

Exhibit P

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February 4, 2002

VIA FACSIMILE AND U.S. MAIL

Ms. Maya Zaitzevsky, Project Coordinator
Environmental Review Section
City of Los Angeles Planning Department
200 North Spring Street
Los Angeles, California 90012

Re: 2000 Avenue of the Stars; ENV-2001-1027 DU

Dear Ms. Zaitzevsky:

We are writing on behalf of our client, Century City Garage Partners L.P. ("CCGP") to provide comments in response to your January 4, 2002 Pre-Draft Request for Comments ("Request for Comments"). CCGP is the owner of the parking garage located at 2030 Century Park West, which is referenced in the Project Description and in the Request for Comments.

CCGP initially wishes to note that it has no objection to the applicant's development of a new project upon the site of the existing buildings located at 2020 and 2040 Avenue of the Stars provided that responsible planning is carried out by the applicant and by the City. However, there are serious errors in connection with this project application which must be corrected immediately, and are discussed below.

A. No Proceedings Involving CCGP's Property can be Undertaken without CCGP's Written Consent - which has Not Been Granted

CCGP has not signed or consented to any application for the project described in the Project Description in the Request for Comments, and yet CCGP's property is referenced as being included in the project in violation of the City's own requirements (requiring notarized consent all property owners entailed by a project application) and well established California law. *See Glass v. Gulf Oil Corporation* (1970) 12 Cal. App. 3d 412 (holding planning proceedings regarding non-consenting owner's property constituted slander of title regardless of decision on proposed project).

CCGP's property is not part of the applicant's project, and the City of Los Angeles must immediately cease and desist from any proceedings involving CCGP's property. In the

Ms. Maya Zaitzevsky,
Project Coordinator
February 4, 2002
Page 2

alternative, the project description should be revised to eliminate representations that any parking for the applicant's project will be provided at CCGP's property.

B. The Parking Covenants Referenced in the Project Description will be Terminated when the 2020 and 2040 Avenue of the Stars are Demolished

As discussed in the preceding section of this letter, entitlement proceedings cannot be continued which involve CCGP's property since CCGP has not given its written consent to the same. If proceedings are continued (without the involvement of CCGP's property), an appropriate environmental analysis must be prepared, as discussed in the remainder of this letter.

The Project Description in the applicant's application states that "451 off-site parking spaces [in the garage located on CCGP's property] are covenanted for 2020 and 2040 Avenue of the Stars." The City's Request for Comments similarly states that refers to "451 off-site parking spaces [in the garage located on CCGP's property] which are covenanted for use by 2020 and 2040 Avenue of the Stars."¹

The project description in the applicant's application states that "the proposed project will remove all of the site uses except for the Century Plaza Towers along Century Park East." (emphasis added) The City's Request for Comments similarly states that the buildings commonly known as 2020 and 2040 Avenue of the Stars are to be demolished for the applicant's project.²

Both of the off-site parking covenants referenced in the project descriptions (Instrument Nos. 83-230834 and 94-2186059; hereinafter, the "Covenants") state that the Covenants shall only continue in effect so long as the "use or building requiring such parking is required is maintained..."

¹ Building permit records of the City's Building & Safety Department state that in excess of 1,595 parking spaces are required in connection with 2020 and 2040 Avenue of the Stars. Such parking requirement significantly exceeds the 451 spaces provided by the Covenants.

² The applicant's project consists of primarily daytime parking generating uses (i.e. office uses), and will virtually eliminate the nighttime, seasonal (with respect to the Shubert Theater), and pedestrian uses currently provided in 2020 and 2040 Avenue of the Stars. Therefore, the daytime parking demand of the applicant's new project will be significantly increased from that generated by the existing 2020 and 2040 Avenue of the Stars buildings.

Ms. Maya Zaitzevsky,
Project Coordinator
February 4, 2002
Page 3

As acknowledged by both the applicant's application and the City's materials, the uses and buildings at 2020 and 2040 are to be removed/demolished, and accordingly will no longer be "maintained." Accordingly, at the time the buildings located at 2020 and 2040 are removed/demolished, the Covenants will automatically be terminated by their express terms and by operation of law.³

C. The Amount of Parking Represented by Provided by the Applicant's Project is Incorrect

Because the applicant has no authority to represent that the CCGP's parking garage is part of its new project, and because the Covenants will be terminated in accordance with their own terms and by operation of law, 451 off-site parking spaces will not be provided on CCGP's property as erroneously represented in the applicant's and the City's materials.

For these reasons, the applicant's statement that the project will provide 6,294 parking spaces is erroneous as is the statement in the City's Request for Comments which indicates that the project will provide 6,314 parking spaces. Because the 451 off-site spaces at CCGP's property will not be provided, there will be no more than 5,843 or 5,863 parking spaces provided for the applicant's project (depending whether the base number in the applicant's project description or the base number in the City's Request for Comments is used).

The City's environmental analysis should be prepared accordingly.

D. Conclusion

In conclusion and as stated initially, CCGP has no objection to the applicant's development of a new project upon the site of the existing buildings located at 2020 and 2040 Avenue of the Stars provided that responsible planning is carried out by the applicant and by the City. CCGP's property is not part of the applicant's project, and either the proceedings with respect to the project should be terminated, or the project description should be revised to eliminate representations that any parking for the applicant's project will be provided at CCGP's property.

We look forward to reviewing the draft Environmental Impact Report for the project when it is prepared by the City. We respectfully request that our office be provided with

³ CCGP hereby requests that upon the issuance of demolition permits for the buildings located 2020 and 2040 Avenue of the Stars, the Department of Building and Safety provide CCGP with written acknowledgments that the Covenants are terminated, so as to allow CCGP to clear the Covenants from the title records for CCGP's property.

Ms. Maya Zaitzevsky,
Project Coordinator
February 4, 2002
Page 4

copies of the Environmental Impact Report, as well as my staff reports, and notices regarding the project. Thank you very much for your cooperation, and as always, please do not hesitate to contact me if you have any questions or comments.

Very truly yours,


Allan I. Absher

AJA

cc: Mr. John Bauroth
Councilman Jack Weiss, 5th District
Ms. Renee Schillaci