

## 2011 – The Year in Review

Despite a challenging economic environment, 2011 was another busy and successful year for Armbruster Goldsmith & Delvac LLP (AGD) and our clients. David Goldberg joined AGD as a Partner. We worked on some of the most important projects in the region, including AEG's proposed new football stadium in downtown Los Angeles, USC's master plan for its University Park Campus, and the Century Plaza project. We continued to achieve notable successes in both our administrative land use practice and our rapidly growing land use litigation practice.

**We are pleased to share with you some of the highlights of our efforts on behalf of our clients during 2011:**

### **January**

On behalf of the Martin Group, AGD settles two CEQA lawsuits, allowing development of 179-unit mixed-use La Brea Gateway project in the City of Los Angeles.

Agensys begins construction of its 150,000 sf biotech campus in Santa Monica. AGD obtained the entitlements for this project.

AGD obtains approvals from the County of Los Angeles for a major rehabilitation of the Tahiti Marina Apartments & Anchorage complex.

The City of Santa Monica grants final approval for NMS Properties' downtown mixed use project. AGD obtained an exemption from the City's Interim Zoning Ordinance that allowed this project to proceed.

### **February**

Daily Journal recognizes AGD as one of five top law firms in California across all practice areas. The firm was the only boutique firm selected as indicated by the DJ's banner headline stating AGD is "The Little Land Use Firm That Could." The article attributes AGD's success, in part, to the changing economic landscape: , "In the new economic realities, clients have become more savvy about choosing legal services and controlling

costs. Developers, in particular, tend to be more financially cautious because their businesses are so highly leveraged.”

AGD successfully defends a Bel Air mansion project against Declaratory Relief claims brought by neighbor challenging the validity of permits issued by the Los Angeles Department of Building & Safety.

On behalf of Scannell Properties, AGD obtains approvals from the City of Los Angeles for a 280,000 sf Federal Express distribution facility in Sun Valley.

### **March**

The City of Los Angeles issues the Notice of Preparation for the EIR for a downtown football stadium at the Los Angeles Convention Center to be called Farmers Field. AGD is involved across the board on this vast project on behalf of AEG.

The City Council approves a Disposition and Development Agreement between the Community Redevelopment Agency and 1601 North Vine LLC to sell land in Hollywood for construction of 108,000 sf Class “A” office building targeted to the entertainment industry. AGD was successful in getting this project approved prior to the effective date of legislation that has resulted in the dissolution of the CRA, making it one of the last redevelopment projects in Los Angeles.

### **April**

Bill Delvac is named one of the Top Land Use Leaders 2011 by the Daily Journal.

Dale Goldsmith’s work on the Farmers Field EIR is featured as a lead article in the Daily Journal’s inaugural land use edition.

The County of Los Angeles approves a General Plan Amendment and Zone Change to allow development of Dinerstein’s 196 unit apartment project. In addition to handling the entitlements, AGD negotiated an agreement with neighboring land owners that avoided a CEQA challenge to project.

The Santa Monica Planning Commission grants final approval of Trammell Crow’s luxury condominium project at 301 Ocean. AGD handled the entitlements for the project, which faced determined opposition from neighborhood groups and historic preservationists.

The County of Los Angeles grants entitlements for a 529-unit apartment project, new anchorage and restored wetland park in Marina Del Rey. AGD served as land use counsel.

## **May**

The Los Angeles City Council approves Hanover's 20-story mixed use project in Hollywood. AGD served as land use counsel.

On behalf of Petsmart, AGD obtains approvals for a new prototype store near the Beverly Center. AGD also negotiated an agreement with neighborhood groups that avoided a CEQA challenge to project.

Representing LT Properties, AGD negotiates a land swap agreement with a major adjacent development project under which our client will receive a cash payment and parking rights.

## **June**

AGD obtains pre-trial dismissal of CEQA and Declaratory Relief claims against PPC Venture's student housing project in Westwood.

The City of Los Angeles releases the Final EIR for the USC development plan, which involves the development of 2.5 million sf of academic uses, 350,000 sf of commercial uses, 2.135 millions sf of student and faculty housing, and a 165,000 sf hotel at USC's University Park main campus. AGD is acting as land use counsel for this important project.

## **July**

AGD successfully defends Emerson College Los Angeles Center against a Petition for Writ of Mandate alleging noncompliance with CEQA and land use regulations by winning judgment denying the writ petition.

Kern County grants a conditional use permit to allow gliders to use the Kelso Valley airport.

The City of Los Angeles releases the Draft EIR for the Century Plaza Project, which consists of a mixed-use project that will retain the existing Century Plaza Hotel and add two 46-story residential/commercial buildings, about 100,000 sf of retail/restaurant space and nearly two acres of publicly accessible open space to help enliven the core of Century City.

AGD obtains approval of a Development Agreement amendment from the City of Santa Monica to allow Equity Office Properties to share parking at Yahoo Center with offsite uses.

The Santa Monica City Council authorizes negotiation of a Development Agreement with the Roberts Companies for a 250,000 sf mixed use project. AGD is serving as land use counsel.

AGD negotiates agreement between the City of Tustin and R.D. Olson Development for the development of two Class “A” hotels with a total of approximately 300 hotel rooms and related retail at the southern gateway to the City of Tustin.

## **August**

Acting as pro bono counsel for Valor Academy Charter School in Pacoima, AGD obtains City approval for master plan expansion of Valor Academy.

On behalf of Colorado Studios, AGD obtains approval from the City of Santa Monica of a Development Agreement for a 192,000 sf mixed-use multi-media production campus intended to become the Lionsgate’s headquarters.

La Brea Gateway receives approvals for a revised 179-unit project to implement a settlement that resulted in dismissal of a CEQA lawsuit against the Project. AGD served as land use counsel.

Representing Montebello Town Center, AGD obtains approvals of two lot line adjustments, a zoning variance, and a revised master parking plan for the expansion of a regional mall.

The Los Angeles City Council approves a Memorandum of Understanding with AEG regarding development of the Farmers Field football stadium project at the Convention Center.

## **September**

The City of Los Angeles grants approvals for Phase III of USC’s Cinematic Arts Complex. AGD handled the entitlements, including negotiating an agreement with a community group to avoid a CEQA challenge.

American Campus Communities retains AGD in connection with obtaining entitlements for a major student housing and hotel project at USC’s Health Sciences Campus.

After months of effort by AGD on behalf of AEG, the State Legislature passes SB292 to expedite judicial review of the Farmers Field EIR. The Legislature immediately follows up with another bill, AB900, which is modeled on SB292 for other projects over \$100 million. The Governor signs both bills at the Convention Center on the future site of Farmers Field.

## October

Top land use lawyer David Goldberg joins the firm as a partner. David was formerly a partner at Latham & Watkins. David brings over a decade of experience in working with zoning and planning regulations, state land use, the California Environmental Quality Act, and the California Coastal Act. David's hire is the latest example of our ability to attract the best land use lawyers to AGD.



AGD assists Goldenvoice in obtaining approvals for a two-year permit for the Coachella and Stagecoach Music Festivals in City of Indio, California.

The Glendale City Council approves a development agreement with Camden U.S.A, Inc. and related approvals for a downtown mixed use project consisting of 218 apartments and 54,000 sf of commercial space.

BRE breaks ground on the 482-unit mixed-use Wilshire & La Brea project. AGD obtained the entitlements after successfully opposing efforts by preservationists to prevent demolition of the Columbia Savings building on the site.

## November

AGD successfully defends Waste Management's Bradley Recycling and Material Recovery Facility by winning summary judgment against a civil action alleging violation of anti-discrimination regulations and obtaining pre-trial dismissals of all CEQA and land use claims.

AGD assists 8minutenergy in obtaining approvals from Imperial County for a 50 MW photovoltaic solar farm.

8minutenergy releases Draft EIR for 600 MW photovoltaic solar farm in Imperial County.

California Landmark breaks ground on the Wilshire Barrington project. AGD assisted the developer in obtaining the necessary approvals for this project.

The City of Los Angeles approves modifications to previously approved apartment project on La Cienega Blvd. to allow ground floor retail uses. AGD handled the entitlements and negotiated a settlement with neighboring residents.

AGD plays a key role in assisting the County of Los Angeles in obtaining approval from California Coastal Commission for major "Map & Text" amendment update to certified Marina del Rey Local Coastal Plan.

## December

AGD is retained as land use counsel by United Technologies Corporation in connection with its six million sf mixed-use, transit-oriented redevelopment of the 47-acre Rocketdyne site in Warner Center, California.

8minutenergy releases Draft EIR for 275 MW photovoltaic solar farm in Imperial County.

The Central Hollywood Neighborhood Council unanimously recommends approval of Alliance's 100-unit apartment project in Hollywood.

On behalf of Emerson College, AGD negotiates a settlement to avoid appeal of superior court judgment in favor of the College's new Hollywood campus. This clears the last hurdle of this iconic project.

The Downtown Los Angeles Neighborhood council unanimously recommends approval of Fifield's 251-unit apartment project in Downtown Los Angeles.

On behalf of Walgreens, AGD obtains its 52nd Conditional Use Permit this year to allow for the sale of alcohol from stores throughout Southern California.

*We look forward to a successful 2012 and wish you a prosperous year as well.*