

ARMBRUSTER GOLDSMITH & DELVAC LLP

LAND USE ENTITLEMENTS □ LITIGATION □ MUNICIPAL ADVOCACY

WILLIAM F. DELVAC
DIRECT DIAL: (310) 254-9050

11611 SAN VICENTE BOULEVARD, SUITE 900
LOS ANGELES, CA 90049

Tel: (310) 209-8800
Fax: (310) 209-8801

E-MAIL: Bill@AGD-LandUse.com

WEB: www.AGD-LandUse.com

June 19, 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 17, 2015 letter regarding our request for the approval of a Sign District for the Museum Project. That letter primarily repeats comments previously stated for which answers have been provided – see Response to Comments in the Museum Project Final EIR, Topical Response TR-3, Signage in the Museum Project Final EIR, as well as our submissions to City Planning Commission, responses to Hearing Officer Comments and in our letter to the PLUM Committee dated June 18, 2015. This further response demonstrates that a Sign District is appropriate. We respectfully ask the PLUM Committee Commission to recommend approval of the Sign District and the Museum Project.

Very truly yours,



William F. Delvac

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

Attachment: Response to Fix The City Letter (June 17, 2015)

Responses to Fix the City Letter (6-17-15)

Fix The City raises a number of issues with the proposed Sign District for the Museum Project. The following is a detailed response to each issue raised in the June 17, 2015 letter.

Issue I: The Sign District does not conflict with the Transportation Element's requirements for scenic highways (Compliance with Sec 12.12.2 CR Zone sign limitations).

Project consistency of the Sign Ordinance with the Interim Scenic Highway Guidelines was evaluated in Section 4.A, Aesthetics and Appendix C-1, Table 2 of the Draft EIR. 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." As used in the interim guidelines "standard" means typical, common or usual but does not mean mandatory. The decision-maker retains the authority not to impose the condition in cases that are not standard. In this case, 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. 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. Further, the interim guidelines provide that such "standard" condition applies to "land use approvals", which is intended to apply to quasi-judicial actions – not legislative actions. Here the Sign District is a legislative act which is not limited by the interim guidelines. See also Responses to Comments 4-15 through 4-19 and 4-31 and 4-32 submitted by the commenter at the Hearing Officer Hearing and on file with the City Planning Department, Environmental Analysis Section, as an attachment to a memorandum dated April 10, 2015 to Luciralia Ibarra. Project consistency with the Interim Scenic Highway Guidelines is also presented in the City Planning Commission's findings adopted for the Project (see page F-59).

Regarding compliance with Section 12.12.2.A.6 of the Municipal Code, with approval of the Sign District, the signage requirements of the CR Zone would be superseded (see Appendix J, Table 6 of the Draft EIR). Moreover, the portion of the Sign District visible from Wilshire Boulevard is limited to existing flag poles, adaptive reuse of corner element and canopies and two entrance flanking display box signs. (See Attachment A, Visual Simulations of Sign District.)

Issue II: Approval of the Sign District will not create a negative a precedent.

The concern regarding the Project setting a negative precedent for approval of other sign districts along scenic highways is ill founded. As indicated in the above Response to Issue I, adoption of the Sign District provides a unique set of rules specific to the Project Site, which ensures preservation of the Wilshire Boulevard scenic highway. 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. In fact, one of the basic objectives of the Sign District is to "Ensure Signs are consistent with the identity established by the Original Building, 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, as reflected in

Topical Response TR-1, Historical Resources and TR-3, Signage of the Final EIR, and in the analyses provided in the Sections 4.A.1, Aesthetics and Views, 4.C.3, Historical Resources, and Appendix F-3 of the Draft EIR, the requirements of the Sign District will support compatibility with the surrounding community and will regulate signage to protect the eligibility of the May Company Wilshire department store as a City Historic-Cultural Monument and as a California Register and National Register resource, in part through provisions that permanent signage proposed for the Original Building be subject to review and approval by the Cultural Heritage Commission, or as appropriate by the Office of Historic Resources. The analyses provided in Section 4.A.1, Aesthetics and Views of the Draft EIR and Topical Response TR-3, Signage of the Final EIR include substantial evidence that the Sign District will not have a significant impact on visual quality along the Wilshire Boulevard Scenic Highway corridor. Moreover, the Project would upgrade visual conditions along the corridor through rehabilitation of the Original Building in a manner that will enhance its prominence as an iconic historic building at a gateway to Museum Row.

Issue III: The proposed Sign District is not inconsistency with the Land Use Element and the Transportation Element relating to placement of signage “within five hundred feet of the center line of a Scenic Highway.”

As described in Response to Issue I, the proposed Sign District would not create an inconsistency regarding the placement of signage within 500 feet of the centerline of a Scenic Highway, as adoption of the Sign District provides a unique set of rules specific to the Project Site, which would ensure preservation of the Wilshire Boulevard scenic highway and implement the requirements of the Interim Scenic Highway Guidelines.

Issue IV: The sign placement is adequately described, allowing for a reasonable degree of flexibility

The Conceptual Sign Plans for the Sign District on file with the Department of City Planning provide substantial specificity regarding the locations of proposed signage. While the Sign District provides some allowance for movement of sign locations, this is to provide a reasonable degree of flexibility in the placement of specific signs subject to review and concurrence by the Director of the Los Angeles Department of Building and Safety, and when applicable by the Office of Historic Resources.

Issue V: The Sign District impact on scenic and historic elements is sufficiently described and analyzed.

The potential impact of the Sign District on scenic resources and historic resources has been thoroughly evaluated as reflected in the Sections 4.A.1, Aesthetics and Views, 4.C.3, Historical Resources, and Appendices C-1 and F-3 of the Draft EIR and Topical Response TR-1, Historical Resources and TR-3, Signage of the Final EIR and other responses to comments submitted during the Hearing Officer Hearing and City Planning Commission Hearing. The flexibility provided in the Sign District for the final locations of individual signs does not undermine these analyses of potential signage impacts, particularly in light of provisions for review and concurrence of signage by the Director of the Los Angeles Department of Building and Safety, and when applicable by the Office of Historic Resources.

Issue VI: The Sign District does not conflict with the Miracle Mile CDO and provides for future technologies only upon approval of the Director and Office of Historic Resources

The proposed Sign District does not conflict with the Miracle Mile CDO, as discussed in Topical Response TR-3, Signage of the Final EIR. As stated therein, 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. Under Municipal Code Section 13.11.C, a Sign District may be adopted within a supplemental use district, provided that it does not supersede its regulations. The Sign District would not supersede any regulations of the Miracle Mile CDO, as discussed in Section 4.A.1, Aesthetics and Views, and Appendix C-1, Aesthetics Policy Consistency Analysis, of the Draft EIR. 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. Furthermore, the Sign District Ordinance includes a provision for new technologies which did not exist as of the effective date of the Sign District that states such technologies would only be permitted if the Director in consultation with the Office of Historic Resources finds that they would not conflict with the analysis, project design features, or mitigation measures described in ENV-2013-1531-EIR, or the regulations set forth within the Sign District Ordinance.

Issue VII: The proposed Sign District does not conflict with the General Plan Transportation element or the Miracle Mile CDO.

The proposed Sign District does not conflict with the Miracle Mile CDO, as discussed in Topical Response TR-3, Signage of the Final EIR. As stated therein, 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. Under Municipal Code Section 13.11.C, a Sign District may be adopted within a supplemental use district, provided that it does not supersede its regulations. The Sign District would not supersede any regulations of the Miracle Mile CDO, as discussed in Section 4.A.1, Aesthetics and Views, and Appendix C-1, Aesthetics Policy Consistency Analysis, of the Draft EIR. 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. Furthermore, the Project would conform with the intent of the Miracle Mile CDO with regard to historic resources as evaluated in Section 4.C.3, Historical Resources and Appendix F-3, Table 6 in the Draft EIR. Additionally, the Project would be consistent with the relevant provisions of the Miracle Mile CDO as analyzed in Section 4.G, Land Use and Appendix J, Table 3 of the Draft EIR and Chapter 3, Corrections and Additions, pages 3-43 through 3-58 of the Final EIR. Furthermore, discussion of the Project's compliance with the Miracle Mile CDO is provided in the City Planning Commission's findings adopted for the Project (see pages F-10 through F-18 and F-60 and F-61).

Issue VIII: The use of “Projected Image Signs” is not inconsistent with the scenic highway designation.

The basis for the general statement that Projected Image Signs would be inconsistent with the scenic highway designation is unclear and not supported by evidence. In any case, as set forth in Topical Response TR-3, Signage of the Final EIR, the Sign District is consistent with Interim Scenic Highway Guidelines as set forth above in Response to Issue I.

Issue IX: Projected Image Signs are not subject to total sign area limits as they are temporary signs.

Projected Image Signs are not subject to total sign area limits because they are temporary and for special events only. As specified in the Sign District Ordinance, such signs would only be permitted during no more than six (6) Special Events each calendar year.

Issue X: Both the Initial Study and the Notice of Preparation disclosed the Project would include a sign program.

As stated in Response to Comment E22-39 of the Final EIR, The Initial Study, included as Appendix A-2 of the Draft EIR, fully disclosed the elements of the Project’s signage program, which are included in the proposed Sign District. The Project Description contained in the Initial Study stated on page A-18 that “The Project may also include the installation of signage on the Project Site, such as building identification signs, exhibition and event signs and projecting signs, wayfinding signs, and project and event sponsorship signs. The Project would also likely include digital visual images in the display windows on Wilshire Boulevard and Fairfax Avenue.” The Initial Study further disclosed on page A-20 that a sign program would be one of the requested entitlements, and the Notice of Preparation also included a sign program as one of the Project’s anticipated approvals. The Initial Study also disclosed the potential for light and glare impacts arising from the Project’s digital signage on page B-3.

Issue XI: “The proposed sign ordinance does not disclose interactions with County easements.”

It is unclear as to the basis for this comment and what the comment is referring to as “interactions with County easements.”

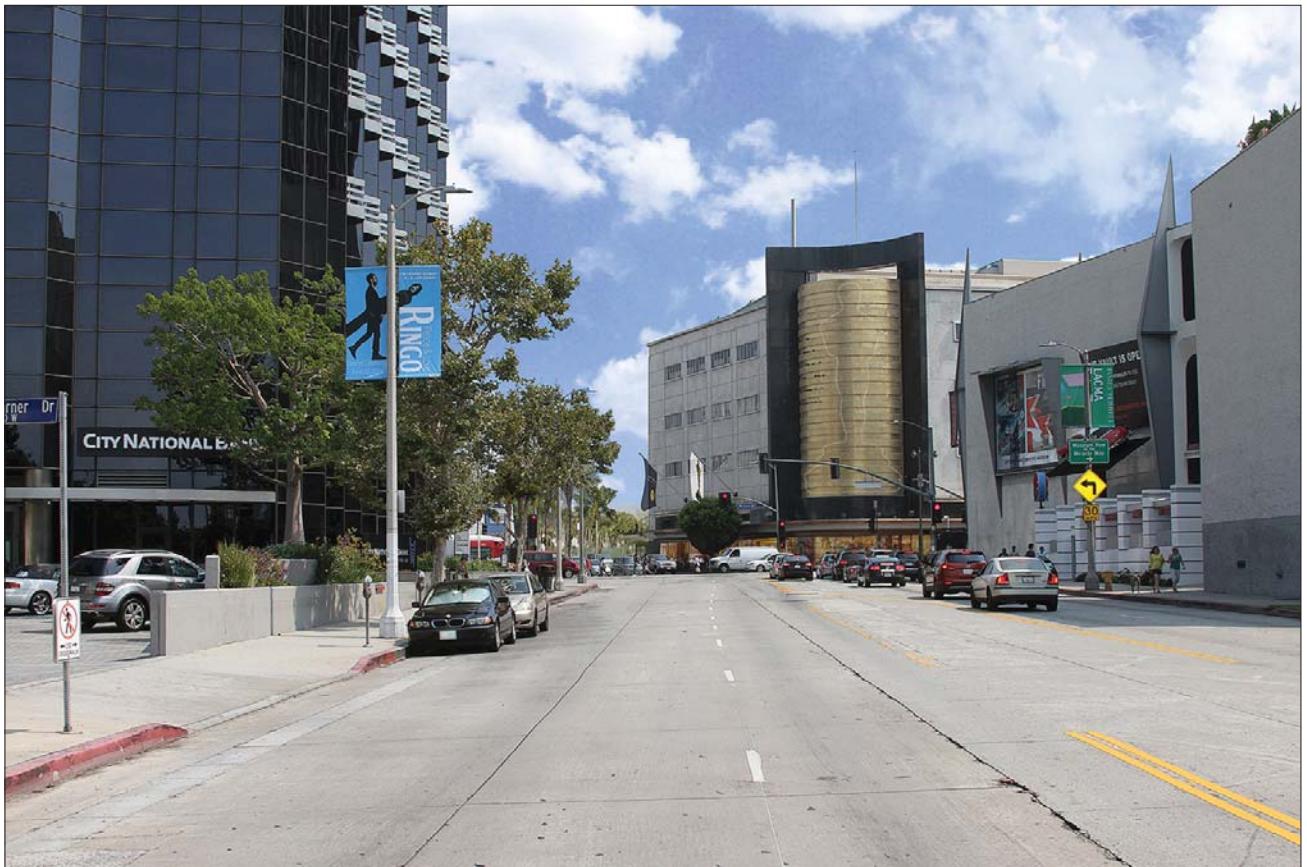
Issue XII: The Sign District does not allow for off-site signage

The comment regarding County easements is unclear. The Sign District does not allow for any outdoor advertising.

ATTACHMENT "A"



Existing



Proposed



Existing and Simulated View from Fairfax Avenue South of Wilshire Boulevard

Academy Museum of Motion Pictures Project
Source: Renzo Piano Building Workshop and Studio Pali Fekete Architects, 2014.

FIGURE
4.A.1-14



Existing



Proposed

**Existing and Simulated View from
Wilshire Boulevard at Fairfax Avenue**

Academy Museum of Motion Pictures Project

Source: Renzo Piano Building Workshop and Studio Pali Fekete Architects, 2014.

FIGURE

4.A.1-15



Existing



Proposed