

# 2013 - Year in Review

Last year was another very productive year for Armbruster Goldsmith & Delvac (AGD) and our clients. We continued to achieve notable successes in both administrative and litigation matters with a diverse range of work, including new projects, re-entitlement of properties, securing final approvals and completion and opening of projects.

We are pleased to share with you some highlights of 2013:

## NEWS

In its list of **Who's Who in L.A. Law, Angelenos to Know in Real Estate Law**, the *Los Angeles Business Journal* recognized all three of our name partners - **Mark Armbruster**, **Dale Goldsmith** and **Bill Delvac**. We know that without our great clients and projects no one would notice our work. So this was our clients' honor as much as it was ours. **Damon Mamalakis**, a seasoned land use lawyer with extensive land litigation experience, joined us as a partner. Damon was formerly a partner at the Los Angeles office of Latham & Watkins.

## LITIGATION

AGD Litigation Partner **RJ Comer** successfully defended Waste Management's recycling facility against a community group that alleged that the City approvals violated California's Anti-Discrimination law. AGD prevailed in both the trial court and California Court of Appeal. The case is the first published decision addressing this important issue that sets an important precedent.

## MIXED-USE AND RESIDENTIAL

AGD remains at the forefront of mixed-use and residential development, with over 100 projects across Southern California. Highlights include obtaining approvals for over 900 units in Downtown Los Angeles. We are also representing over 20 mixed-use projects in Santa Monica totaling over 2,500 units, and three projects in the Arts District of Los Angeles totaling almost 1000 units. Additionally, we represent two mixed-use projects in the San Fernando Valley totaling over 1,000 units, and three mixed-use projects in Hollywood totaling over 900 units. In a key victory for M. David Paul Development, the City Council approved a particularly contentious 325-unit, mixed-use development in Sherman Oaks. AGD now is assisting in defending a litigation challenge filed against the project. A key example of re-entitlement effort and the work of our planner **Matt Dzurec** is the Macfarlane project to right-size the previously approved Park Fifth project at 5<sup>th</sup> and Olive

with the new plan including a unified development of 615 apartments and 17,000 square feet of commercial uses in Downtown Los Angeles.

## **SPORTS & ENTERTAINMENT**

AGD continued its work with AEG at STAPLES Center, the Convention Center and L.A. Live. The Cultural Affairs Commission granted unanimous final approval in November for the new convention hall to make way for construction of Farmers Field stadium. AGD provided legal support in connection with the passage of SB 31 to ensure state authorization for use of signage rights granted by the City with an amendment to the California Outdoor Advertising Act. AGD also continued work with AEG in the buildout of L.A. Live. Led by **David Goldberg**, Goldenvoice received long-term approvals for the world-renowned Coachella and Stagecoach Festivals, as well as new events. AGD is also representing Macerich in obtaining approvals to bring the ArcLight Cinemas to the Santa Monica Place mall.

## **PUBLIC-PRIVATE PARTNERSHIPS**

As part of the City's privatization of the Los Angeles Convention Center, the firm assisted AEG with legal compliance issues in connection with its ultimately winning bid to be become the private operator. AGD represented clients Metropolitan Pacific Capital, Clarett West Development, and DLJ Ventures in being selected by the Santa Monica City Council for the redevelopment of City-owned property at 4<sup>th</sup> Street and Arizona with an iconic office/hotel/residential project designed by world-renowned architect Rem Koolhaas. AGD planner **Aaron Clark** assisted with the approvals of a high-end shopping center and hotel development in the unincorporated County portion of the San Gabriel Valley and a large industrial complex in Valencia Commerce Center. We successfully negotiated an agreement with the City where USC would build a new fire station in exchange for the City conveying an existing fire station property to the University. This paves the way for the \$1.1 billion project at University Village that AGD helped get approved last year. In December, **Amy Freilich** assisted SunCal Companies in its entitlement of a 1600+ unit mixed-used development in the City of Dublin on land currently owned by the U.S. Army.

## **EDUCATION**

AGD helped obtain Planning Commission approval in November of a 178-unit student housing project at USC's Health Science Campus. We also assisted USC with City Planning approval of Design Guidelines and Streetscape Standards for its 5,000,000 square-foot University Park Campus Master Plan that AGD helped entitle in 2012. AGD is currently representing Brentwood School in its 30-year Education Master Plan for its East and West Campuses in Brentwood, as well as two private schools in the Santa Monica Mountains.

## **HISTORIC PRESERVATION**

AGD continues to be involved in dozens of preservation matters, including the region's marquee cultural project, the Academy's Museum of Motion Pictures at the historic May Company Building at Wilshire and Fairfax. In Santa Monica, **Dave Rand** was successful in persuading the Landmarks Commission to deny landmark status to the Pico Bowl, which removes a potential roadblock for a mixed-use project. In Highland Park, **Nicole Kuklok-Waldman** helped overturn the Los Angeles Cultural Heritage Commission's designation of a mid-century supermarket as a City Historic-Cultural Monument. AGD also defeated the nomination of a "Case Study House" for National Register of Historic Places. AGD represented the owner of Johnie's Coffee Shop in the Miracle Mile in reaching a cooperation agreement with the Los Angeles Conservancy. We also represented Sonny Astani in obtaining City approval of a 280-unit mixed-use project in Hollywood that will preserve and adaptively reuse two historic structures, including the former Falcon Studios.

## **COASTAL**

In August, the California Coastal Commission granted approval of a seawall permit to Land's End Associates for its apartment complex in Pacifica, California. AGD also assisted a client in obtaining permits for renovation of a luxury mixed condominium/retail project on Sunset Boulevard near PCH in Pacific Palisades.

## **LIGHT INDUSTRIAL/BUSINESS PARK**

In May, AGD worked with Trammell Crow Company to secure approval of a 446,230 square foot light industrial/business park development in Los Angeles' emerging "CleanTech" corridor.

## **REDEVELOPMENT**

This past year marked a major transition for redevelopment, and 2014 will see a spike in activity as the successor agency begins to dispose of properties it owns. In November, the successor agency to the LA CRA and the County Oversight Board approved a Long Range Property Management Plan that will pave the way for the CRA's disposition of hundreds of properties it owns. AGD also represented 1601 North Vine LLC in obtaining approvals to permit development to commence. Even with the winding down of CRA activities and sale of properties, the existing Redevelopment Plans remain in effect. The City is in the process of taking over land use authority under these Plans, so our work for clients on redevelopment matters will continue in the upcoming year and beyond.