

November 4, 2016

Los Angeles City Council
Planning and Land Use Management Committee
200 North Spring Street
Los Angeles, California 90012

Re: Honda of Downtown Los Angeles Project
(Case Nos. CPC-2016-1032-GPA-ZC-HD-BL-
ZAD-SPR; ENV-2016-1036-MND; CPC-
2016-1034-DA)

Honorable Committee Members:

We are submitting this letter on behalf of our client, Celebrity Realty Holdings, LLC (the “**Applicant**”), in connection with Honda of Downtown Los Angeles Project, which is located at 704-706, 730-740 & 800-820 West Martin Luther King Jr. Boulevard, and 703-703½ & 705 West 40th Place (the “**Project**”). The Project is scheduled to be heard by the City Council’s Planning and Land Use Management (the “**PLUM**”) Committee on November 8, 2016.

On August 19, 2016, the City Planning Commission issued two Letters of Determination for the Project: 1) Letter of Determination CPC-2016-1032-GPA-ZC-HD-BL-ZAD-SPR; ENV-2016-1036-MND (the “**CPC LOD**”) and 3) Letter of Determination CPC-2016-1034-DA (the “**DA LOD**”) (collectively, the “**Letters of Determination**”). The Letters of Determination contained Conditions of Approval and a draft Development Agreement. We respectfully request that City Council revise the Conditions of Approval and draft Development Agreement as outlined below.

I. CPC LOD

- a. All references to Exhibit A shall be updated to reflect the updated Exhibit A, dated September 15, 2016, which includes a car wash on the third level of the East Structure.

II. DA LOD

- a. Amend the Property address to include 703 ½ West 40th Place (Recitals)
- b. Delete references to an Environmental Impact Report and Mitigation Monitoring Report and insert Mitigated Negative Declaration (Section 1.17)
- c. Delete references to linkage fees and exactions in effect as of the date of the Vesting Tentative Tract Map was deemed complete (Section 1.22)

Honorable Committee Members

November 4, 2016

Page 2

- d. Update the Project Approvals to include removing Footnote No. 1 for the Property to allow Height District No. 2 and the Mitigated Negative Declaration (ENV-2016-1036-MND) (Section 1.24)
- e. Delete reference to a Planning Commission Resolution No. and instead reference City Planning Commission approval on July 28, 2016 (Section 2.2.1)
- f. Update the Los Angeles Trade Technical College (LATTC) public benefit to provide the Developer shall provide \$100,000 in scholarship to residents of Council District 9 to attend LATTC. The Developer shall in its sole and absolute discretion select the individuals for the scholarships as they are intended to benefit current and/or future employees of the Honda of Downtown Los Angeles Dealership. The Developer shall submit yearly documentation to the Department of City Planning and Council District 9 evidencing payment were made prior to the expiration of the Development Agreement (Section 2.3.1(a))
- g. Update the Business Improvement District public benefit to require prior to the expiration of a Certificate of Occupancy, the Developer shall provide a \$50,000 financial contribution towards the formation of a Business Improvement District in Council District 9. The City Clerk shall be authorized to accept funding from the Project as matching funds for the consultant study and deposit said funds in the BID Trust Fund 659 for the CD 9 BID. Prior to the issuance of a Building Permit for the Project, the Project shall make the financial contribution to the BID and shall submit documentation evidencing payment was made, and shall submit a letter to the Department of City Planning, acknowledging the receipt of said funds (Section 2.3.1(b))
- h. Remove a reference to a “mixed use campus” in the Mutual Objectives (Section 2.3.3)
- i. Insert language that nothing in the Development Agreement shall be construed to require the Developer to initiate, proceed with the construction of, or any other implementation of the Project, or any portion thereof, within any period of time or at all, or deemed to prohibit the Developer from seeking any necessary land use approvals for any different land use project on the Property (Section 3.1.1)
- j. Insert language stating the Developer agrees to dedications of land for public purposes, transportation improvements, maximum height and maximum floor area for the project as contained in the Project Approvals (Section 3.1.1)
- k. Update the reference from Section 2.3 to Section 3.1 (Section 3.2)
- l. Insert language that the Developer is only subject to applicable rules that are vested contractual rights to develop the project during the term of the development agreement pursuant to the authority of the Development Agreement Act and the ordinance adopted by the City Council under Council File No. 16-0960 (Section 3.2)
- m. Insert language that Developer may elect to improve the Property with the East Structure prior to commencing construction of the West Structure. Developer shall not be required to provide dedications west of South Hoover Street along

Honorable Committee Members

November 4, 2016

Page 3

- West Martin Luther King Junior Boulevard and along the alley adjacent to West 40th Place until construction commences on the West Structure. (Section 3.2.7)
- n. Insert a new section regarding impact fees shall only be those in force and effect as of the effective date of the Development Agreement (Section 3.2.10)
 - o. Remove references to the “Property Owner,” “open space” and “streetscape improvements” (Section 4.1)
 - p. Update the term from 2 to 5 years (Section 7.2)
 - q. Update the assignment section to allow the Property to be transferred with the prior consent of the City, unless the Developer has not met the monetary obligations outlined in the public benefits section of the Development Agreement prior to the assignment or transfer (Section 7.7)
 - r. Remove references to a deposit in connection with the certification of an environmental impact report (Section 7.10.9)
 - s. Update the notice to Celebrity Realty Holdings, LLC to “Attention Josef Shuster, 1540 South Figueroa Street, Los Angeles, CA 9001” (Section 7.11)
 - t. Insert a section allowing the Developer to have the discretion to encumber the property with a mortgage, deed of trust or other security device (Section 7.19)
 - u. Remove Exhibit “C” Mitigation Monitoring Program since there is no Mitigation Monitoring Program.

We appreciate your consideration of our request.

Sincerely,



Edgar Khalatian