

Communication from Public

Name:

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Comments for Public Posting: Please see attached correspondence.

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December 11, 2024

BY EMAIL

Los Angeles City Council
200 North Spring Street
Los Angeles, CA 90012

Re: TVC 2050 Project: Appeal of Vesting Tentative Tract Map Approval and Certification of EIR (Case Nos. VTT-83387, ENV-2021-4091-EIR; Item 62 December 11, 2024 City Council Agenda)

Dear Honorable Councilmembers:

On behalf of The Grove, LLC, we respectfully request that you grant the six appeals and deny approval of Vesting Tentative Tract Map (“VTTM”) No. 83387, and not certify the Environmental Impact Report for the TVC 2050 Project (the “Project”).

As a preliminary matter, the City Council should wait to take up this matter until all elements of the proposed Project, which is being processed under the City’s multiple-approvals ordinance, are before the City Council. The City and the applicant have agreed to extend the time to act on the tract map to January 2025, therefore there is need to act now.

Regarding the tract map itself, as explained in the appeal justifications and prior correspondence and testimony,¹ the City violated its own required procedures and approved a tract map that does not comply with the law. The City Council cannot make the finding required to approve the VTTM, the VTTM is inconsistent with the EIR, and the EIR is defective.

The Advisory Agency approved, and City Planning Commission upheld, a tract map that was filed after the Advisory Agency hearing and was never circulated to the Subdivision Committee as required by LAMC Section 17.03B. The approved VTTM lacks the basic

¹ We incorporate our September 13, 2022, comments on the Draft EIR, The Grove’s May 14, 2024, letter prior to the Advisory Agency hearing, our letters of September 3, 2024, and September 10, 2024, to the City Planning Commission, our October 15, 2024, letter to the City Planning Commission, our December 3, 2024 letter to the City Council’s Planning and Land Use Management Committee, and all opposition comments and appeals submitted on the Project and the EIR.

information the law requires for vesting tentative tract maps. LAMC Sections 17.06 and 17.15 detail what must be included in a vesting map. This detail is lacking from the VTTM. The approved VTTM merely shows three proposed ground lots, some building outlines and one driveway from Beverly Boulevard (all of which is inconsistent with the Final EIR and the proposed Specific Plan). There is no information regarding these outlined buildings, no information regarding perimeter walls and fences, and no information regarding grading or cut/fill. And the driveways required by the proposed Specific Plan on Fairfax, Beverly, and The Grove Drive are not depicted on the VTTM. The VTTM does not even satisfy the requirements for a tentative tract map, let alone a vesting tentative tract map.

The City also cannot make the required findings under Government Code Section 66474. Among other issues, the VTTM is inconsistent with the current General Plan designations and zoning for the property. The conditions of approval for the VTTM do not include a condition requiring approval of the General Plan Amendment or compliance with applicable General Plan policies, prior to recordation of the final map. (LAMC § 17.15(D).) The VTTM conditions relative to approval of the proposed Specific Plan do not specify a version of the proposed Specific Plan that must be approved. Unlike a finding of consistency with a requested zone change to an established zone, the City does not have a basis to confirm consistency with an unspecified Specific Plan. The proposed TVC 2050 Specific Plan is still in draft form and not before the City Council today. It is not possible for the City Council to determine that the approved VTTM is consistent with what may ultimately be in the proposed Specific Plan. Even worse, the approved VTTM is inconsistent with the current draft Specific Plan. By way of one example, the proposed Specific Plan requires vehicular entries from Fairfax Avenue, Beverly Boulevard and The Grove Drive, but the VTTM includes only one access point on Beverly Boulevard.

The Project is also inconsistent with the General Plan's Mobility Element, Mobility Plan 2035. The Grove Drive is designated as a Collector Street, with portions designated as part of the Neighborhood Enhanced Network and Bicycle Enhanced Network in the Mobility Plan, yet the Project would include three new vehicular entries from The Grove Drive (although not shown on the VTTM), for unlimited vehicle and truck traffic. With the VTTM showing just one driveway on Beverly Boulevard providing all access for the site, the Subdivision Committee could not have evaluated the circulation issues associated with the various access points included in the proposed Specific Plan and EIR. In addition, the VTTM purports to waive requirements of the Mobility Plan, which it cannot do.

In addition to the VTTM being inconsistent with the EIR, for the reasons detailed in our prior correspondence, the EIR is defective.

LATHAM & WATKINS LLP

If you move forward with this item today, we respectfully request that you grant the appeals and vacate the Planning Commission's approval and not certify the EIR.

Thank you for your consideration.

Sincerely,



Maria P. Hoyer
of LATHAM & WATKINS LLP