use them. I know many
01:48 15 people, myself included, who prefer alternate modes
16 of transportation over the hassle of driving.
17 Honestly, it's often cheaper for me and my friends to
18 use Uber and other ridesharing tools than deal with
19 the cost of parking. I am so happy to see the
01:48 20 Academy realize this new future in catering to those
21 who will walk, bike, and sometime in the future take
22 the subway to the museum's front doors.

23 I, like many of you, love movies. This
24 museum will transcend the screen and motivate other
01:48 25 passionate artists to continue to create.

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1 Personally, I imagined the museum as a place not to
2 see the exhibits like the amazing Hollywood Costume
3 Exhibit, but an artistically arousing space to meet
4 friends, hang out, and generally be inspired by the
01:49 5 creativity and imagination on display.

6 Thank you so much for your time, and I hope
7 you'll support this project.

8 COUNCIL MEMBER LABONGE: One housekeeping thing
9 I want to mention. Today is one of those rare
01:49 10 beautiful Los Angeles days. So, please, after the
11 hearing, if you have time, go to the top of the
12 May Company tower and soak in the sun of Los Angeles.
13 Thank you.

14 MS. IBARRA: Thank you.

01:49 15 Next.

16 MR. HATHAWAY: Good afternoon. My name is
17 Dennis Hathaway. I'm president of the coalition
18 Ban Billboard Blight. We're a city-wide organization
19 concerned not just with billboards, but with any sort
01:49 20 of negative effects of signage.

21 I want to commend Mr. Delvac for -- he did
22 reach out to our organization on this, and these
23 changes that were made are positive. However,
24 unfortunately, they're not enough. And this sign
01:50 25 district --

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1 By the way, my comments are limited to the
2 sign district application. The sign district
3 application should be disapproved for the reasons
4 that we put forth in our letter on the DEIR and also
01:50 5 in a letter I'd like to submit here for the record.

6 I'd like to just elaborate very briefly on a
7 couple points. One is that the Final EIR responded
8 to the issues of distraction. Driver distraction is
9 dangerous to pedestrians caused by vehicular signage.
01:50 10 And it cited a couple studies. Unfortunately, it
11 wasn't objective because one of the studies was --
12 one of the studies was commissioned by the Outdoor
13 Advertising Association of America. And another
14 study by the Federal Highway Administration was
01:51 15 recently debunked by an expert peer-reviewer who
16 issued a report saying the results were not credible.

17 Perhaps most importantly, the issue of the
18 sign district size precludes -- really precludes
19 approval of this sign district. They gave a
01:51 20 three-acre minimum. They've borrowed some land from
21 the adjacent property. I think that would be a
22 terrible, terrible precedent if property owners who
23 didn't have quite enough property for a sign district
24 could borrow from their neighbor or from adjacent
01:51 25 property.

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1 In closing, I just want to mention that on
2 September 11, 2008, the City Planning Department
3 issued a proposed amendment to the sign ordinance to
4 clarify sign districts. It says, "Sign districts
01:52 5 shall be established only for geographic areas of
6 relatively large extent, such as several city blocks,
7 and only for those geographic areas that have a
8 distinct common character. In establishing a sign
9 district, a finding shall be made that the proposed
01:52 10 district has a distinct common character." I think,
11 unfortunately, this sign district fails on all those
12 counts. Thank you.

13 MS. IBARRA: Thank you.

14 MR. MILLER: Good afternoon. I'm Ron Miller,
01:52 15 executive secretary of the L.A. and Orange County
16 Building Trades, and we just want to comment on our
17 support for this project.

18 It's going to bring back the shine to an
19 iconic gem, the May Company Building, and add to the
01:53 20 world-class museums and restaurants that we have
21 along that boulevard in an effort to bring back the
22 Miracle Mile to make it a true miracle like it once
23 was. We stand in support of this project.

24 Thank you.

01:53 25 MS. IBARRA: Thank you.

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1 Would the remainder of the speakers just
2 line up behind the podium?

3 State your name and address for the record,
4 please.

01:53 5 MR. DEEGAN: My name is Tim Deegan, 650 South
6 Cochran Avenue, Los Angeles, 90036. Thank you for
7 the opportunity to speak today.

8 I live in Miracle Mile. I am in walking
9 distance from this proposed location. It provides
01:54 10 community benefits to me, my friends, my neighbors to
11 be able to walk down the street to a public place,
12 have a cup of coffee, go into a free lobby to see an
13 exhibition, shop or visit the LACMA Museum, enjoy the
14 outdoor space, and enjoy the cultural attractions.
01:54 15 Basically as a neighborhood destination, it's very
16 important to have those types of things for the
17 quality of life.

18 The other thing I'd like to tell you is
19 18 years ago when I moved to Miracle Mile, I gave up
01:54 20 three cars. I've never looked back. I've been on
21 transit ever since. I took the subway down here this
22 morning for this hearing.

23 The subway location at the front door of
24 this museum, the Wilshire Rapid Bus, the Wilshire
01:54 25 Local Bus, the Fairfax Rapid Bus, the Fairfax Local

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1 Bus, are all ways that people are going to come and
2 they're going to enjoy this museum.

3 People who today drive and stress about
4 parking and traffic will discover public
01:55 5 transportation, and it will make a huge difference.

6 In my experience moving around in the city, other
7 than possibly Universal City, it has such a fantastic
8 nexus of public transportation to assist the public
9 in getting to the site.

01:55 10 Thank you.

11 MS. IBARRA: Thank you.

12 MR. LIGHT: My name is Ivan Light.

13 I'm president of Carthay Circle Neighborhood
14 Association. Our mailing address is 6230 Wilshire
01:55 15 Boulevard, Postal Box 1153, Los Angeles, 90048.

16 The Carthay Circle community was built in
17 the mid-1920s and is the central part of Los Angeles
18 history. Its historic character as a residential
19 neighborhood was recognized in 1998 when it was one
01:56 20 of the first communities designated as a historic
21 preservation site.

22 One of the remarkable assets of Los Angeles
23 is its ability to have commercial and cultural
24 institutions coexist side by side with residential
01:56 25 neighborhoods by taking each other's interests into

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1 account and avoiding the cultural and commercial
 2 activities overwhelming and harming the integrity of
 3 the adjacent residential communities.

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4 Up until now, Carthay Circle has been one of
 01:56 5 these residential communities that has coexisted in a
 6 balanced relationship with its cultural and
 7 commercial neighbors. We are very fearful that the
 8 nature of the proposed project will dramatically
 9 change this. We are fearful of the nightmarish
 01:56 10 traffic intrusion and parking problems that the cars
 11 and buses coming to this project will bring to an
 12 area that presently has to cope with severe
 13 congestion and limited parking. And we are dismayed

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14 that the radical change in the character and
 01:57 15 atmosphere of our community that the project's
 16 proposed lighting and electronic signage will bring.

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17 Our community would clearly be in favor of a
 18 motion picture museum at the proposed location. But
 19 when you inform our community of the dominant
 01:57 20 elements of this proposed project, a huge theater, a
 21 banquet hall, a rooftop entertainment center, bright
 22 outdoor lighting and electronic signage, events
 23 lasting to midnight and beyond, our community quickly
 24 understands that what is being proposed is not a
 01:57 25 museum as that term is used in common parlance, but

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1 rather some sort of social promotional event venue.
2 Further, when you add to this, very
3 important, the fact that the developer's not building
4 a dedicated parking structure despite projections of
01:58 5 thousands of additional cars daily, our community
6 members are simply dismayed. Our neighborhood exists
7 with parking and traffic issues that are currently
8 dealt with and managed with great difficulty.

9 The addition to this community, to our
01:58 10 community, of a project of the proposed size, scope,
11 and nature without a dedicated parking structure will
12 overwhelm our neighborhood and cause severe traffic
13 and parking problems.

14 In brief, the Carthay Circle community
01:58 15 believes that the project as proposed is simply not
16 appropriate for the corner of Fairfax and Wilshire.
17 It will have a material adverse effect on the quality
18 of life in our community if it goes forward as
19 proposed.

01:59 20 MS. IBARRA: Thank you.

21 MR. LIGHT: Thank you.

22 MS. COHEN: Good afternoon. I'm Lyn MacEwen
23 Cohen, president of the Miracle Mile Civic Coalition.
24 We're a nonprofit public service group that has been
01:59 25 championing for the Miracle Mile since we were

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1 founded in 1986.

2 The story of the Miracle Mile is actually a
3 wonderful story, one that actually should be made
4 into a movie. One of the things that's so exciting
01:59 5 about a new museum is that it comes to us with a
6 museum that already understands the standard that has
7 already been set for the Miracle Mile for what a good
8 corporate neighbor is like.

9 There was a time that we all can remember
02:00 10 here that Miracle Mile was a place that nobody wanted
11 to come to and nobody really cared very much about.
12 That didn't change with a miracle, though sometimes
13 we think that has helped us.

14 That changed because there has been a lot of
02:00 15 hard work where there's been residential associations
16 and the Chamber of Commerce for May-City West or the
17 Council office or individual people with passion.
18 The reason Miracle Mile is getting ready for a new
19 renaissance and a new heyday from the 1920s and 1930s
02:00 20 is because everybody's worked together very hard in
21 the spirit of cooperation.

22 In 1990 we went to the mayor of Los Angeles
23 and we asked to have the area designated as
24 Museum Row. We already had some fine museums, and
02:00 25 now the thought of adding another one is very

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1 exciting to us.

2 The new Academy Museum is very, very
3 significant. The combination of that with the
4 renovations of the Petersen make this a very
02:01 5 significant time.

6 But what's also important is how we do this,
7 the relationships that are forged in partnerships as
8 we go through this process. There is no project that
9 is more important to us than the relationships in the
02:01 10 Miracle Mile. It's our goal that when a project is
11 completed, that everybody feels that it's a better
12 project because everybody has touched that project
13 and that we work in partnership as we go forward
14 together.

02:01 15 Every now and then there's something about a
16 project that just doesn't seem to fit, and I think
17 the digital sign district is that.

18 One thing that really fits really well, and
19 Bill Delvac is one of the perfect people to know this
02:01 20 is, is the adaptive reuse of the May Company. We
21 think that's just fantastic.

22 In all of this, it's so important that
23 Miracle Mile retain its sense of place. So whatever
24 we do and whatever things look like, that CDO was put
02:02 25 in place for a reason. And that sense of place that

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1 it helps protect is very important.

2 Our motto is the spirit of cooperation.

3 Everything we do is all about that. We're also very
4 patient. We think today with this great turnout, the
02:02 5 spirit of dialogue is actually very exciting.

6 Everybody here has a job to do in this project, and
7 I think we all will work together to make it better.

8 In summary, the Miracle Mile Civic Coalition
9 supports the Academy Museum. We are delighted to
02:02 10 have another museum on Museum Row. The gateway now
11 to Miracle Mile, the gateway to Museum Row, we think
12 will be thrilling. We look forward to a long
13 relationship with each and every museum, and we look
14 forward to our new relationship with the Academy
02:02 15 Museum of Motion Pictures.

16 MS. IBARRA: Thank you.

17 MS. COHEN: Thank you.

18 MR. KRAMER: My name is Steven Kramer. I'm an
19 attorney in private practice located at 5858 Wilshire
02:03 20 Boulevard, Suite 205.

21 Not unusually, I'd like to second everything
22 Ms. Cohen said as well as Ms. Morello, Mr. Karges,
23 with a couple of additions.

24 This property was purchased approximately in
02:03 25 the early '90s. There was great discussion in the

1 Board of Supervisors about going forward. And the
2 Board meeting determination was that as much as the
3 economy was dysfunctional at that time, which happens
4 from time to time, that it would be a horrendous
02:03 5 waste to miss the opportunity to purchase this
6 property with the idea that it would become a
7 cultural institution.

8 The Academy is bringing that dream forward,
9 and I'm very supportive of it. Museum Row is
02:03 10 functionally Downtown Wilshire Boulevard. The
11 literal downtown of Los Angeles, you couldn't have a
12 better addition. Thank you.

13 MS. IBARRA: Thank you.

14 MS. CLARK: Hello. My name is Dorothy Clark,
02:04 15 and I'm a resident of Carthay Circle. I live at
16 5200 Del Valle Drive, Los Angeles, 90048.

17 I'm here to say that I'm also a native
18 Los Angeleno. I grew up in Carthay Circle, wound up
19 living there. I used to shop at the May Company as a
02:04 20 young girl, and so I know the area well.

21 I don't think there is any question that
22 having a motion picture museum would be an asset.
23 The issue for those of us -- and I live on the street
24 that becomes 8th Street when you cross Fairfax -- is
02:04 25 there is not an adequate discussion and plan for

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1 parking and traffic issues.

2 Anybody who lives in Los Angeles knows
3 already that Fairfax is a nightmare. And, in fact,
4 the DEIR said that the intersection of Wilshire and
02:04 5 Fairfax would be impacted many times and it was
6 unmitigatable.

7 We live right there. We are absolutely
8 terrified about what is going to happen because
9 despite the fact that many people may use public
02:05 10 transportation or Uber, this is Los Angeles and
11 people drive. So we are really concerned not only
12 with the digital sign center, but with the fact that
13 our entire community is going to be negatively
14 impacted.

02:05 15 And in going over the responses to our
16 responses to the DEIR, it was clear that there was a
17 lot of whitewashing, I hate to use that phrase, of
18 discussion about how to mitigate issues, a kind of
19 disregard for the concerns that we had, stating that
02:05 20 there would be no impact on -- "significant impact"
21 was the phrase -- on our streets but not really
22 addressing those streets. Our streets west of
23 Fairfax were not really included in the discussion.

24 And I just want to end by saying that the
02:06 25 councilman made an allusion to the changes that were

1 occurring in the neighborhood and the building on
2 Fairfax. When Wilshire was built, there was an EIR
3 at that time. And what they decided is that to keep
4 the integrity of or our historical community, they
02:06 5 would make semi cul de sacs out of our streets and
6 create permanent parking. They have dedicated
7 parking, and the museum does not.

8 So that's our concern. Thank you.

9 MS. IBARRA: Thank you.

02:06 10 MS. CARABASI: Good afternoon. Thank you for
11 the opportunity to speak. My name is Chloe Carabasi.
12 I live at 4454 Coldwater Canyon Avenue in
13 Studio City, California 91604.

14 I moved to Los Angeles to work in the film
02:06 15 industry. Growing up, I always knew I wanted to be
16 an actress. I loved watching the classics of Old Age
17 Hollywood. I loved Greta Garbo, Marlene Dietrich,
18 and Audrey Hepburn. I was surprised to find out that
19 Los Angeles didn't have a museum about the film
02:07 20 industry.

21 Now that the Academy Museum is coming to the
22 heart of Los Angeles, I cannot be more excited. Its
23 location in the Miracle Mile is perfectly aligned
24 with the other cultural institutions on the block.
02:07 25 When the museum opens, the Miracle Mile will become

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1 the cultural hub of Los Angeles.

2 Plus, with the opening of the Purple Line in
3 2023, this area will be more accessible to tourists
4 and locals alike. I find that my generation is more
02:07 5 interested in transit and driving less. Having a
6 transit dock right across the street from the museum
7 is very convenient.

8 It's so inspiring to see so many people in
9 one place talking about movies. Every person has a
02:07 10 different connection to each of the films. The
11 Academy Museum will be a gathering place for movie
12 scholars and film buffs alike. With the piazza, the
13 opening of Fairfax, and the free lobby, the museum
14 will be a great gathering place for the community.

02:08 15 I am looking forward to seeing the museum
16 when it opens in 2017. Thank you for your time.

17 MS. MARTIN: Good afternoon. My name is
18 Lauren Martin. I work for the Academy at
19 8929 Wilshire Boulevard, Los Angeles, California
02:08 20 90211.

21 Born and raised in Louisiana, I had always
22 had a dream to be part of the film industry. After
23 graduating college, I thought what better way to
24 learn from it than to go to the heart of it,
02:08 25 Los Angeles. When I moved to L.A., however, I

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1 realized there was not a museum here that celebrates
2 the film industry.

3 Knowing this project, I am glad to be a part
4 of it. This museum will preserve, present, and
02:08 5 celebrate the world of films at state-of-the-art
6 galleries, movie theaters, educational areas, and
7 many more. What a perfect building to be in in the
8 historical May Company Building in the middle of
9 Museum Row. There people from all walks of life and
02:09 10 for many generations to come can experience the magic
11 and imagination of Hollywood in films.

12 Thank you for your time. Please support the
13 Academy Museum so that Los Angeles can finally have a
14 museum that celebrates this industry that brought me
02:09 15 here. Thank you.

16 MS. IBARRA: Thank you.

17 MS. PARK: Good afternoon. I am the
18 Reverend Grace Park. My address is 15821 West Sunset
19 Boulevard in Pacific Palisades. I'm a minister in a
02:09 20 local Presbyterian church, and I am also a native
21 Angeleno. I have spent my life in Southern
22 California. I have raised my four children in this
23 city.

24 I am wholeheartedly in support of this
02:09 25 project, as I believe it is such a wonderful and

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1 needed addition to our community. This museum is
2 unique in its endeavor and objective, which is to
3 bring a new and fresh perspective to such an
4 important aspect of our lives.

02:09 5 We have raised our children here because of
6 the diverse landscape and rich culture the city
7 offers. And movies play a large role as teaching
8 tools for both my children, my family, and my
9 congregation. Time and time again, I use examples
02:10 10 from motion pictures that do teach us tolerance,
11 empathy, compassion, and so many other life lessons
12 that we cannot explain in just one voice.

13 The Academy Museum will provide us with so
14 many resources and tools for discussing not only
02:10 15 history, but the future as well. Motion pictures
16 enable us to see the world in a different light and
17 give us a glimpse of what it is like to walk in
18 another's shoes, whether it is a different path
19 ethnically, economically, or spiritually.

02:10 20 We have many different opinions here today,
21 but how wonderful it is that we can have this amazing
22 resource at our fingertips should it come to
23 fruition. Thank you.

24 MS. IBARRA: Thank you.

02:11 25 MR. PANAZZO: Hello. My name is James Panazzo.

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1 I'm executive director of LAUNCH L.A., an arts
2 nonprofit located at 170 South La Brea Avenue where
3 we have a gallery space that provides opportunities
4 to local Los Angeles artists.

02:11 5 We also produce a free music and arts
6 festival at the La Brea Tar Pits Park and have been
7 doing so for the past 13 years. Over those 13 years,
8 we've seen many changes in the Miracle Mile but also
9 received much support from the local -- many of the
02:11 10 local institutions and businesses that are here.
11 We've collaborated with many of them.

12 It's in that spirit of collaboration that
13 I'd like to proudly support this project. Having all
14 these institutions here and these community members
02:11 15 here looking for solutions, and I'm proudly
16 anticipating this museum. It's just a wonderful
17 thing for the neighborhood that I'm very proud of and
18 all these people are very proud of. And
19 I enthusiastically look forward to moving forward.

02:12 20 Thank you very much.

21 MS. IBARRA: Thank you.

22 MS. RAMSEY: Good afternoon. I'm Carolyn
23 Ramsey, 251 South Norton Avenue.

24 I think what people are saying here today is
02:12 25 we've watched the evolution of the Miracle Mile over

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1 the last 20 years and it has been dramatic. The
2 museum district has just grown and evolved. Now we
3 have the Metro being built. The Miracle Mile went
4 from kind of a -- there were tumbleweeds blowing down
02:12 5 Wilshire 20 years ago. There was nothing happening.
6 And now it has really blossomed.

7 So we're putting a signature industry museum
8 in the middle of a historic neighborhood, and that
9 has to be very carefully managed. I was happy to see
02:13 10 that they've scaled back on the sign district and
11 also that the museum is working so closely with the
12 neighborhood.

13 The marriage of the historic elements of
14 this museum and the neighborhood should create
02:13 15 something that is uniquely Los Angeles and really
16 exciting. Tourists come to Los Angeles hungry for a
17 place to go and learn about the entertainment
18 industry, and that doesn't exist right now.

19 So what I hope happens, and this is your
02:13 20 job, is that the marriage of the two and the public
21 space in between is very, very carefully considered.
22 The design overlay, the community design overlay,
23 must be respected and really carefully observed.

24 With the parking, it would be best if there
02:14 25 were flexibility so that if there isn't enough

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1 parking when the museum opens, in between when the
2 museum opens and when the subway opens, that there is
3 flexibility and other parking lots that are
4 available.

02:14 5 And I just think that it's impossible to
6 know now what this is going to look like, so it's
7 important that the museum listen carefully to the
8 community. They've done this so far. I think the
9 possibilities are for creating a spectacular,
02:14 10 spectacular new museum in the Miracle Mile.

11 Thank you.

12 MS. IBARRA: Thank you.

13 MR. MARQUARDT: Good afternoon. My name is
14 Charles Marquardt. I am a partner with RED Real
02:15 15 Estate Group located at 5150 Wilshire Boulevard,
16 1st Floor, 90036.

17 And I first have to tell you that I am
18 completely biased. I went to the Hollywood Costume
19 Exhibit three times. I was so excited by what I saw
02:15 20 there. But the main reason I wanted to come and talk
21 today is because of the excitement out there in the
22 real estate community with regards to this new museum
23 and the people who are looking to purchase in the
24 great neighborhoods around the museum, including the
02:15 25 three Carthay neighborhoods.

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1 I canvass four of those neighborhoods on a
2 quarterly basis speaking to about 25 percent of
3 single-family homeowners every three months. What
4 people are consistently excited about are the
02:15 5 opportunities that are coming to Miracle Mile and
6 specifically because of the new Academy of Motion
7 Pictures, Arts, and Sciences Museum.

8 Having said that, in conversations that I've
9 had with them, they are also concerned about parking,
02:16 10 they're concerned about lights. And what I know is
11 that we have the intelligence and the compassion
12 between the business community, museum community, and
13 the residents to come up with a plan that will
14 mitigate the parking and mitigate the lighting
02:16 15 issues.

16 So thank you very much for your time. We're
17 looking forward to the opening of this fantastic new
18 museum.

19 MS. IBARRA: Thank you.

02:16 20 MR. BARRENTINE: Good afternoon. My name is
21 John Barrentine. I'm the CEO of RED Real Estate
22 Group at 5150 Wilshire Boulevard.

23 I speak to you today both as a long-time
24 resident of the Miracle Mile area, a member of the
02:16 25 Miracle Mile Chamber of Commerce, and as a 25-year

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1 veteran of the real estate industry.

2 Anecdotally, there is so much excitement
3 right now in the neighborhood, as my partner just
4 spoke to you about, that something is really
02:17 5 happening that's really positive on the Miracle Mile
6 and there is a synergy that's building on Museum Row.
7 And we are so pleased with that and that that energy
8 is flowing back into the neighborhoods that are the
9 heart line of our business.

02:17 10 We do have so many of our clients that are
11 both above and below the line in the entertainment
12 business that are excited about the museum, that are
13 excited about the community-building aspect of the
14 museum. And something that people really struggle
02:17 15 for in Los Angeles is community. And community is
16 such a big part of our business and what we do. We
17 feel that the fostering of this in the Miracle Mile
18 right now is unprecedented, and we look forward to
19 more.

02:17 20 Thank you so much for your time.

21 MS. IBARRA: Thank you.

22 MR. HAKIM: Hi. My name is Sam Hakim. We own
23 6100 Wilshire Boulevard and everything west of that
24 half a block. We're probably one of the largest
02:18 25 landlords in the Miracle Mile, including homes and

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1 apartments.

2 We just want to applaud the Academy Museum
3 for bringing such a beautiful property to this
4 location. It's important for us to preserve the
02:18 5 May Company Building, as we have. When I was
6 20 years old, we restored an office building on
7 54th and Wilshire, art deco building. We did it
8 because that's what our family has been raised to do,
9 give back to the community.

02:18 10 We also applaud that they're bringing
11 classrooms at this location, which is very important
12 to our family.

13 In regards to parking and traffic and so
14 forth, since we've purchased 6100 Wilshire, I have
02:19 15 purchased a shuttle to welcome all the neighbors, all
16 the office buildings, Petersen Museum, to take
17 everyone to and from the Farmers Market during
18 lunchtime. It's helped us dramatically with the
19 reduction of people leaving our office building to
02:19 20 these places during lunch.

21 We will continue to do that. I've spoken to
22 Rick Caruso. We can do something a bit more
23 elaborate, as he likes to do, and something more
24 permanent. But I just want to give everyone
02:19 25 opportunity in the neighborhood.

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1 We have dedicated all our parking, a few
2 hundred spaces, to the museum. And we own a lot of
3 property next door. And if the museum is a success,
4 which we hope it is, we will build more parking
02:19 5 spaces to support this beautiful addition to the
6 culture that we have been wanting.

7 MS. IBARRA: I have a question.

8 You said you're providing parking to the
9 museum. Is this after hours?

02:20 10 MR. HAKIM: This is all for their events,
11 special events, and weekends.

12 MS. IBARRA: So this would not be during your
13 normal business hours?

14 MR. HAKIM: No.

02:20 15 MS. IBARRA: And how many parking spaces is
16 that?

17 MR. HAKIM: We have over 400 parking spaces,
18 dedicated parking spaces, that we can stack. All
19 evenings, all weekends, special events. Not Monday
02:20 20 through Friday.

21 MS. IBARRA: So not 9:00 to 5:00?

22 MR. HAKIM: Not 9:00 to 5:00.

23 Does anyone have any questions?

24 MS. IBARRA: Yeah, they can ask you after this
02:20 25 is over.

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1 MR. HAKIM: Thank you so much.

2 MR. VAVALA: Good afternoon. Marcello Vavala,
3 preservation associate for the Los Angeles
4 Conservancy at 523 West 6th Street, Suite 826, in
02:21 5 L.A.

6 We applaud the Academy for rehabilitating
7 the historic May Company Building as part of the
8 proposed project. Throughout our ongoing
9 conversations with the project development team, the
02:21 10 proposed project has evolved and continually been
11 improved.

12 We still have some outstanding concerns,
13 however, and believe that additional refinements can
14 be made to address these and ensure that the
02:21 15 integrity of the building's iconic design, materials,
16 and setting is protected.

17 While the project has been revised to
18 eliminate digital displays on the May Company
19 Building store-front windows and has reduced the size
02:21 20 of other signage, we continue to question the need
21 for placing such extensive signage on the historic
22 building and whether more of it could be used and
23 distributed onto the new wing.

24 We disagree with the Final EIR and responses
02:21 25 to comments that the proposed Oscar statue and

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1 signage is consistent with the architectural
2 character of the original building. On the contrary,
3 the gold-tiled corner element is the May Company
4 Building's most iconic exterior feature. It was
02:22 5 designed as an eye-catcher element and continues to
6 fulfill that intent. It was never used as a backdrop
7 for implied signage, and any such proposal is
8 inconsistent with the historical treatment of this
9 iconic element of the building.

02:22 10 Additionally, we question the loss of the
11 highly intact tearoom to make way for an expansion of
12 the penthouse level. The tearoom is the only
13 remaining intact interior space of the May Company
14 Building, and we urge that its historic fabric be
02:22 15 retained and reinstalled into the historic space.

16 Thank you.

17 MS. IBARRA: Thank you.

18 MR. PLATKIN: My name is Dick Platkin,
19 6400 West Fifth Street, Los Angeles. I live in the
02:22 20 neighborhood and I'm an officer on the board of the
21 Beverly Wilshire Homes Association, one of the
22 largest and oldest homeowner groups in this area.

23 I have a copy of the actual notice for the
24 public hearing. And I don't see any question whether
02:22 25 the public will have the right to see Judy Garland's

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1 ruby slippers. I don't see anything in here about
2 whether or not there should be a museum or whether or
3 not there should be a revival of this part of town.

4 The question is nine very detailed
02:23 5 discretionary actions. That's what this hearing is,
6 and I find it interesting that not one of the
7 supporters of the museum has addressed any of the
8 nine very complicated and difficult-to-justify
9 discretionary actions.

02:23 10 On behalf of the Beverly Wilshire Homes
11 Association, I want to make it clear that we believe
12 that some of these discretionary actions cannot be
13 justified and they should not be granted and
14 therefore the museum should be scaled back in terms
02:23 15 of appearance and size to accommodate it.

16 So let me address the first three quickly.

17 The first is the Environmental Impact
18 Report, which identifies a number of unmitigatable
19 environmental impacts should be ignored in the
02:24 20 Statement of Overriding Considerations. It's our
21 contention, as some of the previous speakers have
22 mentioned, that the intrusion of traffic is an
23 unmitigatable impact.

24 And we think the situation is actually
02:24 25 understated in the Draft Environmental Impact Report

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1 because in the year 2023 there will be a functional
2 Purple Line extension operating, and it will have a
3 station at exactly the site of the museum and event
4 center. And there will be another one to the south,
02:24 5 to the east, and to the west. And there is no
6 planning for additional parking. There's no "park
7 and ride." There's no "kiss and ride." There's no
8 planning whatsoever for linkages for pedestrians, for
9 shuttle buses, for regular buses, for express buses,
02:24 10 for bicycles. This is not part of any of the
11 planning.

12 So the amount of the traffic congestion that
13 will be created by Purple Line expansion as well as
14 LACMA expansion as well as Petersen expansion as well
02:24 15 as a number of new projects that are now in the
16 pipeline will exacerbate what will be added by this
17 museum in itself. So we don't think the Statement of
18 Overriding Considerations can be justified.

19 The second point of our opposition is the
02:25 20 zone change. The zone changes for this site were
21 created in 1988 and 1993 which allowed parking areas
22 to become commercial areas. Now, these parking
23 areas, when they got the zone change, came along with
24 a large number of necessary conditions. And the
02:25 25 justification for eliminating all of these conditions

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1 is that none of them are relevant to the new project.
2 They would have been relevant to office towers that
3 were proposed, but they're not relevant to an event
4 center, as you can see over here with the large
02:25 5 bubble which neighbors called "the spitball" in the
6 back.

7 Well, I've looked through these actual
8 conditions, and many of them are exactly applicable.
9 There's no rationale why the zone change that allows
02:26 10 the construction of where the parking zone should be
11 accepted but all the conditions should be rejected.

12 For instance, there are detailed
13 restrictions on signage, there's detailed
14 restrictions on lighting, and there's detailed
02:26 15 restrictions on parking. All of those [Q] conditions
16 that came with the zone change that allows the
17 construction of this museum are relevant to the
18 museum and they should be retained, they should not
19 be eliminated.

02:26 20 And the final issue is the question of the
21 sign district. And as a former city planner who is
22 actually the lead planner on a number of community
23 design overlay districts in Los Angeles, I find the
24 reasons to ignore the CDO, which is also a fourth
02:26 25 discretionary action, to be contradictory.

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1 On one hand, we're told that community
2 design overlay districts have [inaudible], so
3 therefore they're not binding. And on the other
4 hand, we're told that even if they were binding, they
02:27 5 don't apply to this area.

6 But, in fact, the [Q] conditions that are
7 here and should be retained have the power, the same
8 effect of the CDO. And we think the design
9 guidelines are applicable, and they should be
02:27 10 followed and they would not allow the appearance of
11 the museum as it's proposed.

12 I'll be submitting this in a written format.

13 MS. IBARRA: Thank you.

14 MS. WILSON: Hi. Good afternoon. My name is
02:27 15 Rose Wilson. I am with the Academy of Motion
16 Pictures, Arts, and Sciences at 8949 Wilshire
17 Boulevard, Beverly Hills, 90211.

18 I have been a theater and event manager for
19 the Academy for the past ten years. In addition,
02:27 20 I'm also an independent filmmaker and recently
21 completed a short documentary film.

22 Los Angeles is known for many things, not
23 the least of which is its deserved reputation as the
24 epicenter of the film industry. So it seems like a
02:28 25 no-brainer that L.A. would have a museum dedicated to

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1 the history of that very business, which makes our
2 planned project long overdue. Filmmakers and film
3 lovers, young and old, need a place that celebrates
4 the past, present, and future of the art and science
02:28 5 of film.

6 During my tenure at the Academy, I have
7 managed screenings, tributes, educational programs,
8 and a myriad of special events that took place in our
9 facility. Parking in Beverly Hills has always been a
02:28 10 challenge, and the Academy has longstanding
11 agreements with offsite parking facilities for our
12 guests and patrons. That is just one aspect of the
13 level of service and care that our organization has
14 always provided and will no doubt extend.

02:29 15 It is important to me as the Academy manager
16 that all visitors, not just members, have an
17 enjoyable, positive experience when they visit our
18 facilities. Thank you.

19 MR. LYCAYO: Hello. My name is Walter Lycayo.
02:29 20 I live at 710 Fairview Avenue, South Pasadena,
21 California 91030. I'm here on behalf of the Academy
22 of Motion Pictures, Arts, and Sciences. Also the
23 museum as well.

24 When other cities have -- like New York,
02:29 25 I grew up in New York City. We had the Museum of

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1 Art, the Museum of Natural History. When you think
2 of Los Angeles, you think of motion pictures. And
3 the museum will bring an enormous amount of prestige
4 to Los Angeles by showing the world motion picture
02:30 5 history. I believe this is long, long overdue. And
6 that's why I'm here. Thank you very much.

7 MS. IBARRA: Thank you.

8 MS. SCHINE: Hi. My name is Vidette Schine,
9 PO Box 57975, Sherman Oaks, California 91413.
02:30 10 And my family's lived in Hancock Park for
11 over 30 years. I can't think of a better building to
12 put in that area to help the community.

13 I also felt the need to speak today because
14 I have a long history of film in the family. My
02:30 15 grandfather in the '30s and '40s had the largest
16 chain of movie theaters on the East Coast and some
17 hotels. He bought the Ambassador Hotel in 1946, by
18 which time the hotel had hosted six Academy Awards
19 ceremonies. My father produced the "French
02:31 20 Connection" in 1971. He was nominated for Academy
21 Awards and won five Emmy awards.

22 I myself hold a master's degree from UCLA
23 in film and television. I'm involved in television.
24 I've been involved in the production of over
02:31 25 35 independent feature films.

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1 The Academy Museum of Motion Pictures will
2 introduce classic films to the next generation of
3 filmmakers. It will continue to remind us why we
4 fell in love with movies in the first place.

02:31 5 In addition, the museum will provide
6 educational resources for students to experience how
7 movie technology has changed over the years and how,
8 for example, they used visual effects starting well
9 before CGI.

02:31 10 Only the Academy of Motion Pictures, Arts,
11 and Sciences can deliver the sweeping vast collection
12 of history, science, education, and entertainment
13 that the industry has created for over 100 years.
14 This museum's very existence will solidify
02:32 15 permanently the destination and will become the
16 single must-go-to for visitors looking for Hollywood.

17 I urge the City of Los Angeles to fully
18 embrace this project, for it will add yet another
19 priceless jewel to our city's crown.

02:32 20 MS. IBARRA: Thank you.

21 MR. TELLALIAN: Good afternoon. Thank you for
22 your patience. Daniel Tellalian, 6141 Barrows Drive,
23 Carthay Circle, three short residential blocks from
24 the project site.

02:32 25 I'm representing a block club called

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1 Citizens of Barrows Drive representing
2 35 single-family homeowners in this historic district
3 immediately south to this project, many of whom are
4 in the entertainment industry or Academy members.

02:32 5 And we do wish success to the Academy Museum and
6 cultural institution.

7 Our block club is not in support of this
8 project as it's currently construed because we feel
9 it is a regional attraction that destroys

02:33 10 neighborhoods. Bring the museum, yes. Bring the
11 entertainment venue, no, unless you can find a way to
12 mitigate what it will do to the adjacent historic
13 neighborhoods.

14 I haven't heard anyone in their public
02:33 15 testimony support the Nokia Theater live
16 entertainment venue approach. Everyone is pro museum
17 and I say we are as well, but the entertainment venue
18 strikes fear into the hearts of the local neighbors.

19 I thought Carolyn Ramsey noted it very well
02:34 20 that it is a signature cultural piece, but it's
21 landing in a fragile historic neighborhood. The
22 devil's in the details, unfortunately. That does
23 land on your desk to figure out that difference.

24 So I think this hot weekend in Santa Monica
02:34 25 when millions came to the beach and the pier, it was

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1 able to absorb those volumes of people and still
 2 protect its neighborhoods that are fragile on both
 3 sides. I hope we can find a similar solution to that
 4 here.

02:34 5 Simply put, what we would ask as a local
 6 block club in a single-family neighborhood is, one,
 7 park the museum sufficiently, park it fully, park it
 8 on site with a parking structure. And if that is
 9 beyond the means of the City to achieve, then demand
 02:34 10 contracts that will genuinely fill the large-growing
 11 contract needs. If that's not met down the road,
 12 there's some abilities to alter the parking to
 13 protect the neighborhood.

14 I'm the dad that has to teach my daughter
 02:35 15 how to ride a bike down the street and push my other
 16 daughter in a stroller. So I'm the pedestrian that
 17 wants protection from those folks.

18 Secondly, I would suggest closing the nearby
 19 residential streets that border Fairfax and Wilshire
 02:35 20 and protect them from the inevitable circling of
 21 regional visitors to the neighborhood. This is
 22 already a very dramatic issue in the area.

23 Potentially informing residents about how to protect
 24 themselves with parking restrictions may go a ways in
 02:35 25 protecting those small residential neighborhoods in

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1 the future.

2 Then finally, simply remove the digital sign
3 district which is wholly inappropriate for a cultural
4 museum. And it really detracts from the character
02:35 5 that I think is very special to all of us. A digital
6 sign district has no place in this area.

7 MS. IBARRA: I have a question for you. You
8 said you'd close off streets.

9 How do you propose that?

02:36 10 MR. TELLALIAN: I think it could be done through
11 street closures.

12 MS. IBARRA: What does that mean? What does
13 that look like? Is it a permanent street closure?
14 Is it temporary?

02:36 15 MR. TELLALIAN: Permanent street closures.

16 So for example, if you look at the
17 intersection of Fairfax and Warner or Fairfax and
18 Barrows, similar to Ogden and Wilshire, some of these
19 other areas, it's where the circling for parking
02:36 20 would be, you can close off these areas. There are
21 slow traffic counts in those areas.

22 MS. IBARRA: What does that mean? I understand
23 what you're saying, but what does it look like? Is
24 it a gate?

02:36 25 MR. TELLALIAN: I would recommend an actual

1 curb.

2 MS. IBARRA: An actual curb.

3 So how would people who live in the area
4 access their neighborhood?

02:36 5 MR. TELLALIAN: They would enter and exit from
6 the opposite side.

7 MS. IBARRA: So just redirect traffic somewhere
8 else?

9 MR. TELLALIAN: So what's happening is people
02:36 10 are entering illegally, for example, on Fairfax into
11 these areas. Close it all the way. They'll be
12 forced to honor the existing traffic routes.

13 I think the residents are willing to limit
14 themselves to entering and exiting at one end to
02:37 15 protect themselves.

16 MS. IBARRA: You don't think that would cause
17 indirect traffic elsewhere?

18 MR. TELLALIAN: I know for our particular
19 street, we did a traffic study, it would be okay with
02:37 20 the DOT. It depends on the corner.

21 MS. IBARRA: DOT would be okay with it, you
22 said, for just one street? What study was this?

23 MR. TELLALIAN: I can send it to you if you
24 want. We're pursuing a permit to close right now.
02:37 25 It's a Council motion for Barrows and Fairfax.

1 I think that's maybe a good model for some of the
2 other streets.

3 MS. IBARRA: Thank you.

4 MR. LINDENBLATT: Thank you. My name is
02:37 5 Charles Lindenblatt. I live at 8250 West Blackburn
6 Avenue, Apartment 6, Los Angeles, 90048.

7 I've been a lifelong resident of the
8 neighborhood for about 40 years, and I'm also a
9 member of the Mid City West Community Council.

02:38 10 I'm on the Planning and Land Use Committee. I was on
11 the Academy of Motion Pictures Project Working Group,
12 but I want to stress tonight that my comments here
13 are my own and I'm not representing my neighborhood
14 council.

02:38 15 In my review of the Draft EIR, I found a
16 number of areas of concern. For example, the digital
17 displays. I have a concern that this would impact
18 the neighbors. While found in the EIR to be less
19 than significant on its face, this, to me, doesn't
02:39 20 seem well-rounded given all the issues the
21 neighborhood has had in the past.

22 I also have a concern about the removal of
23 the [Q] conditions on the property. The DEIR shows
24 quite a few [Q] conditions to be removed, including
02:39 25 number 11, permit review, and number 20, additional

1 transit improvements.

2 The EIR says they were part of conditions
3 that were related to "prior entitlements on the
4 parcel that are no longer relevant." Well, I don't
02:39 5 feel that they should be removed without serious --
6 without further consideration.

7 Similarly, they mention cultural resources
8 may be lost. "There may be high potential
9 for...electrical resources and archaeological
02:39 10 resources in the area to be negatively impacted."
11 That also was a concern to me.

12 And also within the building itself, the
13 presence of hazardous materials varied. They need a
14 plan to mitigate that. I don't know if the
02:40 15 individuals living there or passing by there could be
16 affected by that. It's a concern.

17 Also, regarding the construction traffic
18 management issues, they noted that we were under
19 construction to reduce congested streets. That might
02:40 20 mean relocating through residential streets.

21 Also, the construction emergency access, the
22 activities due to construction traffic and temporary
23 lane closures may prevent emergency access to the
24 project site.

02:41 25 And there are several transportation and

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1 parking impacts that could not be mitigated -- that
2 will be significantly impacted. Three intersections,
3 Beverly and Fairfax, Fairfax and 6th, and Fairfax and
4 Wilshire, the traffic would be significantly
02:41 5 unavoidable. There is no way to address those
6 issues.

7 And also there were a number of concerns
8 that were brought to my attention from various
9 neighborhood groups that I have read their letters
02:41 10 that have been submitted into the -- they were able
11 to submit into the Draft EIR comments that I was able
12 to read. I have concerns as well.

13 So I just have some concerns right now.
14 I haven't made a final decision on this, but I have
02:42 15 concerns.

16 Thank you very much. Thanks for listening.

17 MS. IBARRA: Thank you.

18 MS. GLASS: Hello. My name is Leora Glass.
19 I live at 6436 Moore Drive, L.A., 90048. I'm a
02:42 20 Carthay Circle resident and proud to live in a
21 historical area.

22 I work in the entertainment industry. And
23 I support and encourage the building of the museum,
24 but a museum only, not an event space.

02:42 25 I support the restoration of the May Company

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1 Building as well, but I do not support the parking
2 plan that the Academy proposes for the multitude of
3 cars that will inhabit and encroach the outlying
4 neighborhoods. The Academy is not building
02:43 5 additional parking to help mitigate the traffic
6 problems that the museum will create. This is a huge
7 concern for a lot of my neighbors and my community.

8 I also do not support and also disagree with
9 the digital signage on the May Company Building or
02:43 10 the newly-designed structure as it stands now. It is
11 inconsistent with the historical aspect of our
12 neighborhoods. Thank you.

13 MR. BELL: Hello. My name is Brian Bell,
14 8949 Wilshire Boulevard. And because of my love of
02:43 15 film history, I have worked at the Academy for seven
16 years and am in full support of the Academy Museum.

17 I grew up in North Virginia, 20 minutes
18 outside of Washington DC where my family spent
19 several weekends a year visiting all the museums.
02:44 20 Thanks to museums, I wanted to be an archaeologist.
21 Even though my profession preference has changed, my
22 love of museums hasn't. It's bizarre a film museum
23 isn't already in the City of L.A., film capital of
24 the world. It's way overdue.

02:44 25 We spend so much time staring at our phone

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1 and computer screens, the Academy Museum will be a
2 place where people all ages and walks of life can
3 come to see actual pieces of film history for
4 themselves up close and personal. The Academy Museum
02:44 5 will be a place for not only tourists, but for Los
6 Angeles families to come spend time together as a
7 family.

8 With so much history ready and waiting to go
9 on display, the Academy Museum will be a place for
02:44 10 people, both young and old, to come and learn and be
11 inspired. Thank you.

12 MS. IBARRA: Thank you.

13 MR. PANATIER: Good afternoon. My name is
14 Mark Panatier. I'm vice president of the A.F.
02:44 15 Gilmore Company, longtime owners of the Original
16 Farmers Market on Fairfax.

17 I came today to speak on behalf of the
18 company in support of this project. We're on record
19 in writing that we support this project. Comments
02:45 20 that I have today are specifically geared to three
21 different items.

22 First, AMPAS is a world-class organization
23 willing to bring a first-class museum to Los Angeles
24 and a first-class community. The museum de facto is
02:45 25 an event center. Going to the museum is an event.

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1 And if there's opportunity to go beyond a visitation
2 and a tour to learn more about what filmmaking has
3 been, is today, and can be, it's an important part of
4 that experience.

02:45 5 With regard to conditions, as you know, as
6 the City knows, conditions that were set 20 years ago
7 as well as a year ago are part of a review process
8 that will determine whether they're applicable or
9 not. 25 years ago, there was no plan for the subway
02:46 10 to come out on Wilshire Boulevard. It's now going to
11 be a reality. And so the parking and all of those
12 things that are affiliated with parking should be
13 looked at. And thank goodness, the canvass team is
14 very well-qualified to look at those things and
02:46 15 address anything that the City has a concern about or
16 the community has a concern about.

17 Los Angeles, in particular the Wilshire
18 area, is no longer a suburban location. It is a very
19 urban location. And addressing how to get people to
02:46 20 and from is important, whether it be a vehicle. The
21 City of Los Angeles is here to try to get people out
22 of cars. And the long term for this neighborhood is
23 very positive in that outcome.

24 Overall, this is an opportunity that should
02:46 25 not be lost to the City of Los Angeles and to have

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1 AMPAS actively pursuing its ultimate construction is
2 a good thing for Los Angeles and this community.

3 Thank you.

4 MS. IBARRA: Thank you.

02:47 5 MR. WRIGHT: Good afternoon. Daniel Wright,
6 Silverstein Law Firm, on behalf of our client,
7 99 Cent Stores. 99 Cent Stores is located in the
8 vicinity of this proposed project. It would be
9 impacted by the Academy's special event space and
02:47 10 museum project.

11 I think in listening to the testimony today,
12 I heard a lot of support for the museum's use and the
13 restoration of the May Company Building. I think a
14 lot of people support the concept. Of course, many
02:47 15 people who came today to support the project maybe
16 are not aware of the details of many potential
17 impacts.

18 One of the impacts that I wanted to raise,
19 and I hope that the hearing officer would ask the
02:48 20 applicant to clarify this, is during the presentation
21 today there was no discussion of the
22 10,000-square-foot view deck at the top of the
23 sphere. And as much as one carefully looks at the
24 EIR, one cannot tell from the drawings, which are
02:48 25 from quite a distance and there's no floor plan,

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1 whether or not the view deck includes any kind of
 2 outdoor balconies where people can gather outside
 3 where there's potential noise impacts or whether or
 4 not the view deck, which is going to be -- you know,
 02:48 5 have the sun beating down, are there going to be
 6 windows that are opening that enable a lot of noise
 7 to go outside.

8 So will all of the activities on the view
 9 deck be occurring within the building? And if not,
 02:48 10 are there going to be specific project conditions
 11 that limit, especially the timing of that, in terms
 12 of how you keep clear of the community in throwing a
 13 lot of noise out into the community.

14 I'd also like to address the fact that we
 02:49 15 submitted a detailed letter in response to the
 16 Draft EIR. We'd like to point out that as our review
 17 is ongoing, it's clear that, unfortunately, this EIR
 18 really needs to be recirculated. Clearly, that would
 19 be the most appropriate opportunity for the Academy
 02:49 20 as a good neighbor to work to mitigate more of these
 21 impacts. I think what we heard today from the
 22 community is that there are a lot of unacceptable
 23 impacts still from this project as currently
 24 proposed.

02:49 25 One of the obligations under CEQA is that

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1 the responses to the comments must be specific and
2 detailed, and there has to be a good-faith, reasoned
3 analysis in the response. That is sort of lacking in
4 many places in this EIR.

02:50 5 For example, we pointed out that there was a
6 certain zoning administrator's interpretation
7 referenced in the Draft EIR but not attached in the
8 technical appendices that were supposedly the entire
9 basis on why a museum use could be constructed on
02:50 10 this site.

11 After we pointed out that the zoning
12 administrator's interpretation actually was based
13 upon the idea that museum spaces were office space
14 and that there was a trip cap imposed in the
02:50 15 interpretation that office space could be converted
16 and built as museum space up to a certain trip cap
17 which this project would exceed by itself, not
18 counting growth and residents on the same parcel, at
19 that point in the Final EIR comments, suddenly the
02:51 20 City and the applicant are running away from that
21 claim that that original ZA, zoning administrator's
22 interpretation, was the basis for the use of a
23 museum.

24 Now they are claiming that a completely
02:51 25 different document from the City is the basis for the

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1 museum land use, an issue which has not been
2 daylighted to the public at all and there's been no
3 opportunity for comment. Since that's the completely
4 underlying rationale for the museum use, it's an
02:51 5 extremely significant issue that the City proposes to
6 not recirculate and give the public an opportunity to
7 comment on.

8 That's only just one example of many of the
9 issues that have been diminished and deferred in the
02:51 10 spin of the responses to the Final EIR.

11 And because of those problems and because a
12 recirculation activity would be the golden
13 opportunity for the Academy to engage in a more
14 active dialogue in the community, we would recommend
02:52 15 that not only is recirculation a good idea but also
16 required by the California Environmental Quality Act.

17 I will submit this letter into the record
18 and thank you for your attention.

19 MS. IBARRA: Thank you.

02:52 20 Would the applicant and the applicant's
21 attorneys please come up to answer some of these
22 questions, please.

23 MR. DELVAC: Thank you, Hearing Officer.

24 I'll be brief. I'd like to discuss the
02:52 25 issues in some small groupings.

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1 With regard to parking, we meet code
2 parking. We meet it in the LACMA pool of parking.
3 We're located on the LACMA campus. We're leasing
4 land from LACMA. So we have completely demonstrated
02:53 5 code parking is not an issue.

6 With regard to demand, our demand study
7 shows there is an adequate supply in the surrounding
8 area to meet both daytime and evening, special event
9 parking. At the time of special events, the LACMA
02:53 10 visitors are not there, although one might say there
11 could be overlapping events, which is exactly why we
12 proposed an event coordination plan.

13 And I think it's plain and obvious that
14 LACMA and the Academy have every bit as much or
02:53 15 perhaps more interest in managing the parking for
16 visitors than our nearby neighbors. We do respect
17 the comments. I'd like to note in general that for
18 those who live in the immediate vicinity, we're quite
19 pleased at the level of discourse and the comments
02:54 20 raised. We understand these are concerns. We
21 believe we've addressed them.

22 More for the fundamental matter about
23 parking, if you build parking, it's intended to
24 attract cars. This is an amazing opportunity given
02:54 25 the large volume of out-of-town visitors to create a

1 venue where people don't drive. If you build
2 parking, people are more likely to drive. So we
3 believe that as a museum that's going to exist
4 110 years out in the future, it's time to shift
02:54 5 suburban notions about parking.

6 There is an adequate supply of parking
7 there. You heard one of the speakers for the
8 6100 Wilshire Boulevard discuss the agreements for
9 parking there. That will be available for weekend
02:54 10 demand and for the evening demand.

11 There are two other agreements, one with the
12 Petersen across the street where employees will park,
13 and then at 5900 there's another agreement for
14 evening and special events.

02:55 15 MS. IBARRA: Can you clarify, are these by
16 covenants?

17 MR. DELVAC: Those are by lease.

18 One of the reasons that we think this is
19 important -- several of the speakers spoke about the
02:55 20 need for flexibility, including I believe Ms. Ramsey.
21 The parking plan, parking management plan, is exactly
22 what we need. It's a flexible plan that will change
23 when we see what the needs are. If there's too much
24 parking, perhaps the parking plan will reduce the
02:55 25 requirements. If there's not enough parking, the

1 City's approval of a parking plan can address that
2 with the realtime applications. We can't begin today
3 to envision the types of changes that will be
4 50 years from now if we compare what the changes are
02:56 5 from 10 years ago. And so we need a flexible plan
6 that will adjust as circumstances adjust.

7 The Planning Commission over the last
8 10 years has come to recognize that infrastructure in
9 parking is not as smart as using the existing parking
02:56 10 resources and transit resources in the area, and we
11 believe we're completely consistent with that
12 approach. The EIR and the traffic study fully
13 demonstrate that we meet demand parking.

14 Again, I'll just underscore that if there's
02:56 15 an issue, the parking plan will address it. Again,
16 I want to say the Academy has a complete interest in
17 its visitors being able to park. So we believe we've
18 struck the right balance in trying to reduce traffic
19 by not building parking.

02:56 20 If you want to hear more about that, we do
21 have Pat Gibson with us if there are specific
22 questions that the hearing officer has.

23 With regard to signage, I respect the views
24 of Mr. Hathaway. We have had a good idea that he's
02:57 25 genuinely concerned with proliferation of signage in

1 the city. This is a different situation. Our light
2 intensity is nothing like the light intensity at the
3 sort of venues that others have mentioned,
4 one-quarter to one-sixth of the lighting intensity on
02:57 5 Highland or LA Live. In fact, we're not nearly as
6 bright as immediately next door the LACMA art
7 display. So we don't believe the lighting intensity
8 is an issue.

9 These are also not 1200-square-foot
02:57 10 billboards 60 feet or 80 feet in the air. They're
11 digital displays at pedestrian level which is set
12 back from the street and you can set it back from the
13 window with the existing canopy over it.

14 With regard to hazard review that
02:58 15 Mr. Hathaway mentioned, LADOT has already reviewed
16 and signed off on the hazard review. So we don't
17 believe this is in any way the typical sort of
18 signage. These are also not commercial signs. These
19 are intended to tell people what's going on inside.

02:58 20 There's motion pictures, history, the making
21 of technology. The best way to attract people to
22 understand what's going on inside the building is
23 through moving image. Again, we believe this will
24 activate the sidewalk and will not interfere with
02:58 25 traffic.

1 With regard to the minimum size, all of the
2 land is LACMA. We're a tenant of LACMA. So it's not
3 as if there are other property owners involved. The
4 property owner LACMA, which has consented to all of
02:58 5 the applications, in fact, it's a zone change permit
6 and sign district ordinance on their property, they
7 are approving it and are subject to it.

8 Mr. Hathaway mentioned a proposed ordinance.
9 As the hearing officer knows, proposed signage
02:59 10 ordinances have become a longstanding tradition of
11 not moving forward over the last five to ten years.
12 We do believe that our sign district is mindful of
13 the types of issues that will be raised if there's a
14 sign district ordinance. We don't think there should
02:59 15 be any concern about the ordinance.

16 On the tearoom, this slide that we showed
17 about the Council designation specifically said we
18 don't have to meet the Secretary of Interior's
19 Standards on the inside of the building. And while
02:59 20 the speaker was not there at the time, I was because
21 I was representing the Conservancy at the time, this
22 was a balanced decision in order to encourage the use
23 of the building. There are no defining features left
24 inside the tearoom. And, in fact, the regulation of
03:00 25 the City explicitly allows us to alter the tearoom as

1 a matter of the designation.

2 One of the speakers, former department
3 employee, Mr. Platkin, said that there were a number
4 of speakers on behalf of the Academy. There were and
03:00 5 we very much appreciate the overwhelming show of
6 support here today. But he said that none of those
7 speakers spoke to the issues before the City on the
8 approval.

9 But ironically he then went on to say that
03:00 10 we can't make a show of overriding considerations.
11 That's exactly what those speakers were speaking to,
12 the benefit of this project outweighing the impacts.
13 It's a classic case of why overriding considerations
14 are appropriate and the sort of evidence that should
03:01 15 be presented.

16 The [Q] conditions, they were added by the
17 zone change, they can be changed by zone change, and
18 they can be removed by zone change. The removal of
19 the [Q] conditions is not an environmental impact.
03:01 20 The resulting development is the potential
21 environmental impact that needs to be evaluated, and
22 that's exactly what the EIR has done.

23 Archaeo and paleo were mentioned. We have a
24 very limited excavation footprint. Parking,
03:01 25 subterranean parking adjacent to the museum property,

1 as the EIR demonstrates, increases the risk of paleo
2 and archaeo impacts. So we believe we've done the
3 appropriate balance on those resource areas in
4 addition to not building parking.

03:01 5 With regard to the view deck, there are no
6 outside balconies on the view deck.

7 With regard to the ZAI, again, the
8 department issued a zoning interpretation. The
9 department can certainly issue another one. But it
03:02 10 is very important to note that even if the trip cap
11 were to apply, and it doesn't, our project fully
12 falls within the limits of the trip cap. So we're a
13 little surprised to hear that issue and particularly
14 surprised to hear that the 99 Cent Only Store would
03:02 15 be concerned about the view deck and the evening
16 events.

17 So we are here to answer any other
18 questions, and we appreciate the City's time and
19 staff's time.

03:02 20 MS. IBARRA: Thank you.

21 Just a few clarifying questions with respect
22 to the view deck. There are also no windows and no
23 outside areas, right, with respect to the deck?

24 MR. DELVAC: I'm sorry?

03:02 25 MS. IBARRA: Can you clarify there are no

1 windows and no outside areas associated with that?

2 MR. DELVAC: The design on the view deck is
3 something that's been evolving all the way along.
4 There's concern that's been expressed by others about
03:03 5 the sustainability of design. There will be no
6 amplified sound. Even if there are open windows --
7 that's not the City design decision already made, but
8 even if there are open windows, we believe that all
9 the data shows there would be no impact from
03:03 10 amplified noise or otherwise. We're comfortable that
11 if the design were to evolve to include operable
12 windows, there would be no impact and we'd be
13 prepared to demonstrate that.

14 MS. IBARRA: And the new wing, as I understand
03:03 15 it, is a LEED silver structure or is proposed to be
16 LEED silver?

17 MR. DELVAC: Yes. We do have the goal of
18 meeting LEED silver. In connection with that, the
19 sustainability of the design of the view deck is very
03:04 20 important.

21 I'd also like to note that there's a
22 specific condition that the view deck event space
23 cannot be operated simultaneously with the theater.
24 So if the theater is in operation, this is
03:04 25 post-function space.

1 Similarly with the events, with the event
2 space and the tearoom, the view deck would be either
3 operated in conjunction with that or, in fact, might
4 be used for a museum exhibition. So we don't believe
03:04 5 that it's an appropriate characterization as sort of
6 this extra special event space that is in conjunction
7 with the theater.

8 And we'd like to note that the very purpose
9 of the museum is to talk about motion pictures, to
03:04 10 teach about motion pictures, to demonstrate motion
11 pictures. Most museums have theaters, but this is a
12 theater directly related to the purpose of the museum
13 which is the exhibition of motion pictures. So we
14 believe the theater is entirely in keeping with our
03:05 15 goal.

16 MS. IBARRA: Okay. Thank you.

17 That concludes the public hearing on this
18 case. As indicated earlier, this matter is
19 tentatively scheduled to be considered by the
03:05 20 Chief Planning Commission on May 14, 2015. Copies of
21 the agenda for that meeting can be obtained by
22 calling the Commission office or by visiting the
23 Planning Department website. If you would like a
24 copy of the staff report, we suggest that you sign
03:05 25 here with your name. Please write legibly so we can

1 be sure you get a copy in time.

2 Thank you.

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I, the undersigned, a Certified Shorthand Reporter of the State of California, do hereby certify:

That the foregoing proceedings were transcribed before me at the time and place herein set forth; that a verbatim record of the proceedings was made by me using machine shorthand, and same was thereafter transcribed under my direction; further, that the foregoing is an accurate transcription of said proceedings, again, to the best of my ability, and not having personally been in attendance at said 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: _____

TRISHA WIENER

CSR No. 13576

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PUBLIC HEARING TRANSCRIPT

Public Hearing Transcript
March 16, 2015

RESPONSE PH-1

This comment in support of the Project is noted.

RESPONSE PH-2

Comment noted. Please see Letter No.4 for responses to the letter submitted at this hearing. Please see Letter No. E22 for responses to comments submitted on the Draft EIR.

RESPONSE PH-3

Comment noted.

RESPONSE PH-4

This comment in support of the Project is noted.

RESPONSE PH-5

This comment in support of the Project is noted.

RESPONSE PH-6

This comment in support of the Project is noted.

RESPONSE PH-7

This comment in support of the Project is noted.

RESPONSE PH-8

This comment in support of the Project is noted.

RESPONSE PH-9

The statement that the Miracle Mile CDO does not support the creation of a digital sign district is noted. Neither the Miracle Mile CDO nor Section 13.11 of the Municipal Code prohibit the establishment of a Sign District at the Project Site. As further described in Topical Response TR-3, Signage, in the Final EIR, approval of the Project's signage program would require approval of a Sign District to deviate from Article 4.4 of the Municipal Code. The Sign District would not supersede any regulations of the Miracle Mile CDO, since the [Q] conditions that established the Miracle Mile CDO do not apply to the Project Site. Furthermore, the Miracle Mile CDO Design Guidelines and Standards were not adopted by the City Council, only by the City Planning Commission. As such, they are not part of the Miracle Mile CDO's regulations and may be superseded by the Sign District. In addition, the Design Guidelines and Standards do not contain prescriptive requirements, but rather direct that projects

“should” be implemented in conformance, which allows for a certain degree of flexibility. As stated in Section 1 of the Design Guidelines and Standards, the “intent of the CDO is to provide guidance and direction in the design of new and rehabilitation of existing buildings.” To allow for this intended case-by-case conformance review, Municipal Code Section 13.08.E.3(a) requires that Projects “substantially comply” with CDO Design Guidelines and Standards, recognizing that not every guideline or standard will apply equally in all cases. As set forth in Appendix C-1, Table 4 of the Draft EIR, and Section 3.0, Corrections and Additions to the Draft EIR, in the Final EIR, the Project’s Sign District generally would be consistent with the Miracle Mile CDO’s Design Guidelines and Standards, rather than nullify the Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations.

Digital displays were fully evaluated in Section 4.C.3, Historical Resources of the Draft EIR, in Appendix F-3 of the Draft EIR (the Assessment Report), and in Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage, of the Final EIR. As stated on page 4.C.3-32 of the Draft EIR, and on pages 94, 95, 120 and 121 of the Assessment Report, digital displays would be placed in the storefront windows which were historically used for advertising displays. Because the digital displays would continue the historic use of the storefront windows for temporary advertising displays, and they would be reversible, the Draft EIR found the digital displays would not constitute a significant impact pursuant to CEQA, and would conform to the Standards. Furthermore, permits for the use of digital display signage on the Original Building would be subject to review and approval by the Cultural Heritage Commission or as appropriate, the Office of Historic Resources, to ensure that the digital displays do not overwhelm the architecture of the Original Building. Therefore, the Draft EIR considered the digital displays a less than significant impact. Furthermore, and despite this finding of less than significant impacts, due to comments received on the Draft EIR signage proposed in association with the Project has been reduced, including a reduction in the number of Digital Display boxes in the storefront windows, through elimination (and replacement with static displays [display box signs]) of the digital display beneath the Corner Tower at Fairfax Avenue and Wilshire Boulevard and the three digital displays flanking doorways on the Original Building’s Wilshire Boulevard elevation.

RESPONSE PH-10

This comment in support of the Project is noted.

RESPONSE PH-11

This comment in support of the Project is noted.

RESPONSE PH-12

This comment in support of the Project is noted.

RESPONSE PH-13

This comment in support of the Project is noted.

RESPONSE PH-14

This comment in support of the Project is noted.

RESPONSE PH-15

Comment noted. Please see Letter No.2 for responses to the letter submitted at this hearing. Please see Letter No. E11 for responses to comments submitted on the Draft EIR.

RESPONSE PH-16

Please see Response to Comment 2-11 regarding the referenced studies.

RESPONSE PH-17

Please see Response to Comment 2-12 regarding the 3-acre Sign District.

RESPONSE PH-18

Please see Response to Comment 2-12 regarding the proposed amendment to the Sign District, which is not relevant to the current Municipal Code requirements.

RESPONSE PH-19

This comment in support of the Project is noted.

RESPONSE PH-20

This comment in support of the Project is noted.

RESPONSE PH-21

Comment noted.

RESPONSE PH-22

Traffic intrusion and parking were addressed in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR. As further described in Topical Response TR-2, of the Final EIR, a supplemental analysis was conducted for residential street segments in adjacent neighborhoods, including Carthay Circle, and concluded that potential neighborhood traffic intrusion impacts from the Project would be less than significant. This is not to say that Project traffic would not use roadways within the surrounding neighborhoods and result in an increase in traffic throughout the Study Area. However, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant based on the City's established criteria. See also Responses to Comments E16-7 and E16-8 of the Final EIR.

Regarding parking impacts on the Carthay Circle neighborhood, based on the parking analysis contained in Appendix F of the Traffic Study, the Project's peak parking demand during weekday and weekend evenings is anticipated to be accommodated within the available parking spaces within the Pritzker Garage and Spaulding Lot, as well as the leased parking spaces within the Petersen Museum. As such, parking along roadways within the Carthay Circle neighborhood associated with the Project is not anticipated. The available parking supply, bus pick-up/drop-off circulation operations and locations would be managed through the Parking and Traffic Management Plan (PDF-TRAF-2) so that the parking demands are met throughout the day for weekday and weekend conditions for various museum attendance levels, as well as for evening events in the theater. As such, with implementation of

the Parking and Traffic Management Plan, parking impacts were determined to be less than significant. See also Response to Comment E16-8 of the Final EIR.

RESPONSE PH-23

As described in Topical Response TR-3 of the Final EIR, the Project would be compatible with the surrounding community. The Project's signage program would be compatible with neighboring museum uses along Museum Row. Digital signage occupying the Original Building's storefront windows would be at the pedestrian scale and recessed from the street. The LED sign on the south side of the New Wing would be interior to the Project Site, facing the Piazza and only incrementally visible from Fairfax Avenue. Moreover, the brightness of the proposed signage is well below the brightness of the "Urban Light" display. Additionally, there is precedent for cultural and commercial institutions with banner signs and digital signage, including LACMA's Resnick Pavilion façade banner; digital signage at the A+D Architecture & Design Museum, south of the Project Site across Wilshire Boulevard; digital art installations at the Steve Turner Contemporary; and the Johnie's sign at the northwest corner of Wilshire Boulevard and Fairfax Avenue, which represents a longstanding full-motion (i.e., animated) sign display. Furthermore, as analyzed in Section 4.A.2, Light and Glare, of the Draft EIR, with supporting technical data and analysis provided in Appendix C-1 of the Draft EIR and Appendix D of the Final EIR, residential neighborhoods are not in close enough proximity to experience significant impacts from proposed signage. Therefore, the proposed lighting and electronic signage would not represent a "radical" change in community character. See also Response to Comment E16-10 of the Final EIR.

RESPONSE PH-24

All components of the Project were described in Chapter 2.0, Subsection E, Description of the Proposed Project and evaluated in Chapter 4.0, Environmental Impact Analysis, of the Draft EIR.

RESPONSE PH-25

As described in Response to Comment PH-22, with implementation of the Parking and Traffic Management Plan, parking impacts would be less than significant. Therefore, a dedicated parking structure would not serve to reduce or avoid any significant or significant unavoidable parking impacts. Furthermore, construction of a dedicated parking structure was evaluated on page 5-8, in Chapter 5.0, Alternatives, subsection D, Alternatives Considered and Rejected, of the Draft EIR. As stated therein, an alternative that would construct a two-level underground parking structure with a tunnel connecting to the Pritzker Garage that would also retain the basic characteristics of the Project was considered for evaluation, but rejected from full evaluation due to substantial physical constraints associated with the location of a utility corridor that serves LACMA, interference with LACMA operations, and the need for a sizeable amount of contaminated soil excavation/soil export, and temporary dewatering. In addition, rather than reducing impacts, the alternative would substantially increase the magnitude of impacts on paleontological resources, the potential for archaeological resource impacts, along with increases in adverse impacts associated with subsurface gases, contaminated soil and groundwater, and the duration of construction related air quality and noise impacts.

RESPONSE PH-26

See Response to Comment PH-25 regarding a dedicated parking structure; and Response to Comment PH-22 regarding traffic and parking problems.

RESPONSE PH-27

The Draft EIR fully evaluated the material adverse effects of the Project in Chapter 4.0, Environmental Impact Analysis. As analyzed therein, impacts would be less than significant for most issues, with the exception of significant unavoidable cumulative construction noise impacts and intersection impacts at three Theater Special Event intersections, one Museum Study intersection, and four (three newly impacted) Proposed City Bicycle Lane Improvements intersections.

RESPONSE PH-28

Comment noted.

RESPONSE PH-29

The comment stating that the digital sign district “doesn’t seem to fit” is noted, however, the analyses presented in the Draft EIR and Final EIR provide evidence that support findings to the contrary. The proposed Sign District is described in Chapter 2.0, Subsection b, Lighting and Signage of the Draft EIR. The purpose and objectives of the Sign District are to: support and enhance the land uses and urban design objectives in the Wilshire Community Plan; provide unique and vibrant signage; ensure the quality of the Museum appearance; ensure that signs are integrated with the aesthetic character of the structures; encourage creative well-designed signs; ensure that signs are consistent with the identity established by the Original Building, the New Wing, Museum Row and the Miracle Mile District; and coordinate the location and display of signs to enhance the pedestrian realm and minimize potential traffic hazards. As described in Topical Response TR-3 of the Final EIR, the Project would be compatible with neighboring museum uses along Museum Row. Digital signage occupying the Original Building’s storefront windows would be at the pedestrian scale and recessed from the street. The LED sign on the New Wing would be interior to the Project Site, facing the Piazza and only incrementally visible from Fairfax Avenue. Moreover, the brightness of the proposed signage is well below the brightness of the “Urban Light” display. Additionally, there is precedent for cultural and commercial institutions with supergraphics and digital signage in the Project area.

RESPONSE PH-30

Comment noted.

RESPONSE PH-31

As set forth in Appendix C-1, Table 4 of the Draft EIR, and Section 3.0, Corrections and Additions to the Draft EIR, in the Final EIR, the Project’s Sign District generally would be consistent with the Miracle Mile CDO’s Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations. Also, see Response to Comment PH-29 and Topical Response TR-3 of the Final EIR.

RESPONSE PH-32

Comment noted.

RESPONSE PH-33

This comment in support of the Project is noted.

RESPONSE PH-34

Comment noted.

RESPONSE PH-35

Traffic and parking were addressed in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR. As described on pages 4.J-54 through 4.J-59, in Section 4.J, Transportation and Parking (subsection 5) of the Draft EIR, development of the Project would result in significant and unavoidable intersection impacts at three Theater Special Event intersections (i.e., Fairfax Avenue and Sixth Street, Fairfax Avenue and Wilshire Boulevard, and La Cienega Boulevard/Le Doux Road and San Vicente Boulevard/Burton Way), one Museum Study intersection (Fairfax Avenue and Sixth Street), and four Museum Study intersections with Proposed City Bike Lane Improvements (Fairfax Avenue and Sixth Street, Curson Avenue and Sixth Street, Hauser Boulevard and Sixth Street, and Burnside Avenue and Sixth Street) after implementation of Project Design Feature PDF-TRAF-2 and Mitigation Measures MM-TRAF-1, MM-TRAF-2 and MM-TRAF-3. Regarding neighborhood intrusion impacts, as further described in Topical Response TR-2, of the Final EIR, a supplemental analysis was conducted for residential street segments in adjacent neighborhoods, including Carthay Circle, and concluded that potential neighborhood traffic intrusion impacts from the Project would be less than significant. This is not to say that Project traffic would not use roadways within the surrounding neighborhoods and result in an increase in traffic throughout the Study Area. However, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant based on the City's established criteria.

Regarding parking impacts on the Carthay Circle neighborhood, based on the parking analysis contained in Appendix F of the Traffic Study, the Project's peak parking demand during weekday and weekend evenings is anticipated to be accommodated within the available parking spaces within the Pritzker Garage and Spaulding Lot, as well as the leased parking spaces within the Petersen Museum. The available parking supply, bus pick-up/drop-off circulation operations and locations would be managed through the Parking and Traffic Management Plan (PDF-TRAF-2) so that the parking demands are met throughout the day for weekday and weekend conditions for various museum attendance levels, as well as for evening events in the theater. As such, with implementation of the Parking and Traffic Management Plan, parking impacts were determined to be less than significant.

RESPONSE PH-36

As stated in Response to Comment PH-35, there would be a significant unavoidable impact at the intersection of Wilshire and Fairfax due to Theater Special Event traffic.

Regarding the "digital sign center" or Sign District, as described in Topical Response TR-3 of the Final EIR, the Project would be compatible with neighboring museum uses along Museum Row and residential uses would not be in close enough proximity to experience significant impacts from the proposed signage. Moreover, the brightness of the proposed signage would be well below the brightness of the "Urban Light" display. Additionally, there is precedent for cultural and commercial institutions with supergraphics and digital signage in the Project area. See also Response to Comment E16-10 of the Final EIR.

Regarding the impact on the community, based on the analysis conducted in Chapter 4.0, Environmental Impact Analysis, of the Draft EIR, with the implementation of Project Design Features and mitigation measures, all impacts would be less than significant with the exception of cumulative construction noise impacts and intersection

impacts at three Theater Special Event intersections, one Museum Study intersection, and four (three newly impacted) Proposed City Bicycle Lane Improvements intersections.

RESPONSE PH-37

The Draft EIR addressed traffic and parking in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR. As further described in Topical Response TR-2 of the Final EIR, the traffic analysis Study Area generally comprises those locations with the greatest potential to experience significant impacts due to the Project. The intersections selected for analysis are consistent with traffic engineering practice, as well as the applicable CEQA guidelines. Furthermore the Study Area intersections were outlined in a Memorandum of Understanding with LADOT included in Appendix A of the Traffic Study (included as Appendix M-1 of the Draft EIR), and affirmed in LADOT's Transportation Assessment included in Appendix G of the Traffic Study. As shown in Figure 2-A of the Traffic Study, the Study Area included several intersections in and surrounding the Carthay Circle Neighborhood, including Fairfax Avenue and Eighth Street-Del Valle Drive, McCarthy Vista/Carillo Drive and San Vicente Boulevard, Carillo Drive/Crescent Heights Boulevard and Olympic Boulevard, Fairfax Avenue and San Vicente Boulevard, Fairfax Avenue and Olympic Boulevard, San Vicente Boulevard and Wilshire Boulevard. Of the analyzed intersections, three are located west of Fairfax Avenue (McCarthy Vista/Carillo Drive and San Vicente Boulevard, Carillo Drive/Crescent Heights Boulevard and Olympic Boulevard, and San Vicente Boulevard and Wilshire Boulevard). Although not every intersection has been selected for analysis along every roadway within the Study Area, the traffic analysis Study Area used in the Draft EIR is sufficiently comprehensive to evaluate and identify the potential significant impacts of the Project. See also Response to Comment E16-5 of the Final EIR. The Traffic Study was approved by LADOT. See the assessment letter, Transportation Assessment of the Proposed Academy Museum of Motion Pictures Project Located at 6067 West Wilshire Boulevard, LADOT, 2014 provided in Appendix G of the Traffic Study contained as Appendix M-1 of the Draft EIR.

RESPONSE PH-38

This comment is noted and will be provided to the decision-makers. Because the comment does not raise a substantive issue on the content of the Draft EIR, no further response is warranted. See Response to Comment PH-35 regarding Museum parking.

RESPONSE PH-39

This comment in support of the Project is noted.

RESPONSE PH-40

This comment in support of the Project is noted.

RESPONSE PH-41

This comment in support of the Project is noted.

RESPONSE PH-42

This comment in support of the Project is noted.

RESPONSE PH-43

Comment noted.

RESPONSE PH-44

As set forth in Appendix C-1, Table 4 of the Draft EIR, and Section 3.0, Corrections and Additions to the Draft EIR, in the Final EIR, the Project's Sign District generally would be consistent with the Miracle Mile CDO's Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations. See also Response to Comment PH-29.

RESPONSE PH-45

The Draft EIR addressed parking in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR. As indicated on page 4.J-53, through the use of allotted spaces in the Pritzker Garage and Spalding Lot, the use of leased spaces in the Petersen Automotive Museum parking garage, the use (as needed) of other off-site parking facilities in the Project vicinity, and the implementation of Project Design Feature PFD-TRAF-2, Parking and Traffic Management Plan, the Project would result in a less than significant impact on parking supply. A component of the Parking and Traffic Management is the Event Coordination Plan, which would ensure the coordination of parking with the Page Museum/La Brea Tar Pits and Petersen Automotive Museum. The Parking and Traffic Management Plan and Event Coordination Plan are presented in Chapter 4.0, Mitigation Monitoring and Reporting Program of the Final EIR.

RESPONSE PH-46

Comment noted.

RESPONSE PH-47

Comment noted.

RESPONSE PH-48

The Draft EIR addressed parking in Section 4.J, Transportation and Parking and lights in Section 4.A.2, Light and Glare, with supporting data provided in Appendices M-1 and C-2. Regarding parking, please see Topical Response TR-2 regarding code required parking and parking demand. The required number of automobile parking spaces for the Project is based on the Municipal Code. As evaluated in the parking analysis presented in Appendix F of the Traffic Study (Appendix M-1 of the Draft EIR), the Project has a total automobile parking requirement of 482 spaces. Code-required parking would be satisfied within the LACMA facilities, including 378 spaces within the Pritzker Garage and 104 spaces within the Spalding Lot. An assessment of parking demand for several Project operational conditions was prepared as part of the parking analysis contained in the Draft EIR. The Traffic Study and Draft EIR recognized that attendance levels and parking demands of the Project will fluctuate depending on the activities, programs and events held, as well as by time of year, day of the week and time of day. As further discussed in Topical Response TR-2 and Response to Comment E22-12 of the Final EIR, with implementation of the parking strategies outlined in the Parking and Traffic Management Plan (PDF-TRAF-2), the parking demand for the Project is fully accommodated for each of the operational scenarios for both weekday and weekend conditions. Thus, parking impacts were determined to be less than significant. Regarding lighting, as stated on page 4.A.2-25 light and glare impacts would be less than significant, with implementation of Project Design Features PDF-LIGHT-1, PDF-LIGHT-2, and PDF-LIGHT-3. Because parking and light impacts would be less than significant, no mitigation measures are necessary or required. Please also see Topical Response TR-3,

regarding changes to the proposed Sign District that have been made since circulation of the Draft EIR. These changes further reduce the less than significant impacts of the Project related to lighting.

RESPONSE PH-49

Comment noted.

RESPONSE PH-50

This comment in support of the Project is noted.

RESPONSE PH-51

This comment in support of the Project is noted.

RESPONSE PH-52

Comment noted.

RESPONSE PH-53

The comment regarding the potential availability of or willingness to construct additional parking to serve the Project is noted. As noted in Response to Comment PH-25 an alternative to construct a two-level underground parking structure was considered for evaluation and rejected due to substantial physical constraints and increase of environmental impacts. This comment does not focus on the adequacy of the analysis provided in the Draft EIR, therefore further response is not necessary. Regarding parking, please see Topical Response TR-2 regarding code required parking and parking demand. The required number of automobile parking spaces for the Project is based on the Municipal Code. Code-required automobile parking (482 spaces) would be satisfied within the LACMA facilities, including 378 spaces within the Pritzker Garage and 104 spaces within the Spaulding Lot. An assessment of parking demand for several Project operational conditions was prepared as part of the parking analysis contained in the Draft EIR. The Traffic Study and Draft EIR recognized that attendance levels and parking demands of the Project will fluctuate depending on the activities, programs and events held, as well as by time of year, day of the week and time of day. As further discussed in Topical Response TR-2 of the Final EIR, with implementation of the parking strategies outlined in the Parking and Traffic Management Plan (PDF-TRAF-2), the parking demand for the Project is fully accommodated for each of the operational scenarios for both weekday and weekend conditions. Thus, parking impacts were determined to be less than significant.

RESPONSE PH-54

Comment noted.

RESPONSE PH-55

Comment noted. As detailed in Appendix F of the Traffic Study (included as Appendix M-1 of the Draft EIR), the parking supply of 400 spaces at 6100 Wilshire that would be available on evenings and weekends was not included in the survey of off-site parking lots (i.e., Petersen Automotive Museum, the Page Museum, Museum Square, and the Ratkovich Tower) which would further increase the available off-site parking supply to accommodate parking demand. Nonetheless, as described in Response to Comment PH-53, Project parking impacts would be less than significant.

RESPONSE PH-56

This comment provides a general introduction. Responses to specific concerns are provided in Responses to Comments PH-57 through PH-59 below.

RESPONSE PH-57

As stated in Response to Comment E8-19 of the Final EIR, the volume of signage proposed for the Original Building compared to the volume of signage proposed for the New Wing is because the Original Building is located at the corner of Wilshire Boulevard and Fairfax Avenue, where signage would be more visible to pedestrians and vehicular traffic and therefore more effective at promoting the Museum. Also as described in Topical Response TR-3 of the Final EIR, the amount of signage on the Original Building has been reduced, including the elimination of all digital display box signage in the fourth level windows, reduction in the size of four banner signs by 25 percent, and removal of four digital display box signs in the storefront windows, which would be replaced with static displays (display box signs).

RESPONSE PH-58

As analyzed in Section 4.C.3, Historical Resources of the Draft EIR, in Appendix F-3 of the Draft EIR (the Assessment Report), and in Topical Response TR-1, Historical Resources, and Topical Response TR-3, Signage, of the Final EIR, the Oscar identification sign (a statuette) would be consistent with the architectural character and historic treatment of the Original Building. As discussed on page 4.C.3-32 of the Draft EIR, the Oscar statuette would be an outline of the statuette's figural sculpture shape and would be designed to be visually compatible and installed in conformance with the Standards so as to ensure that no adverse impacts to the Corner Tower would occur. The Corner Tower would remain a prominent feature of the building, and the Oscar statuette would not obscure the Corner Tower or detract from the eligibility of the Original Building because the Corner Tower would remain the most prominent and visible primary architectural feature of the Original Building. The Oscar statuette would be reversible, and the integrity of the Corner Tower would remain intact and unimpaired. The "perfume bottle" was designed to serve as an elegant programmatic architectural feature to reflect the use of the building. Similarly, the Oscar statuette would serve this same function of an artistic element to announce the activities in the building. Further, while The May Company's signage was on the fins, this central corner element was used for building identification signage. As an outline of the Oscar statuette, the sign design represents a light touch that is intended to complement rather than overwhelm or detract from the iconic tower's original design, therefore the Corner Tower would remain the most iconic feature of the Original Building. In this regard see Section 4.A.1, Aesthetics and Views of the Draft EIR, including Figure 4.A.1-12, Conceptual Signage West Façade – Original Building, on page 4.A.1-30, and Figure 4.A.1-15, Existing and Simulated View from Wilshire Boulevard at Fairfax Avenue, on page 4.A.1-35. Also, as stated on page 121 of the Assessment Report, permanent signage proposed for the Original Building such as the canopy signs and removable Oscar statuette would be reviewed by a qualified preservation consultant to ensure signage is compatible with the primary façades of the building and in conformance with the Standards. Furthermore, the Oscar statuette and other permanent signage proposed for the Original Building would be subject to approval by the Cultural Heritage Commission or as appropriate by the Office of Historic Resources. For these reasons, the Oscar statuette would be consistent with the architectural character of the Original Building. Therefore, the Oscar statuette was considered to have a less than significant impact on aesthetics and historic resources in the Draft EIR.

RESPONSE PH-59

As described in Topical Response TR-1 of the Final EIR regarding Tearoom alterations, the interior design, material and workmanship has been largely lost due to previous alterations. The EIR concluded their removal

would be considered a less than significant impact. As stated in Response to Comment E8-5 of the Final EIR, Project plans for the fifth level show a Special Event Dining Room/banquet hall supported by a kitchen at the west end of the hall, elevator lobby and restrooms at the east end of the hall, and a pedestrian bridge at the north side of the hall connecting to the View Deck in the Sphere. The Project would retain the exterior appearance of the fifth level but would require remodeling of the interior. Removal of the Tearoom to allow for these improvements is necessary to accommodate the 1,200 person occupancy of the fifth level, which is in part tied to the need to support pre-event or post-event receptions following screenings in the Main Theater and two smaller theaters and associated structural changes related to circulation and access to the View Deck in the Sphere. Furthermore, the mechanical room above the fifth level and Tearoom must be removed and replaced and the roof structure of the Tearoom rebuilt to support the new mechanical room. The current Tearoom is not large enough to accommodate the new use. Currently the fifth level area is too subdivided and compartmentalized to accommodate events up to 1,200 persons, a Special Event Dining Room, a kitchen with the associated need for catering and other support spaces as well as circulation. The fifth level currently consists of an open walking deck and an enclosed area with a rectangular footprint for the Tearoom, kitchen, elevator lobby, and a group of other rooms originally used as a beauty parlor reception, beauty parlor, bath shop, and employees dining room. The interior of the Tearoom cannot be retained but its important features may be salvaged as stipulated in Project Design Feature PDF-HIST-1, Preservation Plan. Under the Preservation Plan a qualified preservation consultant would identify items appropriate for salvage such as the mantels and develop a salvage program for preservation of artifacts. To address the removal of contributing interior features, PDF-HIST-1 includes architectural recordation to document existing conditions prior to the commencement of construction.

RESPONSE PH-60

This comment provides a general introduction. Responses to specific comment are provided in Responses to Comments PH-61 through PH-67 below.

RESPONSE PH-61

Comment noted. Responses to specific comments are provided in Responses to Comments PH-62 through PH-67 below.

RESPONSE PH-62

Traffic, including intrusion of traffic in residential neighborhoods, was addressed in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR and in Appendix B, Supplemental Traffic Analysis Memorandum, of the Final EIR. As described on pages 4.J-54 through 4.J-59, in Section 4.J, Transportation and Parking (subsection 5) of the Draft EIR, development of the Project would result in significant and unavoidable intersection impacts at three Theater Special Event intersections (i.e., Fairfax Avenue and Sixth Street, Fairfax Avenue and Wilshire Boulevard, and La Cienega Boulevard/Le Doux Road and San Vicente Boulevard/Burton Way), one Museum Study intersection (Fairfax Avenue and Sixth Street), and four Museum Study intersections with Proposed City Bike Lane Improvements (Fairfax Avenue and Sixth Street, Curson Avenue and Sixth Street, Hauser Boulevard and Sixth Street, and Burnside Avenue and Sixth Street) after implementation of Project Design Feature PDF-TRAF-2 and Mitigation Measures MM-TRAF-1, MM-TRAF-2 and MM-TRAF-3. Regarding neighborhood intrusion impacts, as further described in Topical Response TR-2 of the Final EIR, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant based on the City's established criteria.

Comments regarding parking and linkages for pedestrians, buses, and bicycles associated with the Metro Westside Purple Line Extension, and the potential for associated impacts, are separate from the Project, and will be provided to the decision-makers. As stated in on page 4.J-51 in Section 4.J Transportation and Parking of the Draft EIR, a supplemental parking survey of off-site parking in Museum Row conducted in association with the Project identified four facilities representing 2,933 parking spaces located within a quarter-mile radius of the Project Site, excluding LACMA parking. As further described in Appendix F, Parking Analysis, in Appendix M-1 of the Draft EIR, survey results show sufficient supply in off-site facilities to satisfy any excess parking demand. It is reasonable to assume that this substantial supply in the area would also be able to serve demand associated with Metro. Also see Topical Response TR-2 of the Final EIR, regarding parking demand.

Regarding traffic congestion from other planned projects, related projects were described in Chapter 3.0, General Description of Environmental Setting, of the Draft EIR. As shown on Table 3-1, Related Projects List, a total of 129 related projects were identified, including the Petersen Automotive Museum (Related Project No. 29). In addition, the Metro Purple Line Extension was considered in the analysis of cumulative impacts. As described in Section 4.J, Transportation and Parking, there would be significant and unavoidable impacts intersection impacts at three Theater Special Event intersections (i.e., Fairfax Avenue and Sixth Street, Fairfax Avenue and Wilshire Boulevard, and La Cienega Boulevard/Le Doux Road and San Vicente Boulevard/Burton Way), one Museum Study intersection (Fairfax Avenue and Sixth Street), and four Museum Study intersections with Proposed City Bike Lane Improvements (Fairfax Avenue and Sixth Street, Curson Avenue and Sixth Street, Hauser Boulevard and Sixth Street, and Burnside Avenue and Sixth Street) after implementation of Project Design Feature PDF-TRAF-2 and Mitigation Measures MM-TRAF-1, MM-TRAF-2 and MM-TRAF-3, due to Project and cumulative traffic. Consequently, a Statement of Overriding Considerations will be prepared, as is required under Section 15093 of the State *CEQA Guidelines* for the approval of projects with significant unavoidable impacts, in consideration of economic, legal, social, technological, or other benefits that outweigh the unavoidable adverse environmental effects.

RESPONSE PH-63

As previously described in Response to Comment E28-19 of the Final EIR, Section 4.J, Land Use and Appendix J, Table 6 of the Draft EIR, disclosed and analyzed the existing [Q] conditions that apply to Parcel D. The [Q] conditions are proposed for removal because they were established for a different project on Parcel D. These [Q] conditions are not needed to address the Project's significant impacts, as mitigation measures and Project Design Features that would reduce or avoid significant impacts of the Project are included in the Draft and Final EIR, pursuant to CEQA requirements. See also Responses to Comments 4-15 and 4-19 regarding the removal of [Q] conditions related to a previously prepared 1988 environmental impact report for a different project.

RESPONSE PH-64

See Response to Comment PH-63.

RESPONSE PH-65

The Draft EIR addressed signage, lighting, and parking in Sections 4.A.1, Aesthetics and Views; 4.A.2, Light and Glare; and 4.J, Transportation and Parking, with supporting data provided in Appendices C-2 and M-1 of the Draft EIR. As analyzed therein, with implementation of Project Design Features PDF-LIGHT-1, PDF-LIGHT-2, PDF-LIGHT-3, and PDF-TRAF-2, Project impacts associated with signage, lighting, and parking would be less than significant. Also please see Topical Response TR-3, regarding changes to the proposed Sign District that have been

made since circulation of the Draft EIR. These changes further reduce the less than significant impacts of the Project related to signage and lighting.

RESPONSE PH-66

As analyzed in Section 4.G, Land Use, of the Draft EIR, and as also reflected in Table 3, Comparison of the Project to Applicable Provisions of the Miracle Mile CDO, of Appendix J, Land Use Policy Consistency Analysis, of the Draft EIR, the Project would be consistent with relevant provisions in the Miracle Mile CDO. This is also supported by additional analysis presented in the Final EIR in Topical Response TR-3, Signage, and on pages 3-43 through 3-58, in Chapter 3.0, Corrections and Additions to the Draft EIR.

RESPONSE PH-67

As described in Topical Response TR-3, Signage, in the Final EIR, approval of the Project's signage program would require approval of a Sign District to deviate from certain provisions of Article 4.4 of the Municipal Code. The Sign District would not supersede any regulations of the Miracle Mile CDO, since the [Q] conditions that established the Miracle Mile CDO do not apply to the Project Site. Furthermore, the Miracle Mile CDO Design Guidelines and Standards were not adopted by the City Council, only by the City Planning Commission. As such, they are not part of the Miracle Mile CDO's regulations and may be superseded by the Sign District. In addition, the Design Guidelines and Standards do not contain prescriptive requirements, but rather direct that projects "should" be implemented in conformance, which allows for a certain degree of flexibility. As stated in Section 1 of the Design Guidelines and Standards, the "intent of the CDO is to provide guidance and direction in the design of new and rehabilitation of existing buildings." To allow for this intended case-by-case conformance review, Municipal Code Section 13.08.E.3(a) requires that Projects "substantially comply" with CDO Design Guidelines and Standards, recognizing that not every guideline or standard will apply equally in all cases. As set forth in Appendix C-1, Table 4 of the Draft EIR, and Section 3.0, Corrections and Additions to the Draft EIR, in the Final EIR, the Project's Sign District generally would be consistent with the Miracle Mile CDO's Design Guidelines and Standards. Where it would not be consistent, the Sign District may supersede the Design Guidelines and Standards to authorize such variations.

The City did not receive any written submittals from the Beverly Wilshire Homes Association.

RESPONSE PH-68

This comment in support of the Project is noted.

RESPONSE PH-69

This comment in support of the Project is noted.

RESPONSE PH-70

This comment in support of the Project is noted.

RESPONSE PH-71

Comment noted. A letter from Daniel Tellalian, on behalf of Concerned Citizens of Barrows Drive was also submitted at this hearing (Letter No. 6, see Responses to Comments 6-1 through 6-17).

RESPONSE PH-72

The commenter's opposition to the Project is noted. As stated on page 4.C.3-35, in Section 4.C.3, Historical Resources, of the Draft EIR, the May Company Building does not materially contribute to the significance of the setting of the Carthay Circle Historic Preservation Overlay zone.

RESPONSE PH-73

Comment noted. The Draft EIR fully evaluated the impacts of the Project in Chapter 4.0, Environmental Impact Analysis. As analyzed therein, with the incorporation of applicable Project Design Features and mitigation measures, impacts would be less than significant for most issues, with the exception of significant unavoidable cumulative construction noise impacts and intersection impacts at three Theater Special Event intersections, one Museum Study intersection, and four (three additionally impacted) Proposed City Bicycle Lane Improvements intersections.

RESPONSE PH-74

Parking and traffic intrusion were addressed in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR. Regarding parking impacts on Barrows Drive, based on the parking analysis contained in Appendix F of the Traffic Study, the Project's peak parking demand during weekday and weekend evenings is anticipated to be accommodated within the available parking spaces within the Pritzker Garage and Spaulding Lot, as well as the leased parking spaces within the Petersen Museum. As such, parking on Barrows Drive and surrounding neighborhoods associated with the Project is not anticipated. The available parking supply, bus pick-up/drop-off circulation operations and locations would be managed through the Parking and Traffic Management Plan (PDF-TRAF-2) so that the parking demands are met throughout the day for weekday and weekend conditions for various museum attendance levels, as well as for evening events in the theater. As such, with implementation of the Parking and Traffic Management Plan, parking impacts were determined to be less than significant.

Regarding traffic intrusion, as further described in Topical Response TR-2, of the Final EIR, a supplemental analysis was conducted for residential street segments in adjacent neighborhoods, including Carthay Circle, and concluded that potential neighborhood traffic intrusion impacts from the Project would be less than significant. This is not to say that Project traffic would not use roadways within the surrounding neighborhoods and result in an increase in traffic throughout the Study Area. However, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant based on the City's established criteria.

See also Responses to Comments 6-9 and 6-10 regarding traffic and parking impacts on Barrows Drive.

RESPONSE PH-75

This comment regarding the closure of nearby residential streets that border Fairfax and Wilshire is noted. However, as previously stated in Response to Comments PH-74, neighborhood traffic intrusion impacts resulting from the Project would be less than significant and therefore no additional mitigation measures are required. See also Responses to Comments 6-10, 6-13 and 6-16 regarding this issue.

RESPONSE PH-76

Please see Responses to Comments 6-11 and 6-15 regarding removal of the Sign District and the effect of the Sign District on Barrows Drive. As stated therein, due to the street's location, distance, and orientation, visual access to the signage at the Project Site from Barrows Drive would be extremely limited as would any effects on the character of the neighborhood.

RESPONSE PH-77

Comment noted. Please also see Response to Comment 6-13. As outlined in the Draft EIR and Traffic Study, the incremental increase in traffic due to the Project is not large enough on any given residential street segment to be considered significant based on the City's established criteria. As further described in Topical Response TR-2 and Appendix B of the Final EIR, in response to comments on the Draft EIR, a supplemental analysis was conducted for residential street segments in adjacent neighborhoods, which also concluded that potential neighborhood traffic intrusion impacts from the Project would be less than significant. Therefore, mitigation measures, including closure of local residential streets in adjacent neighborhoods (i.e., Barrows Drive, Warner, etc.) suggested in the comments are not required.

RESPONSE PH-78

Comment noted. Please also see Responses to Comments 6-13 and PH-77 regarding impacts on residential street segments in adjacent neighborhoods and closure of local streets.

RESPONSE PH-79

Comment noted. Please also see Responses to Comments 6-13 and PH-77 regarding impacts on residential street segments in adjacent neighborhoods and closure of local streets.

RESPONSE PH-80

The comment provides a characterization of existing driver behavior for intersections located adjacent to the neighborhoods, where neighborhood traffic management measures have already been implemented. The potential neighborhood traffic intrusion impacts were determined to be less than significant and thus, mitigation measures, including additional neighborhood measures such as full closure of a local residential street are not required. Please also see Response to Comment 6-13.

RESPONSE PH-81

Comment noted. Please also see Responses to Comments 6-13 and PH-77 through PH-80.

RESPONSE PH-82

Comment noted. Please also see Response to Comment 6-13.

RESPONSE PH-83

Comment noted.

RESPONSE PH-84

The commenter did not raise a specific issue regarding digital displays. However, the Draft EIR comprehensively evaluated the potential impacts of the Project's proposed signage program and Sign District with respect to aesthetics and views in Sections 4.A.1, Aesthetics and Views (see pages 4.A.1-26 through 4.A.1-31, and 4.A.1-43 through 4.A.1-46); 4.A.2, Light and Glare (see pages 4.A.2-7 through 4.A.2-14, and 4.A.2-21 through 4.A.2-23); and 4.C.3, Historical Resources (see pages 4.C.3-31 through 4.C.3-33); with supporting information provided in Appendices C-1, C-2, and F-3 of the Draft EIR. In addition, the Draft EIR addressed vehicle safety in Section 4.J, Transportation and Parking (see pages 4.J.4-44 through 4.J.4-45). Based on the analysis provided therein, impacts were determined to be less than significant. Furthermore, as reflected in Final EIR Appendix E, LADOT Correspondence, the City of Los Angeles Department of Transportation reviewed the proposed signage for the Project and determined it would not pose any hazardous conditions. As described in Topical Response TR-3 of the Final EIR, the Project would be compatible with neighboring museum uses along Museum Row and residential uses would not be in close enough proximity to experience significant impacts from the proposed signage. Moreover, the brightness of the proposed signage is well below the brightness of the "Urban Light" display. Furthermore, since publication of the Draft EIR, the amount of signage on the Original Building has been reduced, including the elimination of all digital display box signage in the fourth level windows, reduction in the size of four banner signs by 25 percent, and removal of four digital display box signs in the storefront windows, which would be replaced with static displays (display box signs). Additionally, there is precedent for cultural and commercial institutions with banner signs and digital signage in the Project area.

RESPONSE PH-85

As previously described in Response to Comment E28-19 of the Final EIR, Section 4.J, Land Use and Appendix J, Table 6 of the Draft EIR, disclosed and analyzed the existing [Q] conditions that apply to Parcel D. The [Q] conditions are proposed for removal because they were established for a different project on Parcel D. These [Q] conditions are not needed to address the Project's significant impacts, as mitigation measures and Project Design Features that would reduce or avoid significant impacts of the Project are included in the Draft and Final EIR, pursuant to CEQA requirements. Regarding Condition 11, Plans, as part of the entitlement process, the Project would require Site Plan review, as well as review of elevations and landscaping plans. Regarding Condition 20, Additional Traffic Improvements, these are included as Mitigation Measures MM-TRAF-1, MM-TRAF-2, and MM-TRAF-3 in Section 4.0, Mitigation Monitoring and Reporting Program, of the Final EIR.

RESPONSE PH-86

Potential impacts on cultural resources were addressed in Sections 4.C.1, Paleontological Resources, 4.C.2, Archaeological Resources, and 4.C.3, Historical Resources, with supporting technical data and analysis provided in Appendices F-1, F-2, and F-3 of the Draft EIR. As analyzed in the Draft EIR for paleontological and archaeological resources, with implementation of Mitigation Measures MM-PALEO-1, MM-PALEO-2, MM-PALEO-3, MM-ARCH-1, MM-ARCH-2, MM-ARCH-3, MM-ARCH-4, impacts would be less than significant. As analyzed in the Draft EIR for historical resources, with implementation of Project Design Features PDF-HIST-1, Materials Conservation and Preservation Plan, and PDF-NOISE-4, Construction Period Vibration Monitoring Plan, impacts would be less than significant. These mitigation measures and Project Design Features are presented in Section 4.0, Mitigation Monitoring and Reporting Program, of the Final EIR.

RESPONSE PH-87

Potential impacts related to the presence of hazardous materials were addressed in Section 4.E, Hazards and Hazardous Materials, with supporting technical data and analysis provided in Appendices H-1, H-2, H-3, G, and I

of the Draft EIR. The analysis included hazardous materials within the building (such as asbestos, lead based paint), and other potentially hazardous conditions including abandoned oil wells, methane gas, and vapor encroachment. The following Project Design Features were identified that would reduce impacts related to the exposure of hazardous materials to a less than significant level during construction and operation of the Project: PDF-1-HAZ, Health and Safety Plan; PDF-HAZ-2, Soil Management Plan; PDF-WQ-1, Construction Dewatering Discharge Analysis and Treatment; PDF-HAZ-3, Gas Mitigation and Monitoring System; PDF-HAZ-4, Operations and Maintenance Plan; and PDF-HAZ-5, Emergency Plan. In addition, Mitigation Measure MM-HAZ-1 would reduce impacts associated with undiscovered oil wells to a less than significant level. These Project Design Features and mitigation measure are presented in Section 4.0, Mitigation Monitoring and Reporting Program, of the Final EIR.

RESPONSE PH-88

Construction traffic impacts were analyzed on pages 4.J-31 through 4.J-33 in Section 4.H, Transportation and Parking, of the Draft EIR. As concluded therein, with implementation of Project Design Feature PDF-TRAF-1, Construction Traffic Management Plan, Project and cumulative construction impacts would be reduced to a less than significant level. The Construction Traffic Management Plan would include scheduling of construction activities to reduce the effect of traffic flow on surrounding streets, providing temporary traffic control during construction activities, and other measures to reduce effects on the surrounding community. The Construction Traffic Management Plan is included in Chapter 4.0, Mitigation Monitoring and Reporting of the Final EIR.

RESPONSE PH-89

The Draft EIR addressed construction emergency access in Sections 4.I.1, Police Protection and 4.I.2, Fire Protection and Emergency Medical Services. As indicated on pages 4.I.1-13 and 4.I.2-12 of the Draft EIR, with implementation of Project Design Feature PDF-TRAF-1, Construction Traffic Management Plan, as well as techniques typically employed by emergency vehicles to clear or circumvent traffic, construction impacts on emergency access and response times would be less than significant.

RESPONSE PH-90

Traffic and parking were addressed in Section 4.J, Transportation and Parking with supporting data provided in Appendix M-1 of the Draft EIR. As described on pages 4.J-54 through 4.J-59, in Section 4.J, Transportation and Parking (subsection 5) of the Draft EIR, development of the Project would result in significant and unavoidable intersection impacts at three Theater Special Event intersections (i.e., Fairfax Avenue and Sixth Street, Fairfax Avenue and Wilshire Boulevard, and La Cienega Boulevard/Le Doux Road and San Vicente Boulevard/Burton Way), (but would not include Beverly Boulevard and Fairfax Avenue) after implementation of Project Design Feature PDF-TRAF-2 and Mitigation Measures MM-TRAF-1, MM-TRAF-2 and MM-TRAF-3. In addition, significant unavoidable impacts would occur at one Museum Study intersection (Fairfax Avenue and Sixth Street), and four Museum Study intersections with Proposed City Bike Lane Improvements (Fairfax Avenue and Sixth Street, Curson Avenue and Sixth Street, Hauser Boulevard and Sixth Street, and Burnside Avenue and Sixth Street).

Regarding parking impacts, based on the parking analysis contained in Appendix F of the Traffic Study (included as Appendix M-1 of the Draft EIR) and described on pages 4.J-50 through 4.J-53 of the Draft EIR, the Project's peak parking demand during weekday and weekend evenings is anticipated to be accommodated within the available parking spaces within the Pritzker Garage and Spaulding Lot, the use of leased parking spaces within the Petersen Automotive Museum, and the use (as needed) of other off-site parking facilities. The available parking

supply, bus pick-up/drop-off circulation operations and locations would be managed through the Parking and Traffic Management Plan (PDF-TRAF-2) so that the parking demands are met throughout the day for weekday and weekend conditions for various museum attendance levels, as well as for evening events in the theater. As such, with implementation of the Parking and Traffic Management Plan, parking impacts were determined to be less than significant.

RESPONSE PH-91

Comment noted.

RESPONSE PH-92

Comment noted.

RESPONSE PH-93

Please see Response to Comment PH-90, regarding parking impacts. Topical Response TR-2 in the Final EIR provides a summary of code required parking and parking demand. As evaluated in the parking analysis presented in Appendix F of the Traffic Study (Appendix M-1 of the Draft EIR), the Project has a total automobile parking requirement of 482 spaces, which would be satisfied within the LACMA facilities, including 378 spaces within the Pritzker Garage and 104 spaces within the Spaulding Lot. An assessment of parking demand for several Project operational conditions was prepared as part of the parking analysis contained in the Draft EIR. The Traffic Study and Draft EIR recognized that attendance levels and parking demands of the Project will fluctuate depending on the activities, programs and events held, as well as by time of year, day of the week and time of day. As further discussed in Topical Response TR-2 and Response to Comment E22-12 of the Final EIR, with implementation of the parking strategies outlined in the Parking and Traffic Management Plan (PDF-TRAF-2), the parking demand for the Project is fully accommodated for each of the operational scenarios for both weekday and weekend conditions. Thus, parking impacts were determined to be less than significant.

RESPONSE PH-94

Regarding digital signage on the May Company Building, as described in Topical Response TR-3 of the Final EIR, the Project would be compatible with neighboring museum uses along Museum Row and residential uses would not be in close enough proximity to experience significant impacts from the proposed signage. Moreover, the brightness of the proposed signage is well below the brightness of the “Urban Light” display. Additionally, there is precedent for cultural and commercial institutions with digital signage in the Project area. Therefore, the digital signage on the May Company Building would not have an effect on the historical Carthay Circle neighborhood. See also Response to Comment E16-10 of the Final EIR. In addition, as stated in Topical Response TR-1 of the Final EIR, the signage for the Project has been reduced in response to comments on the Draft EIR. The signage reductions pertain to the Original Building and include the elimination of all digital display box signs in the fourth level windows, reduction in the size of the four banner signs by 25 percent, and removal of four digital display box signs in the storefront windows, which would be replaced with static displays (display box signs). The number of times per year that projected images would be allowed, was also reduced from a maximum of 12 events per year with six of the events to include images on both the Wilshire Boulevard and Fairfax Avenue facades, to a maximum of six events per year with no more than three events to include images on both facades.

Compatibility of the newly-designed structure (or Sphere) with the surrounding neighborhood was evaluated in Sections 4.A.1, Aesthetics and Views; 4.A.2, Light and Glare; and 4.C.3, Historical Resources with supporting data

provided in Appendices C-1, C-2, and F-3 of the Draft EIR. As analyzed in Section 4.A.1, the Sphere would be compatible with the varied architectural styles of the LACMA buildings and would enhance the visual character of the Project Site and therefore impacts on aesthetics and views would be less than significant. As described in Section 4.A.2, lighting associated with the operation of the Project, including the Sphere, would not strongly contrast with the existing urban setting. With implementation of Project Design Features PDF-LIGHT-1, PDF-LIGHT-2, and PDF-LIGHT-3 impacts associated with Project lighting, including the Sphere would be less than significant. As described in Section 4.C.3, Historical Resources, while the contemporary design of the Sphere would be dramatically different than the Streamline Moderne architecture in its style, materials, and form it would still be visually compatible in scale and massing with the Original Building. Furthermore, as stated on page 4.C.3-35 of the Draft EIR, the May Company Building does not materially contribute to the significance of the setting of the Carthay Circle Historic Preservation Overlay zone and would have limited distant views of the Project. Therefore, impacts on historic resources associated with the Sphere would be less than significant. In conclusion, due to the analysis presented in the Draft EIR, the Sphere would not have an effect on the historical Carthay Circle neighborhood.

RESPONSE PH-95

This comment in support of the Project is noted.

RESPONSE PH-96

This comment in support of the Project is noted.

RESPONSE PH-97

Comment noted.

RESPONSE PH-98

Comment noted.

RESPONSE PH-99

The general comment that the 99 Cent Store would be impacted by the Project, including special event space, is noted, although the nature of any such impacts is unclear. Responses to more specific comments are provided below in Responses to Comments PH-100 through PH-106.

RESPONSE PH-100

Comment noted.

RESPONSE PH-101

The View Deck was described on page 2-13, and depicted in Figure 2-4, North-South Section, Figure 2-5, East-West Section, and Figure 2-6, Museum Entrance and New Wing, in Chapter 2, Project Description of the Draft EIR. Regarding the potential for noise, potential impacts associated with the View Deck were addressed on page 4.H-23 and 4.H-24, in Section 4.H, Noise, of the Draft EIR. As discussed therein, the View Deck would be an enclosed area with potential for noise-generating activities similar to those that would occur on the Piazza (amplified speech or music, low background music, personal speech, and applause), with a potential occupancy of up to approximately 1,200 attendees and noise levels and impacts at sensitive receptor sites to the west and north of

the Sphere were determined to be less than significant. The Sphere and the View Deck will be substantially enclosed, but as part of design refinement for sustainability issues there may be openings for access, ventilation, and terrace areas. The View Deck area within the Sphere would also incorporate acoustic panels that would absorb sound and reduce noise effects both inside and outside of the Sphere.

RESPONSE PH-102

Even if design refinement for sustainability issues adds openings for access, ventilation and terrace areas, activities would occur within the enclosed area of the View Deck. Although the noise impacts associated with activities within the View Deck are expected to be less than significant, the following Project Design Feature will be added to the Project:

PDF-NOISE-5, Sphere and View Deck Outdoor Sound Amplification Limits. The final design and/or operation of the Sphere and View Deck space and associated sound levels shall not exceed a performance standard of 74 dBA and 77 dBC at the outside edge of any openings to the structure covering the View Deck. Amplified sound and speakers shall be prohibited on any terrace area of the Sphere should one be added in the final design, and occupancy of this area after 10:00 p.m. shall be prohibited.

RESPONSE PH-103

Although it is noted that the commenters review of the Draft EIR is ongoing, the City provided thorough responses to the comment letter on the Draft EIR submitted by the Silverstein Law Firm, see pages 2.B-199 through 2.B-238, in Chapter 2.B, Responses to Individual Comments, of the Final EIR. As reflected therein, the Draft EIR has been prepared consistent with CEQA requirements, has facilitated public review of the Project, and includes feasible mitigation measures to address the significant impacts of the Project. The City carefully reviewed all of the comments provided during the circulation period for the Draft EIR and prepared written responses supported by substantial evidence, as reflected in the Final EIR.

CEQA requires recirculation of a Draft EIR only when “significant new information” is added to a Draft EIR after public notice of the availability of the Draft EIR has occurred (refer to California Public Resources Code Section 21092.1 and CEQA Guidelines Section 15088.5), but before the EIR is certified. Section 15088.5 of the CEQA Guidelines specifically states: “New information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. ‘Significant new information’ requiring recirculation includes, for example, a disclosure showing that:

- A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
- A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.

- The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.”

CEQA Guidelines Section 15088.5 also provides that “[r]ecirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR... A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.”

As demonstrated in this Final EIR, neither the comments submitted on the Draft EIR nor the responses constitute new significant information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft EIR is comprehensive and has been prepared in accordance with CEQA.

RESPONSE PH-104

The basis for the statement that specific detailed responses to comments on the Draft EIR are lacking in many places in the Final EIR, is unclear. The City carefully reviewed all of the comments provided during the circulation period for the Draft EIR and prepared detailed written responses supported by substantial evidence, as reflected in the Final EIR.

In regard to the example given, the additional information provided in the Final EIR related to land use and the permissibility of a museum use on the Project Site, the information clarifies the circumstances surrounding zoning for the Project. The relevance of the 2003 ZAI in permitting museum uses in the C2 zone and other commercial zones, the fact that the City has consistently permitted museums by right in these zones as reflected by the Museum of Contemporary Art (“MOCA”), the Broad Museum currently under construction, the Petersen Automotive Museum, the Hammer Museum, the Museum of Tolerance, the Craft and Folk Art Museum, the Japanese American National Museum, and the A+D Architecture and Design Museum, and, the intent of the Applicant to seek a new ZAI to reconfirm museum uses are permitted in the C-2 zone consistent with the City Use List, does not trigger recirculation as it would not result in a new significant impact or substantially increase the severity of a significant impact. Furthermore, this additional information does not change the presumption in the Draft EIR that museum uses are an acceptable and allowable land use for the Project Site. The focus of the impact analysis pursuant to CEQA is on physical effects on the environment, and the additional information provided in the Final EIR clarifying the permissibility of museum uses does not change any of the findings in the EIR regarding the physical impacts of the Project or how the Project would relate to relevant City plans and policies. Furthermore, and contrary to the assertion that the City did not fully respond to comments on the Draft EIR, the detailed responses provided in the Final EIR (see Letter No. E28, Response to Comment E28-6, and Responses to Comments E28-15 through E28-35), and in response to the letter submitted at the Hearing Officers Hearing on March 16, 2015 (see responses to Letter No. 5 of this submittal), show a good faith effort with reasoned responses supported by facts that meet the intent of CEQA. Neither the comments submitted on the Draft EIR nor the responses provided in the Final EIR or herein constitute new significant information warranting recirculation of the Draft EIR as set forth in CEQA Guidelines Section 15088.5.

RESPONSE PH-105

See Response PH-104 above.

RESPONSE PH-106

As reflected in the Final EIR and the above responses, there is no basis under CEQA for recirculation of the Draft EIR. Responses to the comment letter submitted at the hearing are included in this submittal, see letter No. 5.