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LAND USE ENTITLEMENTS □ LITIGATION □ MUNICIPAL ADVOCACY

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June 23, 2015

VIA EMAIL

The Honorable Planning and Land Use Management
Committee of the Los Angeles City Council
Room 395 City Hall
200 N. Spring Street
Los Angeles, California 90012

Attn: Sharon Gin, Sharon.gin@lacity.org

Re: Academy Museum of Motion Pictures, Council File No. 15-0721
Case No. CPC-2014-3119-ZC-SN-CDO-MCUP-ZV-ZAI-SPR

Dear Honorable PLUM Committee:

We represent the Academy of Motion Picture Arts and Sciences, the Applicant for the proposed Academy Museum of Motion Pictures (the "Museum Project"). We are writing in response to Fix The City's June 23, 2015 comment letter.

First, the Project Errata was posted by the City on June 12, 2015, eleven days before the PLUM hearing. Fix The City incorrectly states that the Errata was placed in the public record just yesterday. Also, while the Errata with the technical appendices and model run print-outs is 828 pages, the Errata analysis is only seven pages. The balance is only the technical appendices and model run-print outs. The Errata demonstrates that none of the minor design changes and refinements approved by the City Planning Commission ("CPC") comprise significant new information requiring recirculation of the Project EIR.

Second, Fix The City is wrong about the required notice. The Los Angeles Municipal Code ("LAMC") is explicit that when a project includes quasi-judicial approvals and any legislative actions the required notice is 10 days. LAMC Section 12.36.C.1.a, governs this type of situation when legislative actions such as the Sign District Ordinance and Zone Change Ordinance are combined with the quasi-judicial approvals of the CPC that are the subject of the appeal. That Section provides that the procedures for consideration of the appeal shall be those set forth in Section 12.32 B-D. Section 12.32 D 2 requires a minimum of 10 days' notice and not a 24-day notice.

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Third, there is no LAMC requirement that there be a week between PLUM and City Council – and Fix The City cites to no such requirement. The City Council hearing was properly noticed on June 19th for June 24th, in compliance with the Brown Act.

Fourth, the minor design changes and refinements were presented to the CPC – which approved all of the changes. These approvals were documented in the CPC Determination from which the Appeal was taken. The Errata merely confirms the CPC determination that none of the minor design changes result in significant new information requiring recirculation of the Project EIR.

Fifth, none of the minor design changes and refinements led to an “unstable and shifting project description” as alleged by Fix The City. As we pointed out in our letter of this morning, a project description must describe the overall project generally, not in hyper technical detail. The minor design changes and refinement either provide additional detail to an already disclosed project component (café hours, exchange in square footage between the café and store, matinee hours) or provides addition technical details (refined volume of excavation, venting/sustainability features of the New Wing event space, refined Bureau of Sanitation quantification). There is no merit to that allegation of a “bait and switch” – the project described in the Initial Study and again in the Draft EIR and now as set forth in the Errata is exactly the same Project.

Sixth, as to the City Council hearing on June 24th, this was scheduled at the request of the Council Office, and duly noticed as per the Brown Act. Fix The City’s desire for more time to document their appeal is of no moment – Fix The City filed their Appeal on June 8, 2015 and has had two weeks to submit what support for their Appeal they wished to and have had eleven days to review the Errata that addressed minor design changes and refinements presented to and approved by the CPC (the CPC hearing was on May 14, 2015 and the CPC Determination Report was released on May 22, 2015). There is ample precedent for the City Council to expedite approvals for projects of substantial public benefit.

We respectfully ask the PLUM Committee Commission to recommend approval of the Museum Project.

Very truly yours,



William F. Delvac

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cc: Hon. Tom LaBonge
Michael LoGrande, Planning Director
Luciralia Ibarra, City Planner, Major Projects