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April 4, 2018

**VIA CERTIFIED MAIL AND EMAIL**

Council President Wesson and Honorable Councilmembers  
Los Angeles City Council  
200 N. Spring Street  
Los Angeles, CA 90012-4801  
Attn: Sharon Dickinson, Deputy City Clerk  
Sharon.Dickinson@lacity.org

Re: Opposition to Application for Determination of Public Convenience or Necessity for the Lyric Theatre (520 N. La Brea Ave.): *Council File 18-0166*

Dear Council President Wesson and Honorable Councilmembers:

Yeshivath Torath Emeth Academy, an orthodox Jewish school **servicing over 1,000 children from ages 4 to 17**, and other nearby religious and community sensitive uses, are strongly opposed to a Public Convenience or Necessity determination for the Lyric Theatre. The Lyric intends to operate a concert venue, nightclub and theater with full alcohol service at this location with the **13 religious and community sensitive uses within the block and in the immediate area**. We respectfully request that the City Council deny the Lyric's application for determination of Public Convenience or Necessity.

In addition to Torath Emeth, other sensitive uses located nearby include the **Jewish Learning Exchange** (a synagogue), **Bnos Devorah High School**, **Congregation Kollel Yechiel Yehuda**, **Bais Yaakov School for Girls**, **Bikur Cholim House**, **Congregation Levi Yizchok**, **City View** (seniors residences/assisted living), and **La Brea Rehabilitation Center** (nursing home/rehabilitation). Each of them, along with the **California Rabbinical Council** and **over 700 residents in the immediate surrounding residential community** have opposed the issuance of any determination, permits and licenses to allow the Lyric to operate with alcohol service.

The Council should deny the request on the following grounds:

1. The approval of a determination of Public Convenience or Necessity is premature. On March 20, 2018, Torath Emeth filed an appeal of the Mitigated Negative Declaration (MND) associated with the conditional use permits for alcohol sales and dancing granted by the Central Area Planning Commission. On March 23, 2018, many of the other sensitive uses in the community also filed appeals of the MND. Given the multiple appeals of the MND, no action

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can be taken by the City to approve a determination of Public Convenience and Necessity until the City Council takes action on the CEQA appeals.

2. The Lyric's request for an alcoholic beverage license from the California Department of Alcohol Beverage Control has been withdrawn. According to the Supervising Agent in Charge of the Los Angeles office, the Lyric is not eligible to apply for a new license until February 22, 2019.

3. There is a clear over-concentration of alcohol sales within the area. There are 13 on-site and 3 off-site ABC alcohol licenses in the Lyric's census tract, far exceeding the ABC's licensing criteria of 2 on-site and 1 off-site licenses in the census tract.

4. As noted in a recent City report, the 221 reported crimes in the reporting district where the Lyric property is located, exceeded both the citywide average and the average for high-crime reporting districts. The reported crimes is **22 percent greater** than the Citywide average.

5. The Lyric does not have a single parking space. The addition of a seven-day-a week concert venue and nightclub open until 2:00 a.m. discharging upwards of 300 people in the community would adversely impact the community.

6. The local community is one of the few orthodox areas in the City. Community members, including children, frequently walk to afternoon, early evening, and nighttime events at the schools and synagogues. Study and worship at the synagogues often extend well into the night. Placing a nightclub and concert venue with alcohol service in this community is fundamentally inconsistent with this community.

**Here, the record is clear that the public convenience or necessity would *not* be served by an alcoholic beverage license at the Lyric.**

Should you have any questions, please feel free to contact me at (213) 891-8196 or george.mihlsten@lw.com.

Very truly yours,



George J. Muhlsten  
of LATHAM & WATKINS LLP

cc: Los Angeles City Councilmember Paul Koretz, Council District 5, Attn: Jeff Ebenstein  
Michael Feuer, Los Angeles City Attorney  
Winston P. Stromberg, Latham & Watkins LLP  
David F. Thompson, Latham & Watkins LLP  
Rabbi Goldenberg, Yeshivath Torath Emeth Academy